H. R. 5502. A bill to reimburse certain Navy personnel for personal property lost or damaged as the result of a fire at the naval auxiliary air facility, Astoria, Oreg., on April 2, 1944; to the Committee on Claims.

H. R. 5503. A bill for the relief of June I. Gradijan; to the Committee on Claims.

H. R. 5504. A bill for the relief of G. F. Allen, chief disbursing officer of the Treasury Department, and for other purposes; to the Committee on Claims.

H. R. 5505. A bill to authorize payment of certain claims for damage to or loss or destruction of property arising prior to May 27, 1941, out of activities of the War Department or of the Army; to the Committee on Claims.

H. R. 5506. A bill for the relief of certain disbursing officers of the Army of the United States, and for other purposes; to the Committee on Claims.

By Mr. NEWSOME:

H. R. 5507. A bill for the relief of Eli L. Scott; to the Committee on Claims.

By Mr. RAMEY:

H. R. 5508. A bill for the relief of Daniel B. Johnson; to the Committee on Claims.

By Mr. SCOTT:

H. R. 5509. A bill for the relief of Henry W. Savidge; to the Committee on Claims.

By Mr. STOCKMAN:

H. R. 5510. A bill for the relief of Sidney B. Walton; to the Committee on Claims.

PETITIONS, ETC.

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

6199. By Mr. SCHIFFLER: Petition of J. Guy Allender, secretary, Friendship Lodge, No. 8, Knights of Pythias, Grafton, W. Va., urging immediate appropriate action on the part of the proper authorities of the United States Government to acquire and provide sufficient land for the extension and improvement of the national cemetery at Grafton, W. Va., for the purpose of providing adequate burial facilities for deceased veterans and servicemen entitled thereto; to the Committee on World War Veterans' Legislation.

SENATE

TUESDAY, NOVEMBER 21, 1944

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

All glory and thanksgiving be to Thee, Almighty God, our Heavenly Father, for Thy tender mercy and Thy loving kindness which has followed us all the days of our life. Make us free by the truth which Thou dost reveal to us while our minds are stayed on Thee and our souls, eased of strain and stress, are kept in perfect peace. We humble ourselves before Thee as we come confessing our part, as individuals and as a nation, in the pride and greed which has loosed this terror of cruelty and strife upon the earth. Too often, lulled by our cushioned ease, we have viewed the plight of our enslaved and exploited fellows with indifference. Give us to see with eyes startled by revelations which these fiery days have brought to our own democracy that there are class chasms which must be bridged, there are festering sores which must be healed, there are glaring inequalities which must be leveled, if this Nation under God is to be worthy of her brave warriors now giving their all that liberty trampled by tyrants may arise and shine with healing rays all glorious in beauty and strength, and we lift our noonday prayer in the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Secretary, Edwin A. Halsey, read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., November 21, 1944.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. KENNETH MCKELLAR, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. MCKELLAR thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, November 20, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

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

RESIGNATION OF SENATOR BONE, OF WASHINGTON

The ACTING PRESIDENT pro tempore laid before the Senate a letter of resignation from Senator BONE, of Washington, which was read and ordered to lie on the table, as follows:

UNITED STATES SENATE,
COMMITTEE ON PATENTS,
Pasadena, Calif., November 13, 1944.

Hon. HENRY A. WALLACE,
President of the Senate,
United States Senate,
Washington, D. C.

DEAR MR. WALLACE: I have submitted to the Governor of the State of Washington my resignation as a United States Senator from the State of Washington, which resignation is effective at the close of business of the day and date of this letter.

I present this to you for your information and for such disposition of the matter as should properly be made.

Sincerely yours,

HOMER T. BONE.

SENATOR FROM GEORGIA—CREDENTIALS

Mr. RUSSELL presented the credentials of WALTER F. GEORGE, chosen a Senator from the State of Georgia for the term beginning the 3d day of January 1945, which were read and ordered to be placed on file, as follows:

OFFICE OF THE GOVERNOR,
Atlanta, November 13, 1944.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November 1944 Hon. WALTER F. GEORGE was duly chosen by the qualified electors of the State of Georgia a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1945.

Witness: His Excellency our Governor, Ellis Arnall, and our seal hereto affixed in the State capitol, in Atlanta, Ga., this 13th day of November, in the year of our Lord 1944.

By the Governor:

ELLIS ARNALL, *Governor.*
[SEAL] JOHN B. WILSON,
Secretary of State.

NOTICE OF HEARING ON NOMINATION OF ALOYSIUS J. CONNOR TO BE UNITED STATES DISTRICT JUDGE, DISTRICT OF NEW HAMPSHIRE

Mr. HATCH. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I desire to give notice that a public hearing has been scheduled for Tuesday, November 28, 1944, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Aloysius J. Connor, of New Hampshire, to be United States district judge for the district of New Hampshire, vice Hon. George F. Morris, retired. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee consists of the Senator from Nevada [Mr. MCCARRAN], chairman; the Senator from West Virginia [Mr. KILGORE]; and the Senator from Wisconsin [Mr. WILEY].

ADDRESS BY THE PRESIDENT ON THE OPENING OF THE SIXTH WAR LOAN DRIVE

Mr. GEORGE. Mr. President, I ask unanimous consent to have placed in the RECORD a radio address delivered on November 18, 1944, by the President of the United States in connection with the opening of the Sixth War Loan drive.

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

The Sixth War Loan drive starting tomorrow is something more than just a money-raising affair.

We cannot all fight the enemy face to face. We cannot all produce the weapons and raw materials so vital to our armed forces.

But there is one front on which all of us—every man, women, and child—can serve, and serve for the duration. We can all practice self-denial. We can all sacrifice some of our comforts to the needs of the men in service, and, yes, even some of our needs to their comforts.

The war in this present month of November alone will cost us seven and one-half billions of dollars. That is two hundred and fifty millions a day.

That is why every War bond you buy is so important.

The war is not over—no, not by many a costly battle. While we have every reason to be proud of what has been done—even optimistic about the ultimate outcome—we have no reason to be complacent about the tough road which still lies ahead.

We have just been through a wartime election, demonstrating to the people of the world the deep roots of our democratic faith.

The Sixth War Loan, I am confident, will be a further example of democracy in action in a world at war.

There is an old saying about sticking to the plow until you have reached the end of the furrow. Every rule of common sense and patriotic thought makes that maxim applicable to our conduct in this war.

In the name of our wounded and sick, in the name of our dead, and in the name of future generations of Americans, I ask you to plow out this furrow to a successful and victorious end.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

THE ARMY AND NAVY FOOTBALL GAME

Mr. WALSH of Massachusetts. Mr. President, for the information of Senators I should like to make an announcement with reference to the Army and Navy football game.

The Members of the House of Representatives and the Senate are considered honorary members of the Naval Athletic Association. As such member, each Member of the Senate is entitled to purchase four tickets for this game. The notice which has been sent to all members of the Naval Athletic Association states:

First. The purchase of War bonds is not a prerequisite to obtaining tickets for members of the Naval Athletic Association—which, of course, includes Members of the House of Representatives and the Senate—for the game to be played at Baltimore on December 2.

Second. Each Member of the House of Representatives and the Senate should apply by letter, setting forth the fact that he is a Member of the Congress, his name, and the number of tickets desired—not over four per Member—the address to which tickets should be mailed, and include remittance to cover the cost.

Third. Two tickets may be applied for at the price of $4.80 each, which includes 20 percent Federal tax, and two tickets may be applied for at the special rate of $3.80 each. A fee of 25 cents must be added to the remittance to cover the cost of mailing and handling.

Fourth. The closing time—dead line—for receipt of applications is 5 p. m., Thursday, November 23.

Fifth. Tickets will be placed in the mail as soon after the above date as it is possible to do so. Probably by Monday, November 27.

Sixth. Applications should be addressed to the Secretary-Treasurer, Navy Athletic Association, Annapolis, Md.

THE POLICY ON WAR AND PEACE—ARTICLES BY SENATOR CONNALLY AND SENATOR AUSTIN

Mr. AUSTIN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point articles by the distinguished Senator from Texas [Mr. CONNALLY], chairman of the Foreign Relations Committee of the Senate, and by myself, entitled "The Policy on War and Peace." The article by the Senator from Texas is on the Policy on War and Peace in the platform of the Democratic Party, and the article by myself is on the Policy on War and Peace, in the platform of the Republican Party. They were published in the same American Peace Society Bulletin of October 1944.

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

THE POLICY ON WAR AND PEACE IN THE PLATFORM OF THE DEMOCRATIC PARTY

(By TOM CONNALLY, chairman, Committee on Foreign Relations, United States Senate)

The most accurate and graphic statement as to the attitude of the Democratic Party with reference to war and peace is the language itself of the Democratic platform. It reads as follows:

"The primary and imperative duty of the United States is to wage the war with every resource available to final triumph over our enemies and we pledge that we will continue to fight side by side with the United Nations until this supreme objective shall have been attained and thereafter to secure a just and lasting peace.

"That the world may not again be drenched in blood by international outlaws and criminals, we pledge:

"To join with other United Nations in the establishment of an international organization based on the principle of the sovereign equality of all peace-loving states, open to membership by all such states, large and small, for the prevention of aggression and the maintenance of international peace and security.

"To make all necessary and effective agreements and arrangements through which the nations would maintain adequate forces to meet the needs of preventing war and of making impossible the preparation for war and which would have such forces available for joint action when necessary.

"Such organization must be endowed with power to employ armed forces when necessary to prevent aggression and preserve peace.

"We favor the maintenance of an international court of justice of which the United States shall be a member and the employment of diplomacy, conciliation, arbitration, and other like methods where appropriate in the settlement of international disputes.

"World peace is of transcendent importance. Our gallant sons are dying on land, on sea, and in the air. They do not die as Republicans. They do not die as Democrats. They die as Americans. We pledge that their blood shall not have been shed in vain. America has the opportunity to lead the world in this great service to mankind. The United States must meet the challenge. Under divine providence, she must move forward to her high destiny."

In brief, the platform proclaims that the United States will wage the war to final triumph over all our enemies and thereafter will aid in securing a just and lasting peace. It does not stop there, however. It looks toward the future. It envisages the danger of another war by aggressors and conquerors. To circumvent such a holocaust, it proposes the establishment of an international organization embracing the principle of the sovereign equality of all peace-loving states and open to membership by such states, large and small, with the avowed and definite purpose of preventing aggression and preserving international peace and security. It frankly advocates that such an organization must be endowed with authority ultimately to employ armed force when necessary to secure its objectives.

Force, however, should be employed only as a last resort. It is declared that an international court of justice shall be maintained. This may be accomplished by the amendment or modification of the statutes of the present World Court. The plank also advocates the use of diplomacy, conciliation, arbitration, and other similar methods where appropriate in the settlement of international disputes.

This is a brief résumé of the proposed international agreement. The general outline of the American plan now being considered at Dumbarton Oaks was known to the drafters of the Democratic platform. Of course, all of the details upon which agreement may be had by the conference are not known.

It is now understood that the international organization will consist of an assembly which will be composed initially of members of the United Nations and later of such other peace-loving nations as may be admitted. The general authority of the Assembly would include all powers not specifically vested in other departments of the international organization.

The executive and administrative authority of the international organization would rest in an Executive Council. This Council would consist of representatives of the four great powers, the United States, Russia, Great Britain, and China, who would be permanent members. In addition, seven members of the Council would be elected to the Assembly for stated periods of tenure. It is also contemplated that at a later date a fifth nation may become a member of the permanent Council. It is also proposed that a vote on the employment of armed forces must have the approval of all of the permanent members of the Council. In other words, any member of the permanent Council may veto the employment of force in any particular instance. The Executive Council would have general authority to administer the affairs of the international organization and to act in cases of emergency. It would also have authority to refer to the Assembly any matter which is deemed to be appropriate.

While the use of force is sanctioned, it must be borne in mind that the employment of the international court of justice, conciliation, arbitration, and diplomacy and other peaceful means must be resorted to in the settlement of international disputes. The purpose of the international organization is not to promote war and armed conflicts but to preserve peace. Force is to be employed only as a last resort and against ambitious powers which know no law except that of the sword.

There are those who will oppose any form of international organization in behalf of peace. Some of them will base their arguments upon the claim that for the United States to do so would constitute an impairment of our sovereignty. This is a specious claim. It can be easily exploded. If such a claim were tenable, then the United States might not be able to conclude a treaty of any kind with a foreign nation because to do so, according to such a theory, would be to surrender something of American sovereignty. Of course, within the obligations assumed by the Nation in any treaty its liberty of action is restricted within the limits of the terms agreed upon. There is no surrender of sovereignty. On the contrary, there is an exercise of sovereignty. There is an assertion by our Nation of the will and the power to do those things which are for the best interests of our citizens and in a larger fashion in the best interests of the citizens of the world and world peace. That is the very essence of sovereignty. After all, sovereignty involves the authority of a government to achieve governmental objectives and to exercise its own will and independence. The joining in an international agreement in behalf of peace is but the exercise of that governmental power, that governmental will, and that governmental independence which sovereignty suggests.

It must be remembered that when we are contributing to the maintenance of world peace we are contributing to the peace of our own country. World War No. 1 caused us to spend lavishly of our treasure and to sacrifice on the field of battle much of the richest blood of the Republic. World War No. 2 has entailed stupendous expenditure of the public funds and has sacrificed the lives of many thousands of our brave and gallant sons. It has disturbed our domestic economy and has involved sacrifices by our citizens. In striving for the preservation of the peace of the world we are striving for our own peace, for our own security, for our own safety, for our own freedom from having to waste our treasure and spill our blood.

The provisions of the plan which provide a veto power in the hands of each member of the Executive Council and the further provision that the United States shall have a permanent representative on the Council is a guaranty that force will not be used in any international quarrel except with the consent of the representative of the United States. This meets the old argument of

those who have heretofore denounced such an international organization on the ground that it would have authority to plunge us into a foreign war without consultation with the United States. It must be borne in mind that even the employment of force under the conditions in which it will be employed, is not an act of war, but is an act to prevent war. It is essentially a peace measure. The history of international law is full of examples of the use or the display of force in the protection of the rights of nationals and in the defense of property and to repel aggressions upon the high seas which did not actually result in war. It is believed that in any case with the unanimous vote of the great powers, who are permanent members of the Council and by a majority vote of the entire Council, no nation would dare to challenge the decisions of the international organization or would dare to employ armed forces in any campaign of aggression or conquest. The decision of the Council would not only carry the normal influence of world opinion, but the might and strength of the armed forces of the members of the organization would overawe and compel the acquiescence of a recalcitrant or stubborn nation that might contemplate conquest.

It is also provided that the Council shall take steps to bring about an agreement among the nations composing the international organization, which shall stipulate the quota of armed forces and related matters.

The United States independently of the treaty will have authority to provide the method by which the representative of the United States on the Council shall be selected. It is likely that the statute creating such an office would define and if necessary, delimit his authority and power.

The proposed international organization contemplates the organization of all peace-loving nations. It provides a concrete and definite organization. It expresses a determination to employ peaceful means for the settlement of international controversies which might result in war. It realizes, however, that these measures may not be sufficient and it provides in the last analysis for the employment of armed force. It realizes that a court may render a decision and judgment, but that without a sheriff with armed authority, the judgment might not be enforced. Those who submit to law and are amenable to peaceful measures may respect the judgment of the court and abide by it. However, a lawless and arrogant litigant may defy the court unless it exerts a final authority by the employment of armed force.

If we are to secure the preservation of world peace—and that includes our peace—we must be willing to pay the price. That price is our cooperation with other nations of a similar mind. We must join in seeking the employment of peaceful measures. If these fail, we must be willing to assume our share in the obligations imposed upon us.

It is my firm conviction that the overwhelming majority of the American people are for an international organization to preserve the peace and prevent aggression. There will be those who object to this or that detail. I know of no piece of legislation or even any constitution which pleases every citizen in every respect. At every session of the Congress, there are introduced thousands of bills seeking to change existing law. At each session of the Congress, numerous amendments to the Constitution of the United States are proposed. Somebody objects to this feature. Another does not like some other provision.

The proposed treaty, however, must be considered in its entirety, on the ground of its noble objectives and in view of its tremendous effect upon world policy and world peace.

It will be subject to amendment or modification or change in the light of the experience of future years. It cannot be perfect at its inception. It must grow and develop and be shaped to meet the needs of a rapidly moving world.

THE POLICY ON WAR AND PEACE IN THE PLATFORM OF THE REPUBLICAN PARTY

(By WARREN ROBINSON AUSTIN, member, Committee on Foreign Relations, United States Senate)

The American plan for a general international organization for security and peace in its early status was known to those who drafted the Republican plank on war and peace. It is a fair guess that the authors of the Democratic plank had the same plan in mind. At the time these planks were adopted by both political parties the representatives of the United Nations had already been invited to the Dumbarton Oaks Conference, but the plan had not been presented to them. In courtesy to those representatives, as well as in consideration of practical rules of negotiation, both parties guarded the terms of the plan from publicity.

The committee on international policy which drafted the plank for the Republican convention discussed the matter in hypothetical form. No assurances were given that the plan contained any of the specific provisions under discussion. Nevertheless, the Republican plank, and, in my opinion, the Democratic plank, on international policy, both contemplated the American plan so far as it has since become known to the public.

The Republican declaration at Mackinac laid the foundation for the more specific commitments of the party at Chicago. It helped to unify and strengthen the Republican organization. There are, it is true, some members of the Republican Party, as well as of the Democratic Party, who adhere to unconditioned nationalism. Nevertheless, the Republican Party, as an organization, in the Chicago convention, placed itself squarely against isolationism and for an international organization having the capacity to direct peace forces whenever it became necessary to do so to prevent or repel military aggression.

Peace forces include whatever force may be necessary to preserve the peace, such as conciliation, arbitration, litigation, economic sanctions, and interposition.

There are similarities between this program and international practices during the past century. There have been hundreds of cases of the use of pressure, and even of violence, by an aggrieved state for the protection of its citizens living in a foreign country, of its flag on land or sea, or of its boundaries. Such acts have been in accord with the law of nations, and have been the common custom of members of the family of nations.

No practice has been recognized as lawful by which any state imposed its political authority on a weaker state incapable of escaping through fear of the consequences of its resistance. The difference between past practice and the plan is that heretofore the actor has not been an independent organization, but has been an aggrieved state, or, in the League of Nations, a member thereof.

However, it is important to note another difference, viz: In the League of Nations the provision for coercion was limited to advice or recommendation, whereas the present declaration of the Republican Party, and probably of the American plan, provides for direction.

Briefly stated, the Republican plank on war and peace commits the Republican Party to the support of a treaty agreeing upon such provisions for security as the following:

General rules of international conduct binding the nations:

(a) To adopt peaceful methods of determining controversies with each other;

(b) To support the international organization in its execution of the basic treaty;

(c) To use peace forces when directed to do so by the organization;

(d) To refrain from employment of military forces except according to the basic treaty;

(e) To participate in subsequent treaties aimed at removal of causes of war and establishment of conditions in which peace would be attained that would prevail through the world.

A structure of organization containing:

An assembly composed of representatives of all sovereign nations who desire peace, on the basis of sovereign equality, and which would have all of the powers not vested in other departments of the organization.

An Executive Council composed of representatives of the great powers, who would have the capacity to maintain order and who would be permanent members of it; also representatives of lesser powers who would be impermanent members, elected annually. Such a council would have exclusive jurisdiction of the subject of sanctions, and authority to direct military forces if necessary to enforce the basic treaty and maintain peace.

A judicial tribunal to which any nation could bring another for the determination of controversies between them.

The Republican Party, through its plank on war and peace, has definitely advanced toward other sanctions than war in its aim to establish a just peace after the termination of hostilities, and to promote such international arrangements that the vital interests of the parties to the treaties would favor peace rather than war, to avoid provocation to violence, and to develop further the good-neighbor policy.

It is clear to all that even the best devised organization having nothing but military force as sanction for law and order would last only so long as the people of the several countries earnestly desired, and were willing to pay the price of peace. Therefore, we regard the spiritual element in the Republican doctrine as a factor of security.

A large area of agreement upon these doctrines among Republicans is expressed in the plank on war and peace. Some members of each of the political parties advocate delay in the establishment of the organization until after the war and until after the various peace treaties have been definitely made; also, delay in the use of sanctions by the organization.

Under the latter, they raise the issues of sovereignty and constitutionalism.

The Republican plank is founded upon the claim that external sovereignty is not lost, but is strengthened, by its use in combining with other powers to preserve order and peace. A corollary of this is that no nation loses any degree of its independence in relation to other nations joining in the treaty, because each makes the same relative contribution thereof to the common authority.

As to the claimed violation of constitutionalism in authorizing our delegate in the Council to vote for the direction of peace forces, the historic course of this Nation is a practical construction of the Constitution.

In the period from 1813 to 1927, American forces operated on foreign soil within the jurisdiction of a foreign state without any declaration of war on 77 different occasions.[1]

There have been, also, numerous incidents in which protection to American citizens abroad was given by display of armed force.

The premise for the use of force is the obligation of government to its citizens to protect their lives and property and to preserve the state and maintain its honor.

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[1] Milton Offutt, The Protection of Citizens Abroad by the Armed Forces of the United States.

This is a principle of international law, which is a part of our law.[2]

The duty of the Chief Executive to act before a declaration of war by Congress is based on the provision of the Constitution that "he shall take care that the laws be faithfully executed."[3]

However, too much emphasis on these instances of practical construction of the Constitution ought to be avoided in the matter under discussion. They are referred to here to show that the exercise of the exclusive power of the President to employ armed forces in a foreign country to protect the lives and property of American citizens resident in that country does not constitute an act of war; and is, therefore, not equivalent to a declaration of war.[4] Such intervention has seldom led to war, although it may do so, as in the Boxer disturbance in China.

Emphasis should be laid on the different actor and different cause in the interposition planned. The cause is to prevent or repel aggression. Its character is defensive. Its object is peace.

By cruel experience in two World Wars, which have developed fiendish weapons capable of unprecedented destructiveness in short time over long distances, the fact has been forced upon our recognition, that violence threatening war, in any place on earth, affects the security and peace of this Nation and its citizens.

The important shift is from unilateral right to society's duty to interpose whenever disturbance arises.

The actor is not the aggrieved state alone. It is the organization for security and peace. It represents the conscience of a large portion of humanity. Its decision to act would be free from the infirmity of aggrandizement or imperialism. Its judgment would be independent. So far as it might involve members, its acts would be founded on treaty and law. Its moral power would be tremendous.

These facts have distinct bearing in our consideration, separate from the treaty, of the power to be vested in our delegate on the council.

There is no intention of avoiding or evading the obligation to have a declaration by the Congress of the United States whenever this country goes to war. This is not inconsistent with the basic treaty contemplated. The basic treaty will not raise the issue. Each government will have to decide for itself the limits of its commission to its delegate.

Our delegate to the Council could constitutionally be authorized to vote in the council within the limits of this commission, and in accordance with governmental procedure.[5] His commission would be prescribed by Congress. Congress would have to create his office, define its powers, and appropriate for its maintenance. This would naturally be done independently of the ratification of the treaty. It would not be necessary to delay every application of sanctions while the American delegate came back to Congress on every question upon which he was to vote.

The new international attitude of real cooperation is declared in the Republican plank, and would be provided for in the treaty, if the Council should be composed of, say, eight members, and the decision or directive of the Council should depend upon a majority. If that majority must include all of the votes of the permanent members a veto would, in effect, be provided for the proportionate number of lesser states and for any one of the greater states. In theory, this would do away with world power politics. In theory the smaller countries would not be under the domination of the larger countries. In practice much depends upon the spirit of the people behind their representatives.

As I have said, any plan that is made can fail if it does not have the vital force of strong desire on the part of nations to make the plan succeed.

A special treaty for earmarking the military forces to be available for direction by the organization is contemplated.

If no provision should be made in the basic treaty for the allocation by its members of special military task forces, there should be at least an obligation on the part of those members, who are competent to do so, to maintain sufficient military forces and equipment to respond promptly to the direction of the Council. Our country ought to follow the advice of Gen. George Washington that it maintain a "well-trained militia." I interpret his "well-trained militia" as requiring a universal military training program. As General Marshall has stated it, we would not maintain a large professional army, but would maintain a compact, central organization sufficient to meet the directions of the Council, having on call "a well-trained militia."

We approach the portentous event of ratification of a treaty establishing the general international organization for the prevention or repelling of military aggression.

The hope of the world for prolonged peace is grounded on the peace forces other than armed interposition. Their effectiveness must spring from the conscience and sustained active interest of the people. Any treaty entered into must keep the door open to adaptation, development, and change to unfold and expand the causes of peace.

The importance of public opinion in this situation cannot be overemphasized. I am persuaded that the Senate will ratify such a treaty provided the people of America are ready to pay the price of peace, even though it be a high price. The Senate will not expect, nor would the people approve, a proposal that involved the purchase of peace through the sacrifice of justice, or of the guaranties of freedom. But the Senate and the people, I believe, will be willing to exercise the external sovereignty of this Nation by participating effectively in such an international organization on the basis of fundamental rules of international conduct expressed in the treaty, and the employment by the organization of whatever force is necessary to prevent or repel military aggression.

[2] *The Pasquette Habana* (175 U. S. 677, 700).

[3] *In re Neagle* (135 U. S. 1, 64); see also, *Logan* v. *U. S.* (144 U. S. 263, 294); *U. S.* v. *Mullin* (71 Fed. Rep. 686); *Buster* v. *Wright* (135 Fed. Rep. 947, 957); *Durand* v. *Hollins* (4 Blatchford 451, 454).

[4] *Hamilton* v. *McChaughry* ((1905), 136 Fed. 445).

[5] *Neely* v. *Henkel* (180 U. S. 109, 121).

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

RESOLUTIONS BY THE COUNCIL OF U. N. R. R. A.

A letter from the Secretary of State, transmitting copies of certain resolutions adopted by the second session of the Council of the United Nations Relief and Rehabilitation Administration, held in Montreal, Canada, being Resolution No. 53, relating to reservations and declarations of the Congress of the United States, and Resolution No. 54, amending its Resolution No. 1, with respect to United Nations areas of importance to the military operations of the United Nations and stricken by famine or disease (with accompanying papers); to the Committee on Foreign Relations.

PERSONNEL OF THE LAND FORCES

A letter from the Secretary of War, transmitting, pursuant to law, a confidential report of the number of men in active training and service in the land forces on September 30, 1944, under section 3 (b) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, reports stating all the facts and pertinent provisions of law in the cases of 206 aliens whose deportation he suspended for more than 6 months, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

A letter from the Attorney General withdrawing certain names from reports relating to aliens whose deportation he suspended for more than 6 months, heretofore transmitted by him to the Senate, pursuant to law; to the Committee on Immigration.

COMPENSATION OF POSTMASTERS

A letter from the Postmaster General, transmitting a draft of proposed legislation to amend section 2 of the act of May 29, 1928, and section 3 of the act of March 29, 1944, affecting the compensation of postmasters (with an accompanying paper); to the Committee on Post Offices and Post Roads.

REPORT OF NATIONAL WAR LABOR BOARD ON WAGE STABILIZATION

A letter from the Chairman of the National War Labor Board, transmitting, in further response to Senate Resolution 130, agreed to April 9, 1943, a report on stabilization of wages and salaries for the month of August, 1944 (with an accompanying report); ordered to lie on the table.

NEW ENGLAND TELEPHONE & TELEGRAPH CO. *v.* THE UNITED STATES

A letter from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation concerning the claim of the New England Telephone & Telegraph Co. against the United States (with an accompanying report); to the Committee on Claims.

REPORT OF NATIONAL HOUSING AGENCY

A letter from the Administrator of the National Housing Agency, transmitting, pursuant to law, the second annual report of that agency for the calendar year 1943 (with an accompanying report); to the Committee on Education and Labor.

REPORT OF DIRECTOR OF THE ADMINISTRATIVE OFFICE, UNITED STATES COURTS

A letter from the Director of the Administrative Office of the United States Courts, transmitting, pursuant to law, the annual report of the director of that office for the fiscal year 1944 (with an accompanying report); to the Committee on the Judiciary.

PERSONNEL REQUIREMENTS

A letter from the Administrative Assistant to the Secretary of Commerce, transmitting, pursuant to law, estimates of personnel requirements for the Bureau of the Census for the quarter ending December 31, 1944 (with accompanying papers); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

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

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the board of directors of the American Society of Civil Engineers, New York, N. Y., favoring the selection of at least one member of the Advisory Board created by the War Mobilization and Reconversion Act of 1944, who is an engineer of high ability and broad experience in the fields of professional engineering and administration; to the Committee on Military Affairs.

By Mr. AUSTIN:

A petition of sundry citizens of the State of Vermont, praying for the enactment of

the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States; to the Committee on Military Affairs.

By Mr. WALSH of Massachusetts:

Resolutions of the Polish-American Citizens' Club of South Boston, Mass., and other American-Polish associations in the Eastern States, favoring the relief of and aid to Poland; to the Committee on Foreign Relations.

By Mr. AIKEN:

Three petitions signed by 72 citizens of Irasburg, Vt., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States; to the Committee on Military Affairs.

RESOLUTIONS OF THE VERMONT STATE GRANGE

Mr. AIKEN. I present and ask to have printed in the RECORD, and appropriately referred six resolutions adopted by the Vermont State Grange at its annual meeting last month. I am offering these resolutions particularly at this time because some of the resolutions pertain to bills which are immediately before the Congress and particularly because of the recommendation for action on the St. Lawrence seaway project.

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

To the Committee on Agriculture and Forestry:

Resolution 1

Whereas Vermont is composed of broken areas by reason of its streams, lakes, hills, and mountains; and

Whereas adjacent to most of our tillable lots other land appears which is well adapted for pasture and woodland; and

Whereas Vermont is valuable for homes in which to rear families; and

Whereas we believe that our natural resources can best be conserved and utilized by conducting farming by what is commonly known as one-family farms, rather than large commercial ventures: Therefore be it

Resolved, That we use our influence to make Vermont a State of farm homes, and to this end, as a long-time program to build rather than rob the soil, by continuing our best practices such as pasture improvements, care of farm-made fertilizers, and especially more intelligent handling of timber land, to include reforestation of open land, not used for other purposes and systematic thinning of young growth commonly called brush land.

To the Committee on Commerce:

Resolution 2

Whereas the Bellows Falls Hydro-Electric Co. is endeavoring to obtain options on flowage rights of certain lands to be flowed by the raising of a dam at Wilder, Vt.; and

Whereas the flowing of said farm lands will destroy their usefulness for agricultural purposes, and inconvenience and menace the operation of many acres of land bordering on the flowed area: Therefore be it

Resolved, That the Vermont State Grange go on record as being vigorously opposed to the flowing and destruction of the aforesaid farm lands; that this resolution be spread on the records of this Grange and that a copy be presented to the committee of farm owners organized to oppose the flowing of their farm lands, and the influence of this Grange be expended in their behalf.

Resolution 3

Whereas the inhabitants of the Connecticut Valley are deeply concerned about the proposed power dam project at Wilder: Therefore be it

Resolved, That the Vermont State Grange express its hearty approval of the action of the special session of the legislature in appointing a committee and making an appropriation for the study of the situation and to make recommendations.

Resolution 4

Whereas the future agricultural and industrial well-being of Vermont depends to a considerable extent upon the power rates comparable to those available to other parts of the Nation: Therefore be it

Resolved, That the Vermont State Grange urge Congress of the United States to take action to provide for the development of the St. Lawrence River waterway and power resources.

Resolution 5

Whereas the West River Dam project near the towns of Dummerston, Newfane, and Williamsville is an unnecessary and destructive project to the surrounding towns and farms; and

Whereas it is totally unnecessary to have this dam as a means of power; and

Whereas the surrounding towns and State of Vermont are willing to support a project of their own to care for spring floods to their fullest extent; and

Whereas this West River Valley is of excellent tillage soil and is greatly needed for agricultural purposes in the State: We, therefore,

Resolve, That the Vermont State Grange strongly feel that this is an uncalled for project and we ask that the National Government do all in its power to protect the farms and homes in this valley and take steps to withdraw this bill.

To the Committee on Agriculture and Forestry:

Resolution 6

Whereas the cutting off of our forests has increased the danger of serious floods and drought conditions; and

Whereas the demand for hardwood lumber has resulted in many of our sugar maples being cut off for lumber; and

Whereas it takes about 100 years to reforest with sugar maples; and

Whereas Vermont is famous, Nation-wide, for its maple sirup and sugar and at present there is serious danger that the maple industry will soon become a thing of the past: Be it

Resolved, That the Vermont State Grange do all in its power through the public press and our lecturers' programs to educate the public of this existing danger of the destruction of our maples and of the advisability of a long-time program of forest preservation by selective cutting rather than the wholesale slaughter of our maple trees, the pride of our Green Mountain State: Also be it

Resolved, That the Vermont State Grange work for State laws to preserve and protect our forests and maple orchards, Vermont's heritage.

To the Committee on Military Affairs:

Whereas it has been called to our attention that many communities are planning a celebration on the day Germany is defeated; and

Whereas this will not mark the end of the war: Be it

Resolved, That this Grange go on record as favoring a day of meditation, at this time, and save the celebration until the war is over.

SOCIAL-SECURITY PAY-ROLL TAXES—PETITION OF NORTH DAKOTA RETAIL HARDWARE ASSOCIATION

Mr. LANGER presented a telegram in the nature of a petition from the North Dakota Retail Hardware Association, Grand Forks, N. Dak., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

GRAND FORKS, N. DAK.,
November 20, 1944.

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

We petition Congress continue freeze 1 percent for old age benefit by enacting S. 2175 as now introduced because adequate funds available care for benefits administration during 1945. Please not increase burden on business with unnecessary taxation when further demands upon it anticipated carry on future.

Exorbitant taxation destroy this lucrative source revenue to Government.

NORTH DAKOTA RETAIL HARDWARE ASSOCIATION.

CONFERENCE METHOD OF RATE MAKING

Mr. MALONEY. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD at this point, a letter and resolution, which I have received from Mr. F. G. Farrell, secretary of the Hartford Chamber of Commerce, Conn., favoring the passage of bill H. R. 2720.

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

THE HARTFORD CHAMBER OF COMMERCE,
Hartford, Conn., November 16, 1944.

The Honorable FRANCIS MALONEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: At a meeting of the transportation bureau, held October 17, upon recommendation of our legislative committee, a resolution was adopted favoring the passage of H. R. 2720.

We enclose a copy of the resolution together with a statement of facts upon which our resolution is based.

When this bill comes up for action we will appreciate your consideration of it and hope that you will go on record for the passage of this measure.

Very truly yours,

F. G. FARRELL,
Secretary.

RESOLUTION ADOPTED BY THE TRANSPORTATION BUREAU OF THE HARTFORD CHAMBER OF COMMERCE, IN MEETING OCTOBER 17, 1944

Whereas some 2 years ago at the request of the late Joseph B. Eastman, in his capacity as Director of the O. D. T., together with the War and Navy Departments, and Donald M. Nelson, Chairman of the W. P. B., the Department of Justice abandoned for the duration its suit bringing criminal action against the railroads, motor-freight lines, and others, charging violation of the Sherman antitrust law; and

Whereas in August 1944 the Assistant Attorney General of the United States, in an address at Kansas City, indicated that proceedings of a civil nature would be filed against the railroads, motor-freight lines, and others; and

Whereas on August 23, 1944, a complaint was filed with the United States District Court at Lincoln, Nebr., charging that the railroads, motor-freight lines, and others were functioning in violation of the Sherman Antitrust Act in that they joined together

through rate conferences in the determination and publication of noncompetitive rates; and

Whereas the transportation bureau of the Hartford Chamber of Commerce being composed of shippers and consignees who pay the freight charges, also of representatives of various carriers who assess the freight charges, is directly interested in this complaint which attacks the principle of the conference method of rate making. We recognize that the present conference method of making rates is not perfect, that there are details which might and should be adjusted. We do, however, believe that the principle of arriving at rates through the conference method has proved most satisfactory and in the interest of both the shipper, consignee, and carrier; that in the absence of this long-established procedure of making rates through a conference, it is reasonable to assume that adjustment of rates would have to be obtained through application to the individual interested carriers who participate in the haul. This latter method would make rate adjustment more difficult to obtain and in all probability would result in a lack of proper relation in rates between different territories. As an example, a manufacturer making an article in one area might obtain more favorable rates from his interested carriers than would a manufacturer producing the same article in another territory; and

Whereas such action on the part of rate-making conferences is in the best interest of all concerned and should not be subject to prosecution under the antitrust laws in the circumstances now under attack by the Department of Justice. The conference method of making rates is of long standing and has the sanction, if not the approval, of the Interstate Commerce Commission.

Whereas House bill 2720 provides an amendment to the Interstate Commerce Act which permits carriers to join together in consideration, determination, rejections, approval, publication, and promulgation of rates under the direction or guidance of committees, associations, rate bureaus, tariff publishing agents, etc., in accordance with the rules and regulations prescribed by the Interstate Commerce Commission: Therefore, be it

Resolved, That the transportation bureau of the Hartford Chamber of Commerce, in meeting October 17, 1944, go on record in favor of the present conference method of rate making. This bureau is of the opinion that this bill (H. R. 2720) would so clear the present Interstate Commerce Act as to preserve for shippers, consignees, and carriers the conference method of rate making, which for many years has not only served but proved satisfactory to all parties of interest.

Resolved, That a copy of this resolution be forwarded to each Senator and Representative in the State of Connecticut and to the chambers of commerce throughout this State.

NATIONAL REPRESENTATION FOR RESIDENTS OF THE DISTRICT OF COLUMBIA—RESOLUTIONS OF WASHINGTON BOARD OF TRADE

Mr. CAPPER. Mr. President, while Senators were back home on November 7, participating with nearly 50,000,000 other Americans in the recent national election, there was no such evidence at the National Capital of the operation of the majestic processes of a national election. Here, at the very heart of the Republic, was the only ballotless spot on the continental and contiguous United States.

Here, as stated by Theodore W. Noyes, editor of the Evening Star, "The day, November 7, 1944, to the un-Americanized Americans of the District of Columbia," was "a day of humiliation and mourning. To other Americans," it was "a day of national enthusiasm and patriotic pride."

I want to say it is to the everlasting credit of the good people of the District of Columbia that they had this feeling of humiliation and frustration at being unable to satisfy the urge to vote in this most important election. They could, through their leaders, the press, and over the radio, only tell the people of the country that, although they are loyal, intelligent and patriotic Americans, they are permitted no part in the government of their country. They are required to pay taxes, obey the laws of the Nation, fight and bleed and die for their country, but they cannot vote for the Chief Executive and for the lawmakers by whom they are governed. And the strangest thing of all is that no one has ever been able to advance any sound American reason, or even an excuse, why so disgraceful a condition is permitted to continue.

What a spectacle it must present to the world at this time, when one of the keynotes accompanying the great global war is that the people of a nation shall be guaranteed full participation in the governing of their nation, to note that at the very heart of our great Republic those living there have no part whatever in the councils of the Nation.

To my knowledge, during my long official residence in Washington, the people here have been much dissatisfied with this un-American condition, and have been urging a perfectly reasonable remedy for the situation. They are not proposing that the control of the Congress over the seat of the National Government be in any way disturbed. However, they seek, through a required enabling amendment to the Constitution, to empower the Congress to permit the people of the District of Columbia to vote for President and Vice President, and to elect such voting Members to represent them in the Senate and House of Representatives as the Congress may by legislation provide.

Mr. President, a proposed amendment to the Constitution for this purpose is now pending in the Committees on the Judiciary of both the House of Representatives and the Senate. In the House of Representatives it was introduced by my friend, Judge HATTON W. SUMNERS, of Texas, and it was my privilege and honor to introduce the same proposal in the Senate.

I am glad to say this proposal has more united support than any other matter affecting the people of the District of Columbia. Theirs has been a long fight, and the supporting resolutions and arguments submitted to Congress by the civic, business, labor, and other groups have been voluminous, and in their appeal are unanswerable.

The most recent action to come to my notice was resolutions adopted on November 6 by the directors of the Washington Board of Trade. This great and enterprising organization of business and professional men has a long record of fine, public-spirited work for the District and the Nation. In the resolutions which follow, I sincerely believe, are voiced the sentiments of organized Washington as truly as if they had originated in each of the many groups which have long been working for the Americanization of the Washingtonian.

I have here a letter from the president of the Board of Trade, and the resolutions adopted on the eve of another voteless national election day at the National Capital, which I ask to have printed in the RECORD as a part of my remarks and appropriately referred.

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

WASHINGTON BOARD OF TRADE,
Washington, D. C., November 9, 1944.

Senator ARTHUR CAPPER,
United States Senate,
Washington 25, D. C.

DEAR SENATOR CAPPER: Renewing its policy of long standing, the Washington Board of Trade, through its board of directors which met on Monday, November 6, renewed its endorsement of national representation for the District of Columbia and urged passage of the joint resolutions introduced in Congress on this subject by you and by Representative SUMNERS of Texas. A copy of the resolution is attached.

We bring this matter to your attention for your information.

Sincerely yours,
E. BARRETT PRETTYMAN,
President.

NOVEMBER 6, 1944.

The board of directors of the Washington Board of Trade today adopted the following resolution endorsing national representation for residents of the District of Columbia:

"On the eve of a great national election in which some 45,000,000 or more Americans will go to the polls to exercise their traditional right as free Americans, the directors of the Washington Board of Trade take this opportunity to dedicate themselves anew to the effort to obtain comparable rights for Washingtonians, at least to the extent of representation in the Congress and in the electoral college.

"We consider it to be a humiliating disgrace to the Nation and to ourselves, that this intelligent community of over 800,000 Americans, constituting the seat of government of the world's leading democracy, is deprived of any voice in that government; that our sons, fighting wherever other Americans are fighting on every battlefront in the world today, must suffer a degrading discrimination of the polling places, because of the accident of their residence in the Capital of the United States; that we at home are left as the sole surviving victims, in this country, of a system of taxation without representation which contradicts every basic principle of Americanism.

"We believe that the remedy for these injustices lies in a constitutional amendment, sponsored by Representative SUMNERS of Texas, in the House of Representatives, and by Senator CAPPER, of Kansas, in the Senate, which provides that: 'The Congress shall have power to provide that there shall be in the Congress and among the electors of President and Vice President members elected by the people of the District constituting the seat of the government of the United States, in such numbers and with such powers as the Congress shall determine. All legislation hereunder shall be subject to amendment and repeal.'

"We record ourselves again as favoring the submission of that amendment by the Congress to the people of the United States."

Mr. CAPPER. Mr. President, I say the Congress has put off far too long this act

of simple justice to our loyal and able fellow Americans of the District of Columbia. This proposed amendment to the Constitution is an enabling provision which will give Congress the necessary power to right this great wrong. It does not strip Congress of any of its power of exclusive legislation in the slightest degree. But it does give to Congress a new power to make these American citizens really a part of the Nation. It does give the Congress the power to enable these Americans to participate in their National Government through their duly elected Senators, Representatives, and members of the electoral college.

The time has come for Congress to pass the joint resolution proposing this amendment and to submit it to the States for ratification. There is every reason for prompt, favorable action, and neither reason nor excuse for postponing so plain a duty.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

H. R. 3732. A bill to repeal the prohibition against the filling of a vacancy in the office of district judge in the district of New Jersey; with an amendment (Rept. No. 1151).

By Mr. TUNNELL:

From the Committee on Pensions:

H. R. 4099. A bill to extend the period of the Philippine Insurrection so as to include active service with the United States military or naval forces engaged in hostilities in the Moro Province, including Mindanao, or in the islands of Samar and Leyte, between July 5, 1902, and December 31, 1913; without amendment (Rept. No. 1152).

From the Committee on Claims:

S. 1740. A bill for the relief of Marjorie E. Drake, Edith Mae Drake, Minnie L. Bickford, and Irene M. Paolini; with amendments (Rept. No. 1153);

S. 1899. A bill for the relief of Alfred Files; with amendments (Rept. No. 1154); and

S. 1900. A bill for the relief of Bertha L. Tatrault; with amendments (Rept. No. 1155).

By Mr. O'DANIEL, from the Committee on Claims:

H. R. 2825. A bill for the relief of Sigfried Olsen, doing business as Sigfried Olsen Shipping Co.; with amendments (Rept. No. 1156).

EXTENSION OF STATUTE OF LIMITATIONS—REPORT OF COMMITTEE ON THE JUDICIARY

Mr. FERGUSON, from the Committee on the Judiciary, reported an original joint resolution (S. J. Res. 156) to extend the statute of limitation in certain cases, which was read twice by its title and ordered to be placed on the calendar; and he also submitted a report (No. 1157) to accompany the joint resolution.

BILLS INTRODUCED

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

By Mr. JOHNSON of Colorado:

S. 2187. A bill for the relief of Mr. and Mrs. William Trebing; to the Committee on Claims.

By Mr. ELLENDER:

S. 2188. A bill for the relief of June I. Gradijan; and

S. 2189. A bill for the relief of G. F. Allen, Chief Disbursing Officer for the Treasury Department, and for other purposes; to the Committee on Claims.

By Mr. AUSTIN:

S. 2190. A bill to amend the Social Security Act, as amended, so as to provide for supplementing unemployment compensation payable under State laws during the period of reconversion from war to peace; to the Committee on Finance.

By Mr. LANGER:

S. 2191. A bill to amend section 6 of the act of March 20, 1933, to prohibit the requirement of the taking of the so-called pauper's oath by certain applicants for hospital treatment or domiciliary care; to the Committee on Finance.

By Mr. REYNOLDS:

S. 2192. A bill to provide for the continuation on the active list of the Regular Army for the duration of any of the wars in which the United States is now engaged, and for 6 months thereafter, of any officer on the active list of the Regular Army who has served as Chief of Staff during the wars in which the United States is now engaged; to the Committee on Military Affairs.

(Mr. REYNOLDS also introduced Senate bill 2193, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. WALSH of Massachusetts:

S. 2194. A bill authorizing appropriations for the United States Navy for additional ordnance manufacturing and production facilities, and for other purposes; and

S. 2195. A bill to further amend section 22 of the act approved March 4, 1925, entitled "An act providing for sundry matters affecting the naval service, and for other purposes," by removing the limitation on the total personnel of the Naval Reserve Officers' Training Corps, and for other purposes; to the Committee on Naval Affairs.

RECOGNITION OF ACTIVE-DUTY MEMBERS OF CIVIL AIR PATROL

Mr. REYNOLDS. Mr. President, I introduce for appropriate reference a bill to provide for recognition of active-duty members of the Civil Air Patrol as veterans of World War No. 2.

In connection with this bill I wish to say that it is quite true that C. A. P. veterans originally volunteered as civilian volunteers and fully expected to perform their assigned duties as such, but herein lies the irony of the whole matter. These veterans were called upon by emergency circumstances that were totally unforeseen by the United States armed services to perform as soldiers; not only called upon but commanded by the United States Army and the War Department to bear arms against the common enemy in the form of 100- and 250-pound demolition bombs and depth charges and to attack the armed enemy in offensive action beyond the territorial waters of the United States. This they did, not by choice, nor as volunteers, but by definite command, after they had volunteered and not before they had done so. At this time neither the Army nor the Navy had available either sufficient personnel or equipment to cope with the submarine menace off the shores of the United States; hence, by sheer necessity, the C. A. P. was ordered to seek out and attack the enemy, brazenly destroying our vital coastwise tankers and freight ships.

These attacks were not made in company with, or as support for, any other branch of the armed services, nor at the time of such attacks were they supported directly by other personnel of the armed services; however, many times after the first attack was made, other forces came into the battle and often assisted in its successful conclusion. This situation did not happen just once or even several times, but many times. On one C. A. P. base alone 17 running attacks were made on enemy submarines nearly all of which were unassisted.

The veterans of C. A. P. volunteered for one thing and were commanded to do another by the War Department, but because of their original intentions, there exists an opinion in high places that they are just civilians like many that watched for forest fires or spotted airplanes. Unlike many other civilian organizations which performed admirably, these veterans not only performed their civilian functions, but were further commanded to seek out and attack an armed enemy and to engage him in mortal combat. Upon being commanded to so engage the enemy, these men ceased then and there to be civilians and became combat troops regardless of high opinions or else they were armed guerrillas.

These veterans of C. A. P. were instructed carefully about prescribed uniform insignia, because in event of capture by the enemy they would be treated as soldiers only if such insignia were properly displayed. This would not indicate a status of either civilians or guerrillas according to the concepts of international law. There is one and only one answer to their status; that is, they were soldiers of the United States, and as such they are entitled to all rights and privileges pertaining thereto. Regardless of the original intentions of either the men or the departments of Government, these men were by command of constituted authority made combat troops and so used in the conduct of this war. If any group of men can prove they were combat troops and are not now recognized as such, they too deserve veteran's status regardless of any official rulings or opinions to the contrary.

It is doubtful if other than the veterans of C. A. P. among all other so-called civilian organizations have any basis on which to claim veteran's status. In fact, in the history of the United States, there is no parallel to Civil Air Patrol, not even the Minutemen of 1776. To deny these men veteran's status on the grounds of establishing a precedent for others to seek similar status is a denial not based on justice nor even on practical considerations. These men are comparatively few in number and regardless of deaths, wounds, injuries, or personal sacrifice in line of duty, these men were made combatants not by choice of their own, but by command of the War Department through the Army of the United States. Surely, they could have repudiated their oath of allegiance which they took, not knowing they would be called upon to be combatants; they could have refused on the grounds that they were supposed to be civilians, not soldiers, they could have even been dilatory in the carrying out of such commands because of a feeling of possibly being imposed upon, but not a single man did anything of the kind; every one fought as the soldier he was, and there is not a single case of desertion on record; however, many paid with their

lives in carrying out their orders. These men did not question the right of the War Department to make them combat troops; now who has the right to question whether or not they were soldiers?

These veterans flew 24,000,000 miles over the ocean in line of duty. They are credited with spotting 173 enemy submarines and using either bombs or depth charges or both against 57 of that number. They are credited with sinking or damaging 2 enemy submarines in addition to those sunk by Army or Navy craft called in for the kill by C. A. P. planes. This was offensive action, certainly not defensive.

Should officialdom insist that these soldiers were civilians, then these men were betrayed because they expected and were assured that they would be treated as soldiers in event of capture by the enemy. Only by the grace of God they escaped capture as 90 of their planes went down at sea and the survivors, when there were survivors, were adrift except for the company of their sister ship circling overhead.

Approximately 100 of these men lost their lives, many more were injured, and no few permanently. Help for the widows and for the injured veterans is now by law only temporary. Permanent assistance will only be available if Congress provides veteran's status for these apparently forgotten soldiers who when called upon in times of great need responded with their lives and fortunes. Can a grateful Nation now afford to deny its own?

Mr. President, in this connection I ask to have published in the RECORD a brief history of the Civil Air Patrol, an auxiliary of the United States Army Air Forces; the rules of land warfare as stated from national headquarters of the Office of Civilian Defense on March 12, 1942; also a statement from national headquarters under date of March 30, 1943; together with a statement issued August 23, 1944.

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

A BRIEF HISTORY OF CIVIL AIR PATROL, AN AUXILIARY OF THE UNITED STATES ARMY AIR FORCES

Civil Air Patrol was organized in December 1941. The private pilots and plane owners, radio mechanics, engine and aircraft mechanics of the United States, who were not already in the armed forces, were asked to come into the Civil Air Patrol to assist in setting up an organization, whereby the facilities and the airplanes of the private pilots, and their skill, could be used in assisting the armed forces. Civil Air Patrol was organized due to the fact that our armed forces did not have the pilots, the planes, nor the facilities to carry out the various duties imposed upon them when Pearl Harbor was bombed.

Early in April 1942, the submarine menace was so bad on the Atlantic from Maine to Mexico that the Civil Air Patrol was called upon to organize, and to open up, C. A. P. coastal patrol bases, and to use their private planes in search of enemy submarines, convoying merchant ships, and rescuing survivors.

There were 21 of these coastal patrol bases, and they flew a total of 24,000,000 miles, sighted 173 enemy submarines, and were directly responsible, and given credit in Admiral Andrews' report to the Navy, for sinking a number of enemy submarines.

There were between 5,000 and 6,000 men and women attached to these bases. Civil Air Patrol also carried bombs on these airplanes, and dropped them on the enemy, as stated heretofore.

In this coastal patrol work alone, the members of C. A. P. were under the command of the armed forces, were required to wear uniforms 24 hours a day, as well as being subject to Army military rules and regulations, subject to Army court martial, and handled the most secret documents of our armed forces.

These men risked their lives for their country, and in doing so, Civil Air Patrol lost approximately 100 men in the ocean, and some fifty-odd were injured, some of them permanently. Civil Air Patrol had many other activities with the armed forces, such as C. A. P. tow target and tracking units, which towed targets of the United States Army Coast Artillery of the harbor defense inlet where real guns and shells were fired at their targets. Also, in the days when the Army and the Navy did not have the facilities, the Civil Air Patrol had a vast number of C. A. P. planes which carried air express and vital parts necessary to the various bases in the United States for the repairs of the Army planes. Civil Air Patrol has a membership of some 90,000 members who at the present time are working, at the suggestion of the United States Army Air Forces, on a C. A. P. cadet program, in teaching 15-, 16-, and 17-year-old young men and women various courses in aviation, military courtesy and discipline, drilling, navigation, meteorology, theory of flight, Morse code, first aid, and various other courses, whereby the United States may equip these young men and women, so when they are called into the armed forces they will be better able to defend themselves, and will be better educated and better equipped to carry on the work that the armed forces desire. The goal of C. A. P. cadets for this year alone is 250,000 throughout the United States.

OFFICE OF CIVILIAN DEFENSE,
CIVIL AIR PATROL,
NATIONAL HEADQUARTERS,
Washington, March 12, 1942.

OPERATIONS DIRECTIVE NO. 7—RULES OF LAND WARFARE

1. GENERAL

It is imperative that members of the Civil Air Patrol be thoroughly familiar with certain fundamentals of the Rules of Land Warfare and that Civil Air Patrol operations be conducted in accordance with these rules. To this end, unit commanders will regularly bring to the attention of all members of the Civil Air Patrol the Rules of Land Warfare. The extracts from the Rules of Land Warfare presented herewith will be read to all enrollees when the oath of office is given. Unit adjutants will occasionally call attention to these rules at drill formations.

2. TEXT

The accompanying extracts are from War Department Basic Field Manual FM 27-10. Rules of Land Warfare.

3. DISTRIBUTION

Copies of this directive will be distributed to units on the basis of four copies per unit.

4. RULES

As a volunteer corps serving as an auxiliary to the armed forces, the members and units of the Civil Air Patrol will observe the following rules:

(a) Obey their officers.

(b) Wear the Civil Air Patrol shoulder patch sewn on their clothing.

(c) Carry openly such arms as may be required.

(d) Conduct operations according to laws and usages of war.

5. QUESTIONING BY THE ENEMY

Should a Civil Air Patrol member be captured by an enemy, the enemy intelligence officer would probably ask many questions in an attempt to learn as much as possible about our Army and Navy. Under the Rules of Land Warfare, it is not necessary to answer these questions. Prisoners of war under these rules are required to give only the following information to the enemy: Name, grade, and serial number.

6. REQUIREMENT

Due to the importance of this directive, its contents will be impressed upon members of the Civil Air Patrol by frequent reiteration.

By command of Major General Curry.

HARRY H. BLEE,
Colonel, Air Corps,
Training and Operations Officer.

OPERATIONS DIRECTIVE NO. 7—EXTRACTS FROM RULES OF LAND WARFARE (WAR DEPARTMENT BASIC FIELD MANUAL FM 27-10)

1. The rules of land warfare are based on various treaties which the United States has entered into with other nations of the world. As early as 1864 Red Cross conventions were held. The Hague Convention, first held in 1899, relates to the laws and customs of war on land. Such subjects as the treatment of prisoners of war, their parole, the rights of citizens in occupied countries, and the prohibition of the use of certain types of weapons were set forth in treaties to which the United States and other nations became signatories. There are also unwritten rules and laws of war.

2. When an enemy occupies a hostile country the population is divided into two general classes, known as the armed forces and the peaceful population. Both classes have distinct rights, duties, and disabilities. No person can belong to both classes at one and the same time.

3. It is important that lawful belligerents observe the rules of land warfare so that when captured they will be treated as prisoners of war.

4. Lawful belligerents are composed of armies, militia, and volunteer corps. The laws, rights, and duties of war apply not only to armies but also to militia and volunteer corps fulfilling the following conditions:

(a) To be commanded by a person responsible for his subordinates.

(b) To have a fixed distinctive emblem recognizable at a distance.

(c) To carry arms openly.

(d) To conduct their operations in accordance with the laws and usages of war. In countries where militia or volunteer corps constitute the army or form part of it they are included under the denomination "army."

Combatants and noncombatants: The armed forces of the belligerent parties may consist of combatants and noncombatants. In the case of capture by the enemy both have a right to be treated as prisoners of war.

OFFICE OF CIVILIAN DEFENSE,
CIVIL AIR PATROL,
NATIONAL HEADQUARTERS,
Washington, March 30, 1943.

Subject: Military status of C. A. P. coastal patrols.

To: All C. A. P. coastal patrol commanders.

1. The following is in response to requests for a statement as to the military status of C. A. P. coastal patrols received by this Headquarters from several coastal patrol commanders.

2. The coastal patrol units of Civil Air Patrol are operating under authority contained in Letter of Instructions No. 1, Headquarters Army Air Force Antisubmarine Command, November 27, 1942, which charges these units with the following mission:

"To patrol coastal shipping lanes as directed during daylight hours for the purpose of protecting friendly shipping and of locating and reporting enemy submarines, enemy warships or suspicious craft and to take such action as equipment permits in destruction of enemy submarines; to conduct such special antisubmarine missions as are directed by Headquarters Army Air Force Antisubmarine Command."

3. In the opinion of the Judge Advocate General, as expressed in SPJGW 373.1, May 8, 1942, the personnel on duty with C. A. P. coastal patrol units "are accompanying or serving with the Army of the United States in the field and that under the provisions of Articles of War 2 (d) they are amenable to military discipline and subject to the jurisdiction of military courts."

* * * * *

By direction of National Commander Johnson.

HARRY H. BLEE,
Colonel, Air Corps, Operations Officer.

WAR DEPARTMENT,
Washington, D. C., August 23, 1944.

CIVIL AIR PATROL, ARMY AIR FORCES AUXILIARY

1. It is desired to clarify certain misconceptions which have arisen at various points throughout the country as to the status of Civil Air Patrol members and the nature of the activities in which they are engaged.

2. Civil Air Patrol, an auxiliary of the Army Air Forces, is an official A. A. F. agency. The purpose of Civil Air Patrol is to organize public-spirited citizens of civil aviation into a volunteer, semimilitary organization; to give them supplementary training in military and allied subjects (except flight training); and to supervise the utilization of their skills and equipment in the war effort. The C. A. P. organization consists of 48 State wings, with local groups, squadrons, and flights organized throughout each State. The entire organization is administered through a national headquarters staff located at 500 Fifth Avenue, New York 18, N. Y., composed of A. A. F. officers assigned to that duty.

3. Civil Air Patrol was established on December 1, 1941, and has performed many useful services for the armed forces, including 18 months of antisubmarine operations over the coastal shipping lanes in the eastern and Gulf-sea frontiers from Canada to Mexico, southern liaison patrol on the Mexican border, exercise of aircraft-warning systems, camouflage observations, courier missions, radar flight tests, and numerous emergency operations. On these missions, approximately 50,000,000 miles have been flown and over 50 C. A. P. personnel have been killed. At present, C. A. P. is conducting tow target and tracking operations for the First and Fourth Air Forces for antiaircraft gunnery training of the Eastern and Western Defense Commands; is operating for the A. A. F. a Nation-wide missing-aircraft search service; and is engaged in the recruitment of aviation cadets and applicants for the Women's Army Corps and in the preflight training of 15-, 16-, and 17-year-old C. A. P. cadets for possible future service with the armed forces or in civilian aviation. Also, trained crash crews of local C. A. P. squadrons throughout the United States are available for volunteer emergency aircraft crash assistance. In addition to services performed for the War Department, Civil Air Patrol also performs emergency missions for other Federal agencies, State governments, and private industries engaged in the war effort, such as the patrol of forests, pipe lines, and flooded areas and the transportation of critical parts and supplies.

4. Members of Civil Air Patrol engaged in the performance of official missions (although acting as civilian volunteers) are required to wear uniforms and insignia authorized by The Adjutant General, which are the same (officers and enlisted men) as those of the Army Air Forces, with the following distinctive exceptions: Red shoulder loops on outer garments and red piping on garrison caps for both officers and enlisted personnel; red sleeve braid on officers' uniforms and red background for grade insignia of enlisted personnel; silver C. A. P. buttons and insignia, including C. A. P. insignia; silver C. A. P. pilot and observer insignia; and C. A. P. shoulder patch.

5. C. A. P. members are in no instance deferred from service with the armed forces. They are ineligible because of age or physical factors or the fact that they are holding essential jobs in addition to their spare time activity with C. A. P. They are persons who, not being eligible for the armed forces, are nevertheless anxious to contribute to the war effort more than their regular civilian occupations permit. They serve voluntarily without any pay for their services, sometimes receiving allowances to cover their operation and subsistence costs but often standing the expenses of such costs themselves.

[A. G. 324.5 (August 1, 1944).]

By order of the Secretary of War:

G. C. MARSHALL,
Chief of Staff.

Official:
J. A. ULIO,
Major General,
The Adjutant General.

The bill (S. 2193) to provide for recognition of active-duty members of the Civil Air Patrol as veterans of World War No. 2 was read twice by its title and referred to the Committee on Finance.

FLOOD-CONTROL PROJECTS—AMENDMENTS

Mr. AIKEN. Mr. President, on behalf of the Senator from New Hampshire [Mr. TOBEY], who is ill and unable to be present, I submit an amendment to House bill 4485, the flood-control bill.

I have been asked to state that this amendment represents the opinion of his Littleton and north country constituents in New Hampshire, who have petitioned him to have this done and who feel strongly in the matter. It relates to a dam at Sugar Hill, N. H.

The ACTING PRESIDENT pro tempore. The amendment will be printed and lie on the table.

Mr. O'MAHONEY (for himself, Mr. AUSTIN, Mr. BUSHFIELD, Mr. CHAVEZ, Mr. CLARK of Idaho, Mr. DOWNEY, Mr. HATCH, Mr. HAYDEN, Mr. JOHNSON of Colorado, Mr. LANGER, Mr. MCCARRAN, Mr. MCFARLAND, Mr. MILLIKIN, Mr. MURDOCK, Mr. MURRAY, Mr. NYE, Mr. ROBERTSON, Mr. SCRUGHAM, Mr. THOMAS of Utah, Mr. THOMAS of Idaho, Mr. WHEELER, and Mr. WILSON) submitted amendments intended to be proposed by them, jointly, to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes, which were ordered to lie on the table and to be printed.

Mr. AUSTIN and Mr. THOMAS of Oklahoma each submitted an amendment intended to be proposed by them, respectively, to House bill 4485, supra, which were ordered to lie on the table and to be printed.

RIVER AND HARBOR IMPROVEMENTS—AMENDMENTS

Mr. BILBO and Mr. TYDINGS each submitted an amendment intended to be proposed by them, respectively, to the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which were ordered to lie on the table and to be printed.

INVESTIGATION OF PEARL HARBOR DISASTER

Mr. FERGUSON. Mr. President, I submit a Senate resolution providing for the appointment of a special committee of 10 Senators to make a complete investigation of the facts relating to the attack made by the Japanese armed forces on the Territory of Hawaii on December 7, 1941, and ask that it be referred to the Committee on the Judiciary.

The resolution (S. Res. 336), submitted by Mr. FERGUSON, was read, as follows:

Resolved, That a special committee of 10 Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation of the facts relating to the attack made by the Japanese armed forces upon the Territory of Hawaii on December 7, 1941. Such committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations for any necessary legislation.

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 and Seventy-ninth Congresses, 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 $_____, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

Mr. BARKLEY. Mr. President, let me ask the Chair whether the Committee on the Judiciary is the proper committee to which to refer this resolution? The resolution pertains to naval and military matters. It provides for the investigation of certain matters pertaining to Pearl Harbor, over which the Committee on the Judiciary does not seem to me to have jurisdiction. I should like to inquire of the Chair whether he thinks that on the mere request by the author of the resolution it ought to go to the Committee on the Judiciary which otherwise would not have jurisdiction of it? The Committee on the Judiciary had jurisdiction of the legislation extending the statute of limitations, which is a judicial matter, but the resolution in question is not one dealing with a judicial matter.

Mr. FERGUSON. Mr. President, it is not my desire at all to select the committee to which the resolution should go. I want it assigned under the Senate rule. The Committee on the Judiciary did have before it the matter relating to the extension of the statute of limitations. That was a matter which properly came before the Committee on the Judiciary, and I assumed that the resolution now submitted, being along the same line, would properly go to that committee.

Mr. BARKLEY. Mr. President, this is not a matter for the extension of the statute of limitations, which is a judicial matter, or a matter which the Committee on the Judiciary properly should handle. It seems to me that an investigation involving the Army and the Navy should go either to the Committee on Military Affairs or the Naval Affairs Committee, or to both, as the case may be. I doubt very much if under the rule the Committee on the Judiciary would have jurisdiction of the resolution.

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

Mr. FERGUSON. I yield.

Mr. HATCH. I wish to make an observation with respect to the question of jurisdiction in connection with what the Senator from Michigan has said. I am sure no member of the Committee on the Judiciary desires to usurp jurisdiction which would properly belong to another committee. The resolution which the Senator from Michigan has just submitted is one which does in a measure, perhaps stretching it somewhat, fall within the jurisdiction of the Committee on the Judiciary for this reason: There have been before our committee on two or three different occasions various measures touching upon the extension of the statute of limitations with respect to certain persons. Necessarily, in the consideration of those bills, our committee has already had some hearings, and has heard from both the Army and the Navy on this subject, and has entertained jurisdiction for that purpose. The proposed investigation, if it shall be authorized, will be an investigation into both the Navy and the Army, which would quite properly call for jurisdiction on the part of either the Committee on Military Affairs or the Naval Affairs Committee. Each committee is coordinate, and whether the resolution should be referred to the Military Affairs Committee or the Committee on Naval Affairs I do not know. I do not urge the point.

Mr. BARKLEY. Mr. President, I do not raise any question as to the jurisdiction of the Committee on the Judiciary with respect to extension of the statute of limitations, but the matter dealt with by the resolution is entirely different, and I do not think the Committee on the Judiciary automatically acquires jurisdiction of investigations pertaining to the Army and the Navy simply because it has jurisdiction over a measure to extend the statute of limitations.

Mr. HATCH. I quite agree with the Senator from Kentucky. It is somewhat of a problem as to which committee should entertain jurisdiction of this particular resolution in view of what has already occurred in the Senate Committee on the Judiciary. I believe that committee is more familiar with the subject and would be better able to pass on the question as to whether the resolution should be reported favorably.

In that connection, Mr. President, I wish to say in my own time with respect to this particular resolution that I have talked with the Senator from Michigan about it, and, in common with him and every person in the United States, I want to know the full facts concerning the disaster at Pearl Harbor. I am convinced that probably the only way those facts can be fully obtained is by a congressional investigation.

But on the other hand, Mr. President, I am more deeply concerned with the continuation of the splendid cooperation which now exists between the Army and the Navy and the magnificent victories which are being achieved in the great war effort, and I do not want to start an investigation or do anything else which might impede in any way the war effort which is so all-important at this time. So I am not at all sure that I shall support the resolution submitted by the Senator from Michigan, but I believe that, in view of all that has gone on before, the Senate Committee on the Judiciary is the proper committee to consider the resolution.

Mr. BARKLEY. Mr. President, as we all know, the statute of limitations in connection with the Kimmel and Short cases expires on the 7th of December. I understand that a measure has been approved in the other body of Congress, either by a subcommittee or by a full committee, which would extend the statute of limitations for an additional 6 months.

I am as much interested as anyone else can possibly be in obtaining the facts in regard to what happened at Pearl Harbor, but, while that is true, I think it would be unfortunate if public attention should be diverted from the great task which the country now faces of winning the war, by superimposing on that task the effort to obtain through an investigation by a Senate committee or by joint investigation, the facts with respect to what occurred at Pearl Harbor, which cannot be changed. Certainly it is more important now to win the war than it is to find out what happened at Pearl Harbor, much as we are anxious to know what happened. If the measure providing for extending the statute of limitations another 6 months should be enacted into law it seems to me we would have more time to conduct an investigation by the Congress, and I assume that so far as I am concerned I shall have no objection to the extension of the statute of limitations for 6 months more when the measure making such provision shall come before the Senate.

The remark I am about to make has no more reference to the proposed investigation than to any other. We are now nearing the end of the Seventy-eighth Congress. We have only about 4 weeks more of it left. As a general proposition I think we should wait the incoming Congress before any more investigations of any kind are authorized. We know that all sorts of investigations have been carried on by both Houses of Congress during almost the entire life of the Seventy-eighth Congress. What proportion of those investigations have resulted in any good I would not attempt to say. I know that such investigations have taken Members of the Senate of the United States all over the country to such an extent that it has frequently been difficult to obtain a quorum in the Senate by reason of the absence of members of investigating committees conducting investigations. Now we are about to approach the end of the seventy-eighth session of the Congress and the new Congress will come in, and it seems to me it would be unwise now to create new investigating committees which would hang over into the next Congress. I think the slate ought to be wiped as clean as possible at the end of the present session of Congress, so that the new Congress can take such action as it may see fit to take in the matter of further investigations of any kind. For that reason I feel hesitant about giving my personal approval to any new investigation, because a new Congress will convene on the 3d of January.

Investigations which have proceeded up to the present time, and which are no longer needed, ought to be abandoned. Those which are entitled to be continued will no doubt receive a new lease of life from the incoming Congress. I think it would be unwise, as a general policy—and that statement has no more relation to Kimmel and Short than it has to any other subject—for the Senate at this stage of the present Congress to begin to authorize new investigations of any kind whatever, because the incoming Congress can consider such questions. If the extension of the statute of limitations for 6 months more should be granted, Congress would be in a position more leisurely to decide what it wishes to do in regard to the matter.

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

Mr. BARKLEY. I yield.

Mr. HATCH. The Senator has just suggested the extension of the period of the statute of limitations, which prompts this suggestion: The Senator from Michigan [Mr. FERGUSON] has today reported from the committee a bill extending the statute of limitations for a period of 6 months. The bill will go on the calendar today. I think it is very important that that measure be taken up and disposed of at the earliest possible moment.

Mr. BARKLEY. I agree to that. My remarks had reference to the action of the Judiciary Committee in another body. I did not know that the Senate Committee on the Judiciary had acted today. I shall be very glad to have action taken on that measure as soon as possible.

Mr. FERGUSON. I shall ask for action on the measure extending the period of the statute of limitations for 6 months as soon as it reaches the calendar.

Mr. BARKLEY. There will be no difficulty in obtaining consideration of that measure.

Mr. FERGUSON. On the other question, as I understand the rule, this is not the time to argue the merits of the resolution. The question now before the Senate is to decide to which committee it should go. I am prepared to argue the merits of the resolution, but I shall not do so at this time, because this is not the appropriate time.

The ACTING PRESIDENT pro tempore. The Chair is advised by the Parliamentarian that under the wording of

the proposed resolution it should go to the Committee on Military Affairs. The language is as follows:

That a special committee of 10 Senators, to be appointed by the President of the Senate, is authorized and directed to make a full and complete investigation of the facts relating to the attack made by the Japanese armed forces upon the Territory of Hawaii on December 7, 1941.

The Parliamentarian is of the opinion that that is a military matter, and that it should go to the Committee on Military Affairs. Has the Senator from Michigan any objection to that?

Mr. FERGUSON. I have no objection. As I stated in the beginning, I thought it was appropriate that it go to the Committee on the Judiciary; but there was no intention to select a committee.

The ACTING PRESIDENT pro tempore. Of course, the Senator would have the right to move that the resolution be referred to any particular committee; but the ruling of the Chair is that it should go to the Committee on Military Affairs. Without objection, it will be referred to that committee.

FUNERAL EXPENSES OF THE LATE SENATOR SMITH, OF SOUTH CAROLINA

Mr. MAYBANK submitted the following resolution (S. Res. 337), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate the actual and necessary expenses incurred by the committee appointed by the Vice President in arranging for and attending the funeral of Hon. ELLISON D. SMITH, late a Senator from the State of South Carolina, upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

CONTINUATION OF AUTHORITY FOR INVESTIGATION OF THE PRODUCTION, TRANSPORTATION, AND MARKETING OF WOOL

Mr. O'MAHONEY submitted the following resolution (S. Res. 338), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 160, Seventy-fourth Congress, first session, agreed to July 10, 1935, authorizing a special committee to investigate the production, transportation, and marketing of wool, as extended, is hereby further extended and continued in full force and effect during the Seventy-ninth Congress; and the said committee may report to the Senate at any time prior to December 31, 1946. The said committee hereby is authorized to expend from the contingent fund of the Senate $5,000, in addition to the amounts heretofore authorized for the same purposes.

ANNIVERSARY OF THE STAR-SPANGLED BANNER—SPECIAL POSTAGE STAMP

Mr. RADCLIFFE submitted the following resolution (S. Res. 339), which was referred to the Committee on Post Offices and Post Roads:

Resolved, That it is the sense of the Senate that, September 12, 1944, having been the one hundred and thirtieth anniversary of the writing of the Star-Spangled Banner, the Postmaster General should issue a special postage stamp, of such denomination, of such design, and for such period as he may determine, in commemoration of the author of our national anthem, Francis Scott Key.

CHANGE OF REFERENCE OF BILL—MISSOURI RIVER BASIN

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The resolution (S. Res. 332) submitted by Mr. BAILEY on November 16, 1944, was read as follows:

Resolved, That the Committee on Agriculture and Forestry be discharged from the further consideration of the bill (S. 2100) to provide for the improvement and development of navigation, irrigation, and control of floods on the Missouri River and its tributaries, for the promotion of the national defense, and for other purposes, and that it be referred to the Committee on Commerce.

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

Mr. BAILEY. Mr. President, with reference to both the Senate Resolution 332 and Senate Resolution 333, I believe I can make a statement which will clear them from the calendar.

I have talked with the senior Senator from Iowa [Mr. GILLETTE] and he has agreed that Senate bill 2100 may be withdrawn from the committee to which it was referred, and referred to the Committee on Commerce.

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

There being no objection, the resolution was considered and agreed to.

CHANGE OF REFERENCE OF BILL—MISSOURI RIVER AUTHORITY

The ACTING PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The resolution (S. Res. 333) submitted by Mr. BAILEY on November 16, 1944, was read as follows:

Resolved, That the Committee on Agriculture and Forestry be discharged from the further consideration of the bill (S. 2089) to establish a Missouri River Authority to provide for unified water control and resource development on the Missouri River and surrounding region in the interest of the control and prevention of floods, the promotion of navigation and reclamation of the public lands, the strengthening of the national defense, and for other purposes, and that it be referred to the Committee on Commerce.

Mr. BAILEY. Mr. President, with respect to the bill introduced by the junior Senator from Montana [Mr. MURRAY], Senate bill 2089, I have had a conversation with the Senator, who is present, and who states that there is no intention at this time to take up the bill in the committee to which it was referred, and that there will be no action at this Congress. He has agreed that prior to introducing the bill and having it referred in the next Congress, he and I will have a conversation to see if we cannot settle the question. It is agreeable to me to allow the resolution to lie on the table until the Congress expires.

Mr. MURRAY. Mr. President, of course, it is understood that I am not committing myself on any question.

Mr. BAILEY. I understand. The Senator and I will have a conversation to try to settle the question. If we cannot settle it, it will be presented again in the form of a motion.

The ACTING PRESIDENT pro tempore. Without objection, Senate Resolution 333 will lie on the table.

MISSOURI RIVER BASIN (S. DOC. NO. 247)

Mr. O'MAHONEY. Mr. President, earlier in the session there was printed as Senate Document No. 191 the report of the Bureau of Reclamation on a plan for the development of certain projects in the Missouri Valley. After the submission of that document the Army engineers and the Bureau of Reclamation had a conference at Omaha, in which the two groups of engineers perfected an integrated report. It is an engineering document, which combines the feasible aspects of the Army engineers' report for the Missouri Valley and of the Bureau of Reclamation report for the Missouri Valley.

I ask unanimous consent that this integrated report be printed as a Senate document for the information of the Senate as a supplement to Senate Document No. 191.

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

PRONOUNCEMENT BY AMERICAN CATHOLIC HIERARCHY ON INTERNATIONAL ORGANIZATION FOR PEACE

Mr. BROOKS. Mr. President, at the close of a solemn conclave on international order, the American Catholic hierarchy, on Saturday last, released a most profound pronouncement following the deliberations of the Catholic bishops of the United States. It appeared in the Washington Sunday Times-Herald.

It is a statement of principles calling for a post-war world of "freemen and free nations with their freedom secured under law."

Because of the significance of this pronouncement, I had intended to ask unanimous consent to have it printed in the Appendix of the RECORD, but I am informed that it appears in the Appendix of the RECORD at page A4435.

Mr. WALSH of Massachusetts. Mr. President, I also had intended to ask to have printed in the RECORD the statement issued by the Catholic bishops. In view of the statement of the Senator from Illinois [Mr. BROOKS], of course I shall not ask that it be again printed.

SHAPING THE ECONOMIC FUTURE—EMPLOYMENT OF VETERANS—ADDRESS BY BRIG. GEN. FRANK T. HINES

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address on the subject Shaping the Economic Future—Employment of Veterans, delivered by Brig. Gen. Frank T. Hines, Administrator of Veterans' Affairs and Administrator of Retraining and Employment, before the Academy of Political Science at New York City, November 15, 1944, which appears in the Appendix.]

PROPOSED MISSOURI VALLEY AUTHORITY—ADDRESS BY DAVID E. LILIENTHAL

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address on

the subject of the proposed Missouri Valley Authority, delivered by David E. Lilienthal, Chairman of the Tennessee Valley Authority, before the State convention of North Dakota Farmers Union in Bismarck, N. Dak., November 3, 1944, which appears in the Appendix.]

The ACTING PRESIDENT pro tempore. The morning business is concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. McLeod, one of its clerks, communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Ellison D. Smith, late a Senator from the State of South Carolina.

FLOOD-CONTROL PROJECTS

Mr. OVERTON. Mr. President, I move that the Senate proceed to the consideration of House bill 4485, the flood control bill.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to; and the Senate resumed the consideration of the bill, which had been reported from the Committee on Commerce with amendments.

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

Mr. OVERTON. I am very glad to yield to the Senator from North Carolina.

Mr. BAILEY. I wish to say to the Senate that the Senator from Louisiana, who has the floor and has yielded to me for a moment, will have charge of this bill. I intend to support him so far as possible.

Beginning early in last April, the Senator from Louisiana conducted hearings on the flood control bill and the river and harbor bill, and is now conducting some rather abbreviated hearings on the St. Lawrence seaway proposal. He has worked with great diligence and understanding. I feel that I owe him a great debt of gratitude for his labors. I owe it to him to make a statement on the floor of the Senate.

I do not know of any other Senator so competent to deal with our waterways as is the senior Senator from Louisiana. I doubt if there could be found, in the Senate or elsewhere, a man who could work on this legislation as diligently and patiently through the long summer months, until just recently, as has the Senator from Louisiana. I believe that he knows more than any of us about the waterways of the United States, including canals, rivers, and flood control works. In the committee I lean upon him almost completely in that field. The hearings were very long and tedious. The bills covered the whole country; but the Senator from Louisiana stood to his task day after day, and brought a great deal of intelligence, as well as patience, to his labors. I wish to thank him with all my heart.

I have just one other word to say about the matter. Whenever these bills come up in the Senate, I read in the newspapers that our old "pork barrel" is back. These bills relate to the whole post-war activities. We have had no bills of this character since the President vetoed the last such bill in June 1940. The amounts involved are enormous, but I do not think anyone can justly say that the pending bill is "pork barrel" legislation. On the other hand, every project in the bill has been approved by the Army engineers as an economic undertaking, and nothing has been put into the bill merely to please any Senator or by way of distribution of favor or patronage or "pork."

With that statement, Mr. President, I feel perfectly safe in leaving the whole matter of the conduct of the bill in the Senate to my distinguished friend the senior Senator from Louisiana [Mr. OVERTON].

Mr. OVERTON. Mr. President, I wish to thank the senior Senator from North Carolina for the very complimentary references he has made to me and to my work on the Commerce Committee. I wish to say that I am very grateful to him for the splendid cooperation he has given me and the other members of the full committee and the members of the subcommittee, and I wish particularly to make acknowledgment to the junior Senator from Ohio [Mr. BURTON] and the junior Senator from Oregon [Mr. CORDON] for their very faithful attendance at all times at all meetings of the subcommittee, which, as the Senator from North Carolina has stated, lasted for many days.

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

Mr. OVERTON. I yield.

Mr. MURRAY. Before the Senator from Louisiana proceeds with the presentation of the bill, I should like to have it made clear that I am opposed to the consideration of this proposed legislation at this time. I believe that the bill as it now stands does not adequately protect the rights and interests of the upper valley States in the Missouri River Basin, and that the bill is another piece of legislation which does not adequately cover the situation in my section of the country. I believe it is just another example of piecemeal legislation. It seems to me that the Congress would be acting wisely if consideration of this legislation was passed over until the next session, at which time we could consider a more comprehensive bill covering these flood-control projects and also providing for a unified development of the large river basins in the country.

Therefore, Mr. President, I wish to have it clearly stated in the RECORD that I am opposed to having the Senate proceed to the consideration of this bill at this time. I think it is unwise; I think it does not adequately cover the problems which should be covered in order to meet the conditions which will confront us when the war is over. If we are to meet the great problems which will confront this country at the end of the war, I think we must have comprehensive legislation for the development of these various river valleys. Especially in the Missouri River Basin there is opportunity for a huge program of reclamation and industrial development through which we may provide homes for many thousands of persons who can be settled in that part of the country after the war is over. But that can only be done by legislation more comprehensive than the bill which is before us at this time.

So, Mr. President, I wish to have the RECORD show clearly that I am not in favor of this legislation at this time.

Mr. OVERTON. Mr. President, the pending bill contemplates that the projects to be authorized will be constructed, for the most part, in the post-war period. It is not exactly correct to say that all the projects provided for in the bill are post-war projects. The provision as now written in the bill is as follows:

> When the existing critical situation with respect to materials, equipment, and manpower no longer exists, and in any event not later than immediately following the cessation of hostilities in the present war, the projects herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements.

It is necessary Mr. President, that the bill be enacted as promptly as possible, because after the various projects have been authorized by Congress, the Army Engineers must proceed with the preparation of detailed plans. That work requires considerable additional investigation and study. Therefore, the sooner the bill is passed the sooner can the Chief of Army Engineers and the Corps of Engineers proceed with the task of perfecting the plans and dealing with the projects which will be authorized.

Mr. President, as the senior Senator from North Carolina has very well pointed out, this bill is in no sense a pork barrel bill. I do not think there is any bill which comes before the Congress—and I say this, not with particular reference to the pending bill, but with reference to flood control bills and river and harbor bills generally—which undergoes more careful scrutiny than do such bills before they are submitted for the consideration of the Congress. The pending measure is not a pork barrel bill, because every project contained in it on which a report has been made has been initiated locally among local interests; and after they had proposed the particular project, the Congress of the United States authorized the making of a preliminary survey and investigation of it.

The Chief of Army Engineers and the Corps of Engineers cannot undertake an investigation of any flood-control projects or any river and harbor projects unless they receive a mandate from the Congress to do so. That mandate is contained in a direction and an authority to make a preliminary examination and survey of the proposed project. When that is done, the Chief of Army Engineers sends the proposal to the district engineer within whose jurisdiction the

project lies. The district engineer begins by collecting all the available data the engineers have with reference not only with respect to the project itself, but with respect to the whole area and with respect to its relation to other projects and other streams. After the district engineer has made this preliminary study, he sets down the matter for public hearing, and at the hearing representatives of local interests and all others who are interested one way or the other are given an opportunity to appear and to be heard, and a record is made of the testimony taken, as given by the proponents and the opponents of the project.

After that is done, the district engineer proceeds to formulate a report on the project, either favorable or unfavorable. He sends it to the division engineer. When it reaches the division engineer, it undergoes close scrutiny at his hands. When the division engineer has completed his work, he sends the report to the Board of Engineers for Rivers and Harbors. The Board of Engineers for Rivers and Harbors proceeds to the consideration of the project. At the request of anyone in interest, public hearings are conducted, and again the whole subject matter is reviewed and the testimony of witnesses for and against the project is taken down.

After such thorough consideration has been given by the Board of Engineers for rivers and harbors, the board makes such changes and modifications as it desires or recommends with respect to the project, and submits its report.

The report is then sent to the Chief of Engineers, who proceeds to the consideration of the project, and makes such changes and alterations as he deems advisable.

After that has been done, Mr. President, the project is not sent immediately by the Chief of Engineers to the Congress, because if it is a project in which the Bureau of Reclamation is interested, or in which the Federal Power Commission is interested, the Chief of Engineers sends his proposed report to the Commissioner of the Bureau of Reclamation and to the chairman of the Power Commission for their comments and observations.

After that has been done the Chief of Engineers submits the matter to the Secretary of War, who transmits it to the Congress, and it is then printed as a public document, either as a House document or as a Senate document.

In addition to all the careful investigation to which I have referred and all the public hearings which have been conducted in reference to all the projects, monthly meetings are conducted in the city of Washington between the Chief of Engineers and his staff, the Commissioner of the Bureau of Reclamation and his staff, the Chairman of the Federal Power Commission and his representatives, and the Land-Use Coordinator of the Department of Agriculture. The purpose of the monthly meetings is to consider the different projects and the general picture with reference to the proper utilization of the waters of the Nation. The officials to whom I have referred consult and undertake to harmonize their differences and to come to an agreement as to what is best for navigation, for flood control, for irrigation, reclamation, power, and for agricultural development of the territory through which the waters flow.

Therefore, Mr. President, I do not believe any other bill coming before the Congress undergoes such careful scrutiny by experts and is the subject of such extensive public hearings as do the various river-and-harbor bills.

What happens? A bill is introduced either in the House or in the Senate, containing for the most part the various projects which have been recommended by the Chief of Engineers. The Flood Control Committee of the House—if the bill originates in the House, as it usually does—or the Committee on Rivers and Harbors of the House, sets the bill down for hearings and the public is invited to attend. All who are in favor of and all who are opposed to any project contained in either the flood-control bill or the river-and-harbor bill are given an opportunity to be heard before the committee.

Take, for example, the particular bill now before the Senate. The printed pages of testimony covered in the House hearings number 1,248. The period of time covered in the House hearings was from May 13, 1943, to February 23, 1944. After the bill passed the House and came to the Senate, the Senate Committee on Commerce proceeded to conduct hearings, and the period of time covered by the hearings on the bill in the Senate committee was from May 29 to June 15, 1944, and the number of printed pages in the record amounted to 816.

Mr. President, I wish to go back a step with reference to the action taken by the Chief of Engineers. I stated that all projects had to be initiated in Congress under authority for a preliminary examination and survey. They are not all approved, by any means. The majority of them are not approved. The majority of them are rejected. Since we passed the Flood Control Act of 1941, which was the last Flood Control Act to be passed, the total number of proposals which were investigated by the Army engineers was 203. Of those proposals only 78, or 38 percent, were approved. One hundred and twenty-five or 62 percent, were rejected.

So, Mr. President, I do not believe there is any bill which undergoes closer legislative scrutiny, more searching engineering scrutiny, and more diligent expert scrutiny before it reaches the floor of either the House or the Senate—I will include in that statement even our revenue and appropriation bills—than the various flood control and river and harbor bills. I wish to make that statement particularly clear.

As stated by the Senator from North Carolina this is not a pork-barrel bill. So far as the Army engineers are concerned, they have been dealing with navigation projects for 124 years. They have been dealing with flood-control projects ever since flood-control projects became a national obligation. I can say of the Bureau of Reclamation that for 40 years they have been studying what is necessary and proper in connection with the problems of irrigation, and in connection with other similar uses of water. They have become experts in that field. I believe that the Army engineers whom we have trained in peacetime work have justified their training by the services which they have rendered on the battlefields of the world. I believe that the Army engineers are by far the finest group of engineers, not only in the history of this Nation, but in the history of the entire world. The magnificent engineering works which helped the progress of our troops as they moved forward toward the enemy were prepared, planned, and constructed by engineers who had received experience in the United States of America and its territories during peacetime in connection with rivers and harbors, and flood-control work.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks a breakdown by States of all the projects contained in the flood-control bill. I make the request so that information on the subject may be made available to Senators who may be interested in the matter. It is obviously impossible to segregate by States the cost of projects which are in more than one State. The tabulation will show the total cost of such projects in each State involved, and allocated to each State, instead of a distribution being made. Such projects in the report are marked with an asterisk.

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

Projects in H. R. 4485 as reported out by the Committee on Commerce on June 22, 1944

[NOTE.—As it is obviously impracticable to segregate by States the costs of projects which are in more than 1 State, the tabulation below includes the total cost of such project in each State involved. Such projects are marked with an asterisk]

	First cost	Cost of maintenance and operation
Arizona:		
Alamo Reservoir, Bill Williams River	$3,202,000	$4,000.
Arkansas:		
*Mississippi River, Cairo, Ill., to Baton Rouge, La	200,000,000	
Narrows Reservoir and local flood protection on Little Missouri River [1]	3,800,000	$20,000.
Blakely Mountain Reservoir, Ouachita River	11,080,000	$61,000.
*Boeuf and Tensas Rivers and Bayou Macon, Arkansas and Louisiana	5,013,000	Local.
Arkansas River main stem:		
Fort Smith, levee, floodwall, and appurtenances	898,600	Do.
Van Buren, levee, floodwall, and appurtenances	529,000	Do.

[1] Increased authorization for existing project.

Projects in H. R. 4485 as reported out by the Committee on Commerce on June 22, 1944—Continued

		First cost	Cost of maintenance and operation
Arkansas—Continued.			
Arkansas River main stem—Continued.			
Crawford County levee district,[1] levee and appurtenances		$1,546,000	Local.
McLean Bottom levee district No. 3, levee and diversion		517,000	Do.
Dardanelle drainage district [1] (near Dardanelle), levees and appurtenances		122,500	Do.
Pope County levee district No. 1 and Conway County levee district Nos. 3 and 7 [1] (west of Morrilton), levee, cut-off, and appurtenances.		855,000	Do.
Conway County levee district No. 6, levee and appurtenances		371,000	Do.
Conway County levee districts Nos. 1, 2, and 8, levees and appurtenances		1,005,000	Do.
Roland drainage district, levee and appurtenances		339,000	Do.
Little Rock levees [1] (east end Fourche Bayou), levees, intercepting ditch, 2 cut-offs, and appurtenances		465,200	Do.
Little Rock to Pine Bluff [1] (head of Fourche Island to Pennington Bayou),[1] levees and appurtenances		583,000	Do.
Tucker Lake area,[1] levees and appurtenances		207,000	Do.
*White River Basin		45,000,000	$250,000.
California:			
San Diego, San Diego River, levee		370,000	$2,000.
Ventura, lower Ventura River, levee		1,080,000	Local.
Ojai, Stewart Canyon (Ventura River Basin), debris, basin, and channel		520,000	Do.
Santa Ana River Basin, including Lytle and Cajon Creeks [1]		10,000,000	Do.
Los Angeles and San Gabriel Basin and Ballona Creek [1]		25,000,000	Do.
Watsonville, Pajaro River, levee		452,160	Do.
Gilroy, Pajaro River Basin, levee		59,000	Do.
Sacramento River,[1] initial stage consisting of extension of local protection along main stem, levees, and other local protection along tributaries, low Table Mountain Dam, and Black Butte Dam.		15,000,000	$135,000. Local maintenance of levees and channels are additional.
Folsom Reservoir, American River		18,474,000	$50,000.
Isabella Reservoir, Kern River		6,800,000	$25,000.
Terminus Reservoir, Kaweah River, and Success Reservoir, Tule River		4,600,000	$13,000.
Pine Flat Dam, Kings River		19,700,000	$40,000.
Merced County stream group		1,300,000	Local operation and maintenance of all works except reservoirs is additional. $4,000 Federal maintenance of reservoirs.
Burns Creek Reservoir	$171,800		
Bear Creek Reservoir	292,000		
Owens Creek Reservoir	168,800		
Mariposa Creek Reservoir	417,000		
Black Rascal Canal	68,800		
Owens Creek Canal	15,200		
Miles Creek Canal	6,200		
Lower San Joaquin River		8,000,000	
New Melones Reservoir; Stanislaus River, contribution to Don Pedro Reservoir to be built by local interests; channel improvements and levees on San Joaquin River and tributaries.			
Littlejohn Creek and Calaveras River group		3,868,200	$14,600 maintenance and operation for channel by local interests.
Farmington Reservoir, Littlejohn Creek	$1,561,000		
Enlarge Hogan Reservoir, Calaveras River	1,942,000		
Diversions, channels, levees, and dikes	365,200		
Conn Creek Reservoir, Napa River		460,000	Local.
Colorado:			
Colorado Springs, Fountaine Que Bouille River, floodway and appurtenances		500,000	Do.
Trinidad, Purgatoire River, channel and levees		909,000	Do.
*Missouri River Basin [1]		200,000,000	
Cherry Creek Reservoir [1]		7,500,000	$3,000.
Morrison, Bear Creek, channel clearing		220,000	Local.
Creede, Willow Creek, timber flume		68,500	Do.
Connecticut:			
*Connecticut River Basin		30,000,000	
*Thames River Basin		7,200,000	
Thomaston Reservoir, Housatonic River Basin		5,151,000	$15,200.
Georgia:			
*Clark Hill Reservoir, Savannah River		35,300,000	$223,000.
*Allatoona Reservoir,[1] Mobile River Basin		14,400,000	$50,000.
Hawaii: Hanapepe, Kauai Island, Hanapepe River, T. H., local flood protection		73,000	Local.
Idaho:			
Snake River between Heise and Roberts, channel improvement		734,000	Do.
Weiser, Snake River, bank protection		9,000	Do.
Illinois:			
*Ohio River Basin		70,000,000	
*Upper Mississippi River Basin		10,000,000	
Galena, Galena River, local protection		300,000	Do.
Illinois River, floodway at Big Prairie drainage and levee district		111,500	None.
Indiana:			
*Ohio River Basin		70,000,000	
Iowa:			
Red Rock Dam, Des Moines River [1]		15,000,000	$55,000.
Des Moines, local flood protection along Des Moines and Raccoon Rivers		270,000	Local.
Sabula, Mississippi River		25,000	Do.
Elkport, Turkey River		13,000	Do.
*Missouri River Basin [1]		200,000,000	
Denison, Boyer River—local protection		17,830	Do.
Hamburg, Nishnabotna River		236,000	Do.
*Upper Mississippi River Basin [1]		10,000,000	
Kansas:			
*Arkansas River Basin [1]		35,000,000	
*Missouri River Basin [1]		200,000,000	
*Kansas Citys, Kans. and Mo.,[1] local protection		8,445,000	Do.
Kentucky:			
*Ohio River Basin		70,000,000	
The following projects have been added to the comprehensive plan for the Ohio River Basin:			
Taylorsville, Salt River, local protection (maintenance and operation)	$129,350		
Kentucky River Basin,[1] Jessamine and Booneville Reservoirs ($19,000 maintenance and operation)	23,756,000		
Jackson Cut-Off, Kentucky River Basin (local maintenance and operation)	66,000	70,000,000	
Middlesborough, Yellow Creek—local protection (local maintenance and operation)	205,200	----------	
Rough River—channel improvement (local maintenance and operation)	320,000	----------	
Barnett Creek, Rough River Basin—channel rectification (local maintenance and operation)	40,000	----------	
*Mississippi River—Cairo, Ill., to Baton Rouge, La		200,000,000	
Louisiana:			
*Mississippi River, Cairo, Ill., to Baton Rouge, La		200,000,000	
*Boeuf and Tensas Rivers and Bayou Macon, Ark. and La		5,013,000	Do.
Red River, vicinity of Shreveport, bank protection		3,000,000	Do.
Maryland: *Ohio River Basin		70,000,000	
The following project has been added to the comprehensive plan for the Ohio River Basin: *Youghiogheny River Basin ($423,000 maintenance and operation)	$37,970,000		
Massachusetts:			
West Hill Reservoir, Blackstone River Basin		1,070,000	$8,270.
Worcester Diversion, Blackstone River Basin		2,232,000	Local.
*Connecticut River Basin [1]		30,000,000	
*Thames River Basin [1]		7,200,000	

[1] Increased authorization for existing project.

Projects in H. R. 4485 as reported out by the Committee on Commerce on June 22, 1944—Continued

		First cost	Cost of maintenance and operation
Minnesota: Red Lake River channel improvement and Red Lake control structures		$902,940	$2,000 plus channel maintenance by local interests.
Mississippi:			
*Mississippi River, Cairo Ill., to Baton Rouge, La		200,000,000	
Yazoo River tributaries		3,752,000	Local.
Yazoo River, Satartia area		1,952,000	Do.
Missouri:			
*Upper Mississippi River Basin [1]		10,000,000	
*White River Basin [1]		45,000,000	
Ste. Genevieve levee district No. 1,[1] levee extension		141,000	Do.
*Missouri River Basin [1]		200,000,000	
Chariton River, local protection		1,610,200	Do.
*Kansas Citys, Kans. and Mo.,[1] local protection		8,445,000	Do.
*Mississippi River Cairo, Ill., to Baton Rouge, La		200,000,000	
Montana:			
Harlem, Milk River,[1] local protection		21,100	Do.
Havre, Milk River, local protection		313,100	Do.
Nebraska: *Missouri River Basin [1]		200,000,000	
New Hampshire: *Connecticut River Basin [1]		30,000,000	
New York:			
*Ohio River Basin		70,000,000	
The following project has been added to the comprehensive plan for the Ohio River Basin: Lake Chautauqua and Chadakoin ($3,135,500, local maintenance and operation) River area, Conewango Creek.			
*Southern New York and eastern Pennsylvania,[1] Susquehanna River Basin		4,755,000	
Panther Mountain Reservoir, Black River		600,000	Do.
Chittenango Creek, channel improvement		111,000	Do.
Owasco inlet and outlet, and tributaries, channel improvement and appurtenant works		64,200	Do.
Mount Morris Reservoir, Genesee River		5,360,000	$26,800.
North Carolina:			
*Roanoke River Basin, Buggs Island and Philpott Reservoirs		36,140,000	$164,100.
*Yadkin-Pee Dee River Basin, Wilkesboro Reservoir		10,840,000	$62,200.
North Dakota:			
Bald Hill Reservoir, Sheyenne River		810,000	$6,000.
Reservoirs on Tongue and Pembina Rivers		333,800	$5,000.
Reservoir on Park River		358,610	$2,050.
*Missouri River Basin		200,000,000	
Beulah, Knife River, local protection works		26,100	Local.
Hazen, Knife River, local protection works		6,600	Do.
Ohio: *Ohio River Basin		70,000,000	
The following projects have been added to the comprehensive plan for the Ohio River Basin:			
Dillonvale, Short Creek (local maintenance and operation)	$94,100		
Adena, Short Creek (local maintenance and operation)	64,100		
Burr Oak Reservoir, Hocking River (plus $6,000 maintenance and operation; local interests to maintain water supply portion in addition)	400,000		
Oklahoma:			
*Arkansas River Basin		35,000,000	
Arkansas River main stem:			
Tulsa and West Tulsa, bridge modification		133,000	Do.
Jenks, levee		264,000	Do.
Near Fort Gibson, levees and appurtenances		260,100	Do.
Dirty Creek bottom, levee and appurtenances		421,000	Do.
Tucker Lake bottom, levee and appurtenances		485,000	Do.
Braden bottom, levee and appurtenances		192,000	Do.
Big Skin Bayou-Camp Creek bottom, levee and appurtenances		343,000	Do.
Moffett bottom, levees, relocations, and appurtenances		957,000	Do.
Oregon:			
Nehalem River		23,000	Do.
Willamette River Basin [1]		20,000,000	
Arlington, Alkali Canyon		118,000	Do.
Coquille River		143,000	Do.
Pennsylvania:			
Susquehanna River at Harrisburg [1]		2,227,000	Do.
Tyrone, Susquehanna River Basin		1,392,000	Do.
*Southern New York and eastern Pennsylvania,[1] Susquehanna River Basin		4,755,000	
Raystown Reservoir, Susquehanna River Basin		2,000,000	$90,000.
*Ohio River Basin		70,000,000	
The following projects have been added to the comprehensive plan for the Ohio River Basin:			
Latrobe, Loyalhanna Creek (local maintenance and operation)	$112,000		
Turtle Creek Reservoir (plus $15,000 maintenance and operation, plus maintenance of channel below reservoir by local interests)	2,613,000		
*Youghiogheny River Basin ($423,000 maintenance and operation)	37,970,000		
Ridgeway, Johnsonburg, Saint Marys, and Brockway.			
Rhode Island:			
Woonsocket, channel improvement, Blackstone River Basin		803,000	Local.
Pawtucket, floodwall, Blackstone River Basin		82,000	Do.
South Carolina:			
Edisto River, channel improvement		139,000	Do.
*Clark Hill Reservoir, Savannah River		35,300,000	$223,000.
South Dakota: *Missouri River Basin [1]		200,000,000	
Tennessee:			
*Ohio River Basin		70,000,000	
*Mississippi River, Cairo, Ill., to Baton Rouge, La		200,000,000	
Texas:			
North Concho River, Colorado River Basin, Tex		4,800,000	$25,000. In addition, local interests maintain local protection works.
Pecan Bayou, Colorado River Basin, Tex		1,560,000	$2,000. In addition, local interests maintain enlarged Lake Brownwood Reservoir.
Whitney Reservoir, Brazos River Basin		15,000,000	$70,000.
Utah: Sevier River at Redmond, Utah		281,000	Local.
Vermont:			
*Connecticut River Basin [1]		30,000,000	
*Winooski River Basin [1]		2,120,000	Do.
Virginia:			
*Roanoke River Basin, Buggs Island and Philpott Reservoirs		36,140,000	$164,000.
*Ohio River Basin		70,000,000	
Washington:			
Pullman, Palouse River Basin		187,000	Local.
Colfax, Palouse River Basin		291,000	Do.
Raymond, Willapa River Basin		127,000	Do.
Hoquiam, Aberdeen, and Cosmopolis, Chehalis River		669,000	Do.
West Virginia: *Ohio River Basin		70,000,000	
The following project has been added to the comprehensive plan for the Ohio River Basin: Rowlesburg Reservoir, Cheat River ($171,500 maintenance and operation)	$29,230,000		
Wisconsin: *Upper Mississippi River Basin [1]		10,000,000	

[1] Increased authorization for existing project.

Mr. OVERTON. Mr. President, with that preliminary statement I ask unanimous consent that the formal reading of the bill be dispensed with, that it be considered for amendment, and that the committee amendments be first considered.

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

The first amendment of the Committee on Commerce will be stated.

The first amendment of the Committee on Commerce was, on page 1, line 3, after the word "assembled", to insert:

It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operation, and maintenance of all public improvements in connection with navigation, flood control, and allied activities; to insure coordinated operation of all Federal projects therein for the improvement of navigation and alleviation of flood conditions; to provide for realization of other benefits to be derived from such projects; to facilitate preparations and planning for post-war construction by the Federal Government in the interest of employment; and to secure efficient executive management under the direction and supervision of the permanent executive agencies already established by act of Congress.

Mr. OVERTON. Mr. President, the senior Senator from Kentucky [Mr. BARKLEY] has requested that the first committee amendment be passed over temporarily, and that course will be satisfactory.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over temporarily. The next amendment reported by the Committee on Commerce will be stated.

The next amendment was, on page 2, line 6, before the word "That", to insert "Sec. 2."

The amendment was agreed to.

The next amendment was, on page 2, line 20, to change the section number from 2 to 3.

The amendment was agreed to.

The next amendment was, on page 3, line 10, to change the section number from 3 to 4; in line 12, after the word "operate", to insert "public"; in line 16, after the word "lands", to strike out "structures" and insert "including structure"; in the same line, after the word "facilities", to insert "thereon"; and in line 18, after the word "provided" to strike out:

That licenses to Federal, State, or local governmental agencies for the use of areas suitable for public park and recreational purposes may be granted without monetary consideration when the Secretary of War determines such action to be in the public interest.

And insert:

That preference shall be given to Federal, State, or local governmental agencies, and licenses may be granted without monetary consideration, to such agencies for the use of areas suitable for public park and recreational purposes, when the Secretary of War determines such action to be in the public interest. The water areas of all such reservoirs shall be open to public use generally without charge for boating, swimming, bathing, fishing, and other recreational purposes, and ready access to and exit from such water areas along the shores of such reservoirs shall be maintained for general public use, when such use is determined by the Secretary of War not to be contrary to the public interest, all under such rules and regulations as the Secretary of War may deem necessary.

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to insert:

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Mr. OVERTON. Mr. President, in connection with the amendment just stated the Commerce Committee yesterday authorized the chairman of the committee, the Senator from North Carolina [Mr. BAILEY], to offer an amendment, which, as I understand, would be a substitute for the committee amendment. I do not see the Senator from North Carolina in the Chamber at the moment.

The ACTING PRESIDENT pro tempore. Section 5 will be passed over temporarily.

Mr. OVERTON. Very well.

The ACTING PRESIDENT pro tempore. The next committee amendment will be stated.

The next amendment was, on page 5, line 8, to change the section number from 4 to 6, and in line 13, after the name "War Department" to insert a colon and "*Provided*, That no sale of such water shall adversely affect then existing lawful uses of such water."

Mr. MILLIKIN. Mr. President, there will be some amendments offered to take the place of this section. I wonder if it would not be well to let the whole section go over temporarily.

Mr. OVERTON. Including the Senate committee amendment?

Mr. MILLIKIN. Yes.

Mr. OVERTON. I may say that all we are now doing is to pass on the Senate committee amendments. Is there any objection to the Senate committee amendment? Is the Senator later going to move to strike out this section?

Mr. MILLIKIN. It will later be moved to strike out the whole section. I suggest that it be passed over for the time being.

Mr. OVERTON. Very well. There is no objection to passing over section 6 temporarily.

Mr. WHITE. Mr. President, I take it this provision is something new in our legislation. I may be greatly in error, but I have not known of any previous legislation which authorized the Secretary of War or anyone else to sell stored waters. Am I correct that this is something new in our legislation, or is there a precedent for it?

Mr. OVERTON. The Secretary of War does not engage in the business of selling stored water.

Mr. WHITE. It is provided in the bill that he is authorized to sell surplus water that may be available in any reservoir.

Mr. OVERTON. I beg pardon. I see that amendment. What I was going to say is that all surplus waters stored in reservoirs are turned over to the Department of the Interior for distribution for irrigation purposes. It so happens that in connection with the sale for domestic and industrial uses of surplus water available in any reservoir under the control of the War Department, the committee has recommended an amendment which protects the existing lawful uses of the water. For instance, when a dam is constructed and water is impounded in it and there is nearby a lawful user of that water, we do not want to deprive him of his rights. Therefore, he is permitted to take water from the dam, but, of course, he does it under the direction of the Secretary of War.

Mr. WHITE. Under this provision as it now stands in the bill, I take it that the Secretary of War may first determine whether there is surplus water, what the amount of the surplus water may be, and then he is authorized to sell all he determines to be surplus. Am I correct about that?

Mr. OVERTON. That is substantially correct.

Mr. MILLIKIN. Mr. President, I should like to say to the distinguished senior Senator from Maine that there will be an amendment proposed which will take away the power to sell water but leave the power to contract water. It is the contention of the western Senators that the Secretary of War has no power to sell water, because he does not own the water.

Mr. WHITE. That was the impression that occurred to me. I did not see, unless the Secretary of War has title to the surplus water, how he was going to have authority to sell and to pass title to someone else or the use of it to someone else.

Mr. OVERTON. The difference between the Senator from Colorado and the committee is a mere technical difference of words. The Senator from Colorado and those agreeing with him prefer using the word "contract" to the word "sale"—contract for the water, instead of sell the water. There will be no objection to that.

Mr. WHITE. That is a distinction without a difference, is it not?

Mr. OVERTON. I think so. However, the whole section 6 has been passed over temporarily and that amendment with it, at the request of the Senator from Colorado.

Mr. BAILEY. Mr. President, I had stepped out of the Senate Chamber for a moment, and did not know that this matter was coming up.

Mr. OVERTON. Section 5 was passed over temporarily until the Senator could

come into the Chamber. I ask consent that the Senate return to the power amendment, which is section 5, which was passed over temporarily because of the absence of the Senator from North Carolina.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will return to the consideration of section 5, and the amendment will be again stated.

The LEGISLATIVE CLERK. On page 4, after line 13, it is proposed to insert the following:

SEC. 5. Electric power and energy generated at reservoir projects under the control of the War Department and in the opinion of the Secretary of War not required in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers consistent with sound business principles, the rate schedules to become effective upon confirmation and approval by the Federal Power Commission. Preference in the sale of such power and energy shall be given to public bodies and cooperatives. The Secretary of the Interior is authorized to construct and acquire only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at said projects available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

Mr. BAILEY. Mr. President, I sent forward in the morning hour an amendment to this section and I intended to have it printed for the information of Senators, but, if the Senate is ready to go ahead with it, I am, and I will ask that the proposed amendment be read at the desk.

Mr. OVERTON. I presume if it proves to be controversial we can pass it over for the time being.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from North Carolina to the committee amendment will be read for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, in section 5, it is proposed to strike out all after the word "cooperatives" in line 25, and to insert in lieu thereof the following:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists, to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

Mr. BAILEY. Mr. President, this amendment has the status of a committee amendment. It was submitted to the Commerce Committee yesterday morning. It was there thoroughly discussed and altered and the committee voted 9 or 10 to 3 to strike out the amendment as printed in the bill now before the Senate and to insert the amendment I have proposed in lieu thereof.

The ACTING PRESIDENT pro tempore. The committee has a right to modify its amendment.

Mr. BAILEY. So I take it, it would be in order for the amendment to be considered now as a committee amendment, if Senators are sufficiently informed about it.

The ACTING PRESIDENT pro tempore. The question will be on the committee amendment as modified.

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

Mr. BAILEY. I think the Senator from Louisiana has the floor.

Mr. OVERTON. I am glad to yield.

Mr. AIKEN. I do not think such a far-reaching amendment as that should be considered without the Members of the Senate having a chance to read it. The amendment deals with the entire power policy of the United States. Although it is worded well and sounds good the effect of it would be to turn over the public power of the United States, all power generated at public dams, to private utility companies, and if they did not want it at the end of 3 years, then the proper authority would have a chance to sell it to the public; but if they wanted it they would get it. I cannot imagine the Senate acting on such an amendment as that without having a chance to read it and study it and let the people of the country know what is going on.

Mr. BAILEY. Let me say to the distinguished Senator from Vermont that I have no intention of perpetrating a crime in the Senate, and I hope I will not be considered as capable of perpetrating a very serious crime anywhere else. Amongst other things, I do not intend, as long as I live, to perpetrate the crime of reflecting on my fellow Senators in a debate.

I said that if the Senate was ready to proceed, I was ready, but if the Senate desires to have the amendment printed and placed on the desks of Senators, that is entirely agreeable to me. I wish to say, however, that I could not agree to the statement which the Senator from Vermont has made, which is about as just with respect to the amendment itself as it was with respect to those of us who are now accused of being about to perpetrate a crime in the Senate.

Mr. AIKEN. I grant the entire sincerity of the Senator from North Carolina in his viewpoint on some of these matters, which happens to differ from mine, but I do think Senators should have time to read the amendment and study it, and I am sure the Senator from North Carolina agrees with me in that.

Furthermore, it appears that if the amendment should be agreed to, it would have an effect on practically all the amendments, as well as all the projects, or most of the projects, authorized by the bill, and it seems to me that this should be one of the earliest matters in the bill to be disposed of, if not the earliest, because it might, and probably would, influence the votes of Senators on the other projects authorized by the bill.

Mr. BAILEY. I agree with the suggestion made that the matter go over until tomorrow, or, if the bill should stay here longer, it might go over for a longer period, but I would much rather dispose of it tomorrow, because I am really under some obligations to return to the aviation conference in Chicago, and I should like to get away. I shall consent that the matter be deferred until tomorrow, if the Senate is to be in session tomorrow. Meantime, I do not wish my amendment to be prejudiced by remarks from any quarter. It is an effort, a sincere effort, to state a proper live-and-let-live power policy, in view of the creation of enormous power by the bill. That is all the amendment is. But I shall defer any discussion until the amendment comes up in regular order, and I take it no one is seriously prejudiced in his mind by what has been said here. I think men do sometimes commit crimes with the utmost sincerity.

Mr. AIKEN. I might say it would be a crime on the part of the Senate, not necessarily on the part of the Senator from North Carolina, to consider the amendment without opportunity for study on the part of Senators.

Mr. BAILEY. I think the assassination of Caesar was sometimes charged to the entire Senate of Rome, but that did not affect the assassination at all, and it did not help the Senate. I do not think the Senate of the United States is remotely contemplating committing a crime now or hereafter, even in the name of liberty.

I merely send the amendment forward, and will let it go over until tomorrow.

The ACTING PRESIDENT pro tempore. Without objection, the modified amendment of the committee will be printed for the information of Senators, and will lie on the table, and the pending amendment will go over.

Mr. OVERTON. Mr. President, I suggest that this is simply a modification of the committee amendment, and that the entire amendment, beginning with the words "Sec. 5", be printed.

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

Mr. DOWNEY. Mr. President, will the Senator from Louisiana yield to me for a question?

Mr. OVERTON. I yield.

Mr. DOWNEY. While this amendment is before the Senate, let me inquire whether its effect would be only on construction by Army engineers, and would not be upon construction by the Reclamation Bureau.

Mr. OVERTON. That is correct. It says "Electric power and energy generated at reservoir projects under the control of the War Department."

Mr. BURTON. Mr. President, will the Senator from Louisiana yield to me?

Mr. OVERTON. I yield.

Mr. BURTON. A moment ago the Senate approved the committee amendment to section 4, with which I concur, but I wish to ask the chairman of the subcommittee a question or two in order to help clarify the situation, in the interest of some who are much interested in the use

of the War Department reservoirs for recreational purposes.

As I understand the effect of the amendment, it provides that the water areas of the War Department reservoirs shall be available to the public without charge. That would mean the use of the water and the use of access to the water, and that would be without charge. Is not that correct?

Mr. OVERTON. That is correct, for certain recreational purposes.

Mr. BURTON. But the activities on that water would still be subject to the fishing licenses and motorboat licenses of the areas concerned?

Mr. OVERTON. That is my understanding.

Mr. BURTON. And the surrounding park grounds or picnic facilities would not be covered so that they would have to be made available without charge, especially where it might be necessary to have some maintenance charges in order adequately to take care of those areas.

Mr. OVERTON. That is correct. All that is desired is that there may be access for recreational purposes by the public.

Mr. BURTON. The water may be used without charge for boating, bathing, swimming, fishing, and other recreational purposes, together with ready access to and exit from such water areas?

Mr. OVERTON. That is correct.

Mr. BURTON. And this is all limited to reservoirs under the jurisdiction of the War Department?

Mr. OVERTON. That is correct.

Mr. MILLIKIN. Mr. President, will the Senator from Louisiana yield?

Mr. OVERTON. I yield.

Mr. MILLIKIN. Will the Senator tell us what happened to the committee amendment on page 1?

Mr. OVERTON. That was passed over temporarily.

The ACTING PRESIDENT pro tempore. The clerk will state the next amendment of the committee.

The next amendment was, on page 5, line 17, to change the section number from 5 to 7; and in line 18, after the word "storage", to strike out "available" and insert "allocated."

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. Did the Senator from Colorado object to the proviso on lines 13 and 14, page 5?

Mr. MILLIKIN. It was understood that that would go over.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over, and the clerk will state the next amendment of the committee.

The next amendment was, on page 5, in line 22, after the word "regulations", to insert a colon and the following proviso: "*Provided*, That this section shall not apply to the Tennessee Valley Authority except in case of danger from floods."

Mr. HILL. Mr. President, I have a copy of a letter under date of August 15, addressed to the distinguished Senator from Louisiana, signed by the chairman of the Tennessee Valley Authority, in which he suggests language in lieu of the amendment proposed, the language suggested by the chairman of the Tennessee Valley Authority being language agreed on between the Tennessee Valley Authority and the Army engineers and the War Department. I do not think the language suggested by the engineers and the Tennessee Valley Authority changes the intent or the purpose at all of the amendment reported by the committee, except that I think it makes it clearer and more specific, and is really better language. I hope the Senator has no objection to the language agreed on by the engineers and the Tennessee Valley Authority.

Mr. OVERTON. I have no objection. I think the meaning of both is the same.

Mr. HILL. The meaning is the same. Then, as a substitute for the committee amendment, I offer the following: "*Provided*, That this section shall not apply to the Tennessee Valley Authority, except that in case of danger from floods on the lower Ohio and Mississippi Rivers the Tennessee Valley Authority is directed to regulate the release of water to the Tennessee River into the Ohio River in accordance with such instructions as may be issued by the War Department."

The ACTING PRESIDENT pro tempore. The clerk will state the amendment.

The LEGISLATIVE CLERK. In lieu of the committee amendment on page 5, line 22, it is proposed to insert the following: "*Provided*, That this section shall not apply to the Tennessee Valley Authority except that in case of danger from floods on the lower Ohio and Mississippi Rivers the Tennessee Valley Authority is directed to regulate the release of water to the Tennessee River into the Ohio River in accordance with such instructions as may be issued by the War Department."

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Alabama in the nature of a substitute for the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The ACTING PRESIDENT pro tempore. The clerk will state the next amendment of the committee.

The LEGISLATIVE CLERK. On page 5, after line 24, it is proposed to strike out:

SEC. 6. Hereafter, whenever in the opinion of the Secretary of War and the Chief of Engineers any dam and reservoir project operated under the direction of the Secretary of War can be consistently used for reclamation of arid lands, it shall be the duty of the Secretary of the Interior to prescribe regulations under existing reclamation law for the use of the storage available for such purpose, and the operation of any such project shall be in accordance with such regulations. Such rates, as the Secretary of the Interior may deem reasonable, shall be charged for the use of said storage; the moneys received to be deposited into the Treasury to the credit of miscellaneous receipts:

And to insert:

SEC. 8. Hereafter, whenever the Secretary of War determines, upon recommendation by the Secretary of the Interior that any dam and reservoir project operated under the direction of the Secretary of War may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), such additional works in connection therewith as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization act; and within the limits of the water users' repayment ability such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dams and reservoirs operated under the direction of the Secretary of War may be utilized hereafter for irrigation purposes only in conformity with the provisions of this section, but the foregoing requirement shall not prejudice lawful uses now existing.

Mr. MILLIKIN. Mr. President, that is a controversial section, and I suggest that it go over.

Mr. OVERTON. I did not know it was controversial.

Mr. MILLIKIN. We have proposed a section 8 which is different from the section 8 now appearing in the bill.

Mr. OVERTON. Then, I ask that the amendment be passed over temporarily.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over.

The next committee amendment will be stated.

The next amendment was, on page 8, after line 12, to insert:

LAKE CHAMPLAIN BASIN

Modifications of the existing Waterbury, Wrightsville, and East Barre Dams in the Winooski River Basin, Vt., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 629, Seventy-eighth Congress, second session, at an estimated cost of $2,120,000.

The amendment was agreed to.

The next amendment was, on page 8, after line 19, to insert:

BLACKSTONE RIVER BASIN

The project for the West Hill Reservoir on the West River, Mass., for flood control and other purposes in the Blackstone River Basin is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of $1,070,000.

The amendment was agreed to.

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

The project on Blackstone River for local flood protection at Worcester, Mass., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of $2,232,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 8, to insert:

The project on Blackstone River for local flood protection at Woonsocket, R. I., is hereby authorized substantially in accordance with the recommendations of the Chief

of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of $803,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 14, to insert:

The project on Seekonk River for local flood protection at Pawtucket, R. I., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 624, Seventy-eighth Congress, second session, at an estimated cost of $82,000.

The amendment was agreed to.

Mr. AUSTIN. Mr. President, at the appropriate time I intend to offer, on page 9, following line 21, "Connecticut River Basin", an amendment which would read:

Section 3 of the act approved August 18, 1941 (55 Stat. 638), paragraph entitled "Connecticut River Basin," is amended by striking out the words "with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers."

The ACTING PRESIDENT pro tempore. That amendment will be taken up when the consideration of individual amendments is reached, as the Chair understands.

Mr. AUSTIN. I thank the Chair. I should like to have notice taken of the fact that I offer the amendment and ask that it be printed.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be printed and will lie on the table.

Mr. OVERTON. Mr. President, if I may ask a question of the Senator from Vermont, Is the effect of his amendment to abrogate the authorization affecting the Connecticut River Basin or would the authorization remain with authority for such modifications in the future as may be proposed?

Mr. AUSTIN. The amendment would abrogate simply a special part of the authorization made in 1941 which is rather novel. I believe that there is no other similar authorization in any bill which has ever been passed by Congress. It is a sort of sleeper, a thing which escaped our notice heretofore. Under the provision it is clearly possible that tomorrow, after Congress shall have enacted a bill, it would be entirely in the discretion of the Secretary of War and the Chief of Engineers to undo what Congress has agreed to as a policy. This authorization is exceedingly sweeping, as I interpret it, and as people in the neighborhood of the West River Valley interpret it. The Army engineers, under the Secretary of War, could go down the river and flood Brattleboro, because that would be such a further modification of the plan as is specified in the bill referred to. This is only a part of the issue with which the distinguished Senator from Louisiana is familiar.

Mr. OVERTON. Then the amendment refers only to the modification authority at present vested in the Chief of Engineers?

Mr. AUSTIN. Yes; it relates to a past authority, and I suspect that the distinguished Senator from Wyoming [Mr. O'MAHONEY] will have a more comprehensive amendment to offer which will reach back to the Connecticut River Basin. So I hope the distinguished Senator from Louisiana will allow this subject of the Connecticut River Basin to be passed over for the present time.

Mr. OVERTON. I shall be very happy to let it be passed over. I was hopeful, however, that the Connecticut River Basin project could be taken up by itself, and not be related in any way to the Missouri River Basin because it does not bear any relation geographically to it, and I would be very happy to consider it by itself as a separate amendment. However, of course, that is entirely within the discretion of the Senate and the Senator from Vermont.

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

Mr. AUSTIN. Yes; I yield.

Mr. MALONEY. I thank the Senator. I should like to know if the language which he proposes on page 9 would strike out the present language beginning on line 21 "Connecticut River Basin"?

Mr. AUSTIN. No; it would follow those three words "Connecticut River Basin," and it would constitute the first paragraph under that heading.

Mr. MALONEY. Would it have any bearing upon the language now in the bill?

Mr. AUSTIN. Yes.

Mr. MALONEY. Will the Senator tell me what bearing it would have?

Mr. AUSTIN. Yes. Mr. President, the language now in the bill refers expressly to "the comprehensive plan approved in the act of June 28, 1938, as modified by the act approved August 18, 1941, for the Connecticut River Basin."

The language comprehends the authority which is expressed in the amendment which I offer. That is, besides expressly authorizing the appropriation of a sum of money for the construction of specific projects named in the plans there specified, there is this rider hitched on which is peculiar evidently to the Connecticut River Basin. Why it was put there I do not know. But it is extremely effective because it would enable the Secretary of War and the Chief of Engineers to do anything in the Connecticut River Basin if they in their discretion found it justifiable.

The first thing it seems to me for Congress to do is to take away from the Secretary of War and the Chief of Engineers that extraordinary dominion over the plan. All other plans must be submitted to us before an authorization is made. No authorization must be made until Congress approves the plan. But on the Connecticut River, with that sleeper in the bill, we can approve a plan one day, and the Secretary of War and the Chief of Engineers can alter it or amend it under this authority "with such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers." I want that language stricken from the act.

Mr. MALONEY. I should like to ask the Senator a further question, if I may. Does he maintain that under the existing language in the law the Army engineers, if they so desired, could build a dam at Springfield, Mass.?

Mr. AUSTIN. Yes, of course. They could build one anywhere in the Connecticut River Basin. This was called to the attention of the public and to the Government back in June 1944. That was the first notice I had of this extraordinary element that was in the authorization of 1941, and this is the first opportunity we have had to attempt to delete it.

Mr. MALONEY. Is the Senator especially concerned, if I may ask him this question, with the dam on the West River which is already planned? Is that his particular concern now?

Mr. AUSTIN. Yes; we are especially concerned about that dam.

Mr. MALONEY. And would the language of the Senator's proposed amendment, if it were adopted, deny the Army engineers the right to proceed with those plans?

Mr. AUSTIN. No; it would not have that effect, except in this way, that we might today delete from the bill authority to build the Williamsville Dam on the West River, and tomorrow the Army engineers might go right to work on it and build it under a modification authorized by the act of 1941, which reads:

With such further modifications as may be found justifiable in the discretion of the Secretary of War and the Chief of Engineers.

Mr. MALONEY. And does the Senator insist that if we sometime later appropriated the $30,000,000 which is authorized in the pending bill, the Army engineers could spend it in any way they desired on the Connecticut River?

Mr. AUSTIN. That is my interpretation of that sleeper clause. We have given them carte blanche on the Connecticut River Basin by that clause.

Mr. MALONEY. I thank the Senator.

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

Mr. AUSTIN. I yield.

Mr. LANGER. It is true, is it not, that the engineers do not have to give notice to anybody?

Mr. AUSTIN. That is true, as the law stands.

Mr. LANGER. The Governor is not notified, and they simply go ahead and do the work.

Mr. AUSTIN. That is true. There are no hearings.

Mr. MALONEY. That is true with respect to any river and harbor project which the Congress authorizes.

Mr. AIKEN. Mr. President, I expect to join my colleague in the effort to strike out the dam at the Williamsville site. I also wish to say that I am opposed to the committee amendment on page 10, beginning in line 5, which reads as follows:

Provided further, That none of the dams herein authorized for the Connecticut River Basin shall be utilized for the generation of hydroelectric power.

In passing over the subject of the Connecticut River Basin, is the proposed amendment also passed over at this time?

Mr. OVERTON. That is correct. It includes everything under the Connecticut River Basin.

Mr. AIKEN. I thank the Senator.

The ACTING PRESIDENT pro tempore. Without objection, the section under the heading "Connecticut River Basin," including the committee amendment on page 10, line 5, will be passed over.

The Clerk will state the next committee amendment.

The next amendment was, on page 12, after line 2, to insert:

ROANOKE RIVER BASIN

The general plan for the comprehensive development of the Roanoke River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document No. 650, Seventy-eighth Congress, second session, is approved and the construction of the Buggs Island Reservoir on the Roancke River in Virginia and North Carolina, and the Philpott Reservoir on the Smith River in Virginia, are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of $36,140,000.

The amendment was agreed to.

The next amendment was, on page 12, after line 13, to insert:

YADKIN-PEE DEE RIVER BASIN

The general plan for the comprehensive development of the Yadkin-Pee Dee River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document No. 652, Seventy-eighth Congress, second session, is approved and the construction of the Wilkesboro Reservoir on the Yadkin-Pee Dee River in North Carolina is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of $10,840,000.

Mr. OVERTON. Mr. President, the committee has modified its amendment in reference to the Yadkin-Pee Dee River Basin. The Senator from North Carolina [Mr. BAILEY] will present the modification.

Mr. BAILEY. Mr. President, the amendment which I offered, and which the committee unanimously approved, reads as follows:

On page 12, after line 14, strike out lines 15 to 23, inclusive, under the title "Yadkin-Pee Dee River Basin" and insert in lieu thereof the following:

The general plan for the comprehensive development of the Yadkin-Pee Dee River Basin for flood control, and other purposes, recommended by the Chief of Engineers in House Document 652, Seventy-eighth Congress, second session, is hereby stricken from the bill and is referred to the Committee on Commerce to the end that hearings may be had from the people concerned and with instructions to report back to the Senate within 6 months.

It may seem a little odd that a Senator should ask to have stricken from the bill an item involving the approval of a $10,000,000 project, and ultimately, I think, over $100,000,000, but there is a good reason for it.

I am satisfied that we need flood control on the Yadkin River in the vicinity of Wilkes County. The engineers propose not only to build a dam there, but to build a long series of dams through the State, where absolutely no flood control is involved. That is the first objection.

The second objection is that the dam proposed at Wilkesboro would flood permanently more land, more homes, and more territory than have even been flooded below the dam. That is a singular statement to make, but it is a true statement. The dam at North Wilkesboro would flood 13,000 acres of land, extending all the way through Wilkes County up to the foothills of the Blue Ridge at the place called Happy Valley, a place with which I am familiar.

We all know Mr. DOUGHTON. I believe he is now the dean of the House. He has been in the House for 36 years. The county of Caldwell, where the Happy Valley region lies, and where this land would be flooded, is in his county of Caldwell. A portion of it is in Wilkes County. Mr. DOUGHTON appeared before the committee yesterday and stated that in his long career in the House of Representatives he had never known the people of his section to be so stirred up, so indignant, and so fearful of the disaster of permanent flooding of their lands and the driving of the people from their homes and farms.

I can corroborate that statement. Ever since this item was placed in the bill—and I was not here when it was placed in the bill—I have received almost endless protests. To give an example, the bishop of the Episcopal Church for western North Carolina wrote me a letter in August, and stated that he thought that the Patterson School, which is a very fine school in Happy Valley, would be destroyed, and he begged me to take some steps which would prevent that disaster.

The Happy Valley and the Valley of the Yadkin above North Wilkesboro, and above the site of the proposed dam, have been occupied and cultivated by the people of that section ever since the days of the Revolution. It is not an abandoned wilderness. It is a valley of fine homesteads and farms, and abundant timber. The people living there do not understand why they should be flooded out forever, and they do not think that the offer of the compensation means anything. Neither do I. No one could pay me enough money to induce me to give up my home for the purpose of building a dam. I love my home and I am attached to it. Those people make their living on those farms. They have never known anything else.

I am in favor of a flood-control project in the neighborhood of North Wilkesboro. I believe that the floods of the Yadkin Valley should be ended. I just voted for a flood-control project on the Roanoke River. That is the section of the bill immediately preceding the one under discussion. But I am not in favor of erecting a power dam where no power is really needed, and where the price to be paid is not $10,000,000, but the welfare and happiness of the population extending from Wilkesboro all the way to Happy Valley in Caldwell County. I am not in favor of that. I do not care who knows it. I will shout it from the house-tops in North Carolina, and my statement will be approved by the people of North Carolina. I am not in favor of destroying the homes of the people. I am thoroughly responsive to the petitions which have been filed with me. I am satisfied that the people of North Wilkesboro, who would profit to some extent by a dam, do not wish to destroy the homes of their fellow citizens all the way up the river to the foothills of the mountains.

I ask that this amendment be adopted in lieu of the language in the bill. If it is adopted, I shall request the engineers to prepare for me a survey with a view to arresting the floods in the Yadkin Valley, and at the same time with a view to preserving the homes of the people in that valley.

Mr. OVERTON. Mr. President, after the representations made by the senior Senator from North Carolina before the full committee in reference to the Yadkin-Pee Dee River Basin, I was in accord with the views expressed by him, as were all the other members of the committee. However, I wish to say that the Corps of Engineers is not at fault in making a report as to what power could be developed on the Yadkin and Pee Dee Rivers. The Corps of Engineers was acting under a direction from the Congress of the United States. The Congress of the United States provided in the resolution adopted on April 1, 1937, and in another one adopted on November 1, 1938, as follows—I will not read all of them:

That the Board of Engineers for Rivers and Harbors—

And so forth and so on—

is hereby requested to review the report on the Yadkin-Pee Dee River of North Carolina and South Carolina, published in House Document No. 68, Seventy-third Congress, first session, with a view to determining the advisability of modifying the existing projects for navigation on the Pee Dee River to provide for improved navigation to Cheraw, S. C., and for the development of hydroelectric power in that vicinity.

Then, in connection with the review of the reports on preliminary examination and survey for flood-control development and development of hydroelectric power on Rocky River—Love's Ford and Crump's Ford—N. C., and at Wilkesboro Dam, Yadkin River, N. C., we find that these reviews were authorized by section 7 of the Flood Control Act of June 22, 1936.

Therefore, the Corps of Engineers simply made a report, as directed by Congress. It contained these power projects as well as the flood-control and navigation projects.

I wish to make the further observation that I regret very much that the senior Senator from North Carolina was not present when the project came up for hearing before the subcommittee. Unfortunately, he was absent because he was not well at the time, and could not be present. But no objection was made by anyone. The testimony in respect to the project was without contradiction that it was feasible, from an engineering standpoint, and economically justified. With that testimony before it, the full committee authorized it. As soon as the senior Senator from North Carolina stated his objections to it, and inasmuch as the project is one wholly within his State, the committee had no objection whatsoever to the amendment he proposed. Therefore, I am perfectly willing

that the amendment as modified be adopted.

Mr. BURTON. Mr. President, as a minority member of the subcommittee, I wish to join in the same request. When the matter originally came up for consideration, we merely had before us a report of the engineers. No opposition was presented at the hearings by any Member of the Senate or by others, due particularly to the illness of the senior Senator from North Carolina. But on the further consideration by the full committee, both the senior Senator from North Carolina [Mr. BAILEY] and Representative DOUGHTON of North Carolina, from the district immediately involved, asked for the adoption of the amendment now proposed, which amounts to a withdrawal of the committee proposal and provision for a further survey in that area. The committee was unanimous in approving the adoption of the modified amendment.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the modified amendment.

Mr. BAILEY. Mr. President, I wish to say that I am not in the slightest degree disposed to disagree with the Army engineers. I am not bringing accusations against anyone. I am merely pointing out what would be the consequences of construction of the dam.

So far as the matter of being heard is concerned, I believe I am perfectly safe in saying that the report of the engineers was not printed or available, and the people knew nothing about it. I know I am safe in saying that when the people found out what was to happen to their homes they were in utter consternation and dismay, and people from all locations and from every class appealed to me and to Mr. DOUGHTON in the same way.

So there is nothing for me to do except to endeavor to have another survey made. When we get one, I hope we shall have a dam which will prevent floods in the Yadkin Valley. If it is confined to that, the needs of the situation will be satisfied.

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

Mr. BAILEY. I yield.

Mr. AIKEN. Can the Senator tell us how many homes are involved in this project?

Mr. BAILEY. No; I am sorry that I cannot do so. I think perhaps Mr. DOUGHTON can. I do not think any census has been taken. The Happy Valley is at the end of the basin in which the water will be backed up. I am perfectly familiar with the Happy Valley. I have passed through it many times. Many other Members of Congress have done so; some other Senators may have passed through it. In the northwestern part of North Carolina is a summer resort known as Blowing Rock. It is a very popular summer resort. In reaching it one passes through the Happy Valley. Our commissioner of agriculture, the late Samuel Patterson, owned a large portion of the valley, and had a very fine home there. Everyone who goes there says, "This is the Happy Valley." It is a beautiful valley of fine land. Going downstream from that point—I shall make an approximation, and I think I am safe in doing so—for 20 miles one finds cultivated land, farm homes, and, of course, woodland. We have woodland all over North Carolina. But I have no way of estimating the number of people who would be seriously affected. I am simply saying that I think about as many people will be found in the valley of the Yadkin River and in that section of North Carolina as will be found in any other section of the State. The valley is not a mountain ravine; it is not a desert section. I think the fact that the valley has been known for about 75 years as the Happy Valley is an indication of its character.

Mr. AIKEN. Is it the expectation of the Senator that a further investigation will result in a plan by which there will be developed appreciable protection from floods, but without great destruction?

Mr. BAILEY. Yes; that is the thought of the people there; namely, to have a dam, but not to back up the water into the Happy Valley. Of course, that is the question, and I am glad the Senator asked it.

Today in America we are not merely controlling floods. In many cases only a 50-foot or a 75-foot dam would be required for flood control. But a 150-foot dam is built for power. There is no right to do so. That is what is going on in America, and I think it has gone far enough. I think we should have more respect for the Constitution and should not spend our time damming our way around it.

But that is aside from the point here involved. All I wish to do is to protect the good people in that locality and then start afresh with a project for the construction of a dam which will prevent floods. When we obtain a measure providing for the construction of such a dam, I shall ask the Senate to vote for it, and probably I shall endeavor to have the measure brought up out of order.

The ACTING PRESIDENT pro tempore. The amendment as modified by the committee will be stated.

The CHIEF CLERK. On page 12, line 14, through line 23, it is proposed to strike out all the paragraph under the title "Yadkin-Peedee River Basin" and to insert in lieu thereof the following:

The general plan for the comprehensive development of the Yadkin-Peedee River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document 652, Seventy-eighth Congress, second session, is hereby stricken from the bill and is referred to the Committee on Commerce to the end that hearings may be had from the people concerned and with instructions to report back to the Senate within 6 months.

The ACTING PRESIDENT pro tempore. Without objection, the modified amendment is agreed to.

The next amendment of the committee will be stated.

The next amendment was, on page 12, after line 23, to insert:

EDISTO RIVER BASIN

The project for local flood control on Edisto River, S. C., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 182, Seventy-eighth Congress, second session, at an estimated cost of $139,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 4, to insert:

SAVANNAH RIVER BASIN

The general plan for the comprehensive development of the Savannah River Basin for flood control and other purposes recommended by the Chief of Engineers in House Document No. 657, Seventy-eighth Congress, second session, is approved and the construction of the Clark Hill Reservoir on the Savannah River in South Carolina and Georgia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in that report at an estimated cost of $35,300,000.

The amendment was agreed to.

The next amendment was, under the heading "Red-Ouachita River Basin", on page 15, after line 7, to insert:

The project on Red River in the vicinity of Shreveport, La., for flood control and bank protection is hereby authorized, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 627, Seventy-eighth Congress, second session, at an estimated cost of $3,000,000, except that, in view of the large expenditure already made by local interests, they shall not be required to contribute to the construction cost.

The amendment was agreed to.

The next amendment was, on page 15, after line 15, to insert:

The project for the Blakely Mountain Dam on the Ouachita River, for flood control and other purposes in the Ouachita River Basin, Ark., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 647, Seventy-eighth Congress, second session, at an estimated cost of $11,080,000.

The amendment was agreed to.

The next amendment was, under the heading "Upper Mississippi River Basin," on page 17, line 8, after the word "Basin", to insert a comma and "including the project for the Red Rock Dam on the Des Moines River for flood control and other purposes, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 651, Seventy-eighth Congress, second session, at an estimated cost of $15,000,000."

The amendment was agreed to.

The next amendment was, on page 17, after line 20, to insert:

The project on the Des Moines River for local flood protection at Des Moines, Iowa, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 651, Seventy-eighth Congress, second session, at an estimated cost of $270,000.

The amendment was agreed to.

The next amendment was, on page 18, line 13, after the words "cost of", to strike out "$418,000" and insert "$300,000."

The amendment was agreed to.

The next amendment was, under the heading "Red River of the North Basin", on page 19, after line 7, to insert:

The project for the Bald Hill Reservoir on the Sheyenne River for flood control and other purposes in the Sheyenne River Basin, N. Dak., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document

No. 193, Seventy-eighth Congress, second session, at an estimated cost of $810,000.

The amendment was agreed to.

The next amendment was on page 19, after line 14, to insert:

The projects for the construction of one reservoir on the Pembina River and one on the Tongue River for flood control and other purposes in the Pembina River Basin, N. Dak., are hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 565, Seventy-eighth Congress, second session, at an estimated cost of $333,800.

The amendment was agreed to.

The next amendment was, on page 19, after line 21, to insert:

The project for the construction of a reservoir on the South Branch of Park River for flood control and other purposes in the Park River Basin, N. Dak., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document No. 194, Seventy-eighth Congress, second session, at an estimated cost of $358,610.

The amendment was agreed to.

The next amendment was, under the subhead "Missouri River Basin", on page 21, after line 2, to insert:

In the interest of developing the natural resources of the Missouri River Basin there is hereby created a commission to be known as the Missouri River Commission, which shall be in the War Department and shall function in accordance with existing law under the direction of the Secretary of War and the supervision of the Chief of Engineers in planning, constructing, operating, and maintaining improvements for navigation and flood control in the Missouri River Basin. The Missouri River Commission shall consist of the same number of members with the same qualifications and methods of appointment, replacement, and removal as prescribed in the act approved June 28, 1879, for the Mississippi River Commission and the compensation for the members of the Missouri River Commission shall be the compensation presently provided for members of the Mississippi River Commission. The president of the Missouri River Commission shall have the same qualification and shall be designated in the manner prescribed by existing law for the president of the Mississippi River Commission and he shall have the same functions and perquisites including title, pay, allowances, and rank while actually serving as president of the Missouri River Commission as well as the same subsequent retirement privileges under the same conditions as prescribed by law for the president of the Mississippi River Commission.

Mr. MILLIKIN. Mr. President, I should like to invite the attention of the distinguished senior Senator from Louisiana to the fact that the amendment which has just been read has aroused considerable controversy, and I suggest that it be passed over.

The ACTING PRESIDENT pro tempore. Without objection the amendment will be passed over.

Mr. OVERTON. I assume that the amendment which the Senator from Colorado has in mind is the one with reference to the Missouri River Commission?

Mr. MILLIKIN. That is correct.

Mr. OVERTON. I have no objection to the amendment going over, Mr. President.

The ACTING PRESIDENT pro tempore. The amendment will be passed over. The next amendment of the committee will be stated.

The next amendment was, on page 23, after line 21, to insert:

The plan of improvement for local flood protection on the Chariton River, Mo., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 628, Seventy-eighth Congress, second session, at an estimated cost of $1,610,300.

The amendment was agreed to.

The next amendment was, under the subhead "Ohio River Basin," on page 25, after line 9, to insert:

The plan of improvement for flood control and other purposes in the Kentucky River Basin, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 504, Seventy-eighth Congress, second session, at an estimated cost of $23,822,000.

The amendment was agreed to.

The next amendment was, on page 25, after line 14, to insert:

The local flood protection works at Middlesborough on Yellow Creek, Ky., substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 495, Seventy-eighth Congress, second session, at an estimated cost of $205,200.

The amendment was agreed to.

The next amendment was, on page 25, after line 19, to insert:

The local flood-protection works on the Rough River and tributaries, Kentucky, substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 535, Seventy-eighth Congress, second session, at an estimated cost of $360,000.

The amendment was agreed to.

The next amendment was, at the top of page 26, to insert:

The Turtle Creek Reservoir on Turtle Creek, Pa., substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 507, Seventy-eighth Congress, second session, at an estimated cost of $2,613,000.

The amendment was agreed to.

The next amendment was, under the heading "Great Lakes Basin," on page 27, after line 21, to insert:

The project for the Mount Morris Reservoir on the Genesee River, N. Y., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 615, Seventy-eighth Congress, second session, at an estimated cost of $5,360,000.

The amendment was agreed to.

The next amendment was, on page 28, after line 23, to insert:

GREAT SALT BASIN

The project on the Sevier River for local flood protection at Redmond, Utah, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 614, Seventy-eighth Congress, second session, at an estimated cost of $281,000.

The amendment was agreed to.

The next amendment was, on page 29, after line 4, to insert:

COLORADO RIVER BASIN

The project for the Alamo Reservoir on the Bill Williams River, Ariz., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 625, Seventy-eighth Congress, second session, at an estimated cost of $3,202,000.

The amendment was agreed to.

The next amendment was, on page 30, after line 17, to insert:

PAJARO RIVER BASIN

The plan of improvement for local flood protection on the Pajaro River and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 505, Seventy-eighth Congress, second session, at an estimated cost of $511,160.

The amendment was agreed to.

The next amendment was, under the heading "Sacramento-San Joaquin River Basin—Sacramento River," on page 31, after line 2, to strike out:

The projects for the control of floods and other purposes on the Sacramento River, Calif., adopted by the acts approved March 1, 1917, May 15, 1928, August 26, 1937, and August 18, 1941, are hereby modified substantially in accordance with the recommendation of the Board of Engineers for Rivers and Harbors dated February 7, 1944, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of $46,056,000; and in addition to.

And in lieu thereof to insert the following:

The projects for the control of floods and other purposes on the Sacramento River, Calif., adopted by the acts approved March 1, 1917, May 15, 1928, August 26, 1937, and August 18, 1941, are hereby modified substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 649, Seventy-eighth Congress, second session, at an estimated cost of $50,100,000; and in addition to.

The amendment was agreed to.

The next amendment was, on page 32, after line 4, to insert:

The project for the Folsom Reservoir on the American River, Calif., is hereby authorized substantially in accordance with the plans contained in House Document No. 649, Seventy-eighth Congress, second session, with such modifications thereof as in the discretion of the Secretary of War and the Chief of Engineers may be advisable, at an estimated cost of $18,474,000.

The amendment was agreed to.

The next amendment was, under the heading "San Joaquin River," on page 34, after line 8, to insert:

The plan of improvement for flood control and other purposes on the Calaveras River and Littlejohn Creek and tributaries, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 545, Seventy-eighth Congress, second session, at an estimated cost of $3,868,200.

The amendment was agreed to.

The next amendment was, on page 34, after line 14, to insert:

NAPA RIVER BASIN

The project for the Conn Creek Reservoir on Conn Creek for flood control and other purposes in the Napa River Basin, Calif., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 626, Seventy-eighth Congress, second session, at an estimated cost of $460,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 15, to insert:

CHEHALIS RIVER BASIN

The project on Chehalis River for local flood protection at Hoquiam, Aberdeen, and Cosmopolis, Wash., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 494, Seventy-eighth Congress, second session, at an estimated cost of $669,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 22, to insert:

TERRITORY OF HAWAII

The project on the Hanapepe River for local flood protection at Hanapepe, Island of Kauai, Territory of Hawaii, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in the report submitted to Congress by the Secretary of War on March 15, 1944, at an estimated cost of $73,000.

The amendment was agreed to.

The next amendment was, on page 37, line 5, to change the section number from 8 to 10.

The amendment was agreed to.

The next amendment was, on page 38, after line 3, to insert:

Pasquotank River, North Carolina.

The amendment was agreed to.

The next amendment was, on page 38, line 9, after the word "Counties" to strike out "Florida," and insert "Florida."

The amendment was agreed to.

The next amendment was, on page 38, after line 11, to insert:

For flood control, rice irrigation, navigation, pollution, salt-water intrusion, and drainage on all streams and bayous in southwest Louisiana, west of the West Atchafalaya Basin protection levee, and south of the latitude of Boyce; on all streams and bayous in Louisiana lying between the East Atchafalaya Basin protection levee and the Mississippi River; and on Amite River and tributaries, Louisiana.

The amendment was agreed to.

The next amendment was, on page 39, after line 13, to insert:

Arkansas River above Pine Bluff, Ark., with special reference to control of caving banks in the vicinity of Hensley Bar and the McFadden Place, in Jefferson County, Ark.

The amendment was agreed to.

The next amendment was, on page 39, after line 24, to insert:

Corte Madera Creek, Marin County, Calif.

The amendment was agreed to.

The next amendment was, on page 40, after line 2, to insert:

Elkhorn River and its tributaries, Nebraska.

The amendment was agreed to.

The next amendment was, on page 40, line 4, to change the section number from 9 to 11, and in the same line, after the word "of", to strike out "$810,000,000" and insert "$959,465,000."

The amendment was agreed to.

The next amendment was, on page 40, line 17, to change the section number from 10 to 12, and on page 41, line 11, after the word "requirements", to insert a colon and the following additional proviso: *"Provided further,* That nothing in this section shall be construed as approving or authorizing the acquisition of any land by the Federal Government."

The amendment was agreed to.

The next amendment was, on page 41, after line 20, to insert:

SANTA YNEZ RIVER WATERSHED

The program on the Santa Ynez River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document No. 518, Seventy-eighth Congress, first session, at an estimated cost to the United States of $418,000.

The amendment was agreed to.

The next amendment was, under the heading "Trinity River Basin (Tex.)," on page 42, line 8, after the word "of", to strike out $32,000,000" and insert "$27,348,000."

The amendment was agreed to.

The next amendment was, under the heading "Little Tallahatchie River Watershed," on page 42, line 16, after the word "of", to strike out "$4,221,000" and insert "$2,171,000."

The amendment was agreed to.

The next amendment was, on page 42, after line 16, to insert:

YAZOO RIVER WATERSHED

The program on the Yazoo River watershed is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document No. 564, Seventy-eighth Congress, second session, at an estimated cost to the United States of $12,500,000.

The amendment was agreed to.

The next amendment was, on page 43, after line 17, to insert:

BUFFALO CREEK WATERSHED (NEW YORK)
BUFFALO, CAYUGA, AND CAZENOVIA CREEKS

The program on the watershed of Buffalo Creek and its tributaries, Cayuga, and Cazenovia Creeks, is hereby approved substantially in accordance with the recommendation of the Acting Secretary of Agriculture in House Document No. 574, Seventy-eighth Congress, second session, at an estimated cost to the United States of $739,000.

The amendment was agreed to.

The next amendment was, under the subhead "Washita River Watershed," on page 44, line 17, after the word "of", to strike out "$11,243,000" and insert $7,007,000."

The next amendment was, on page 44, line 19, to change the section number from 11 to 13, and on page 45, line 4, after the word "section", to strike out "10" and insert "12."

The amendment was agreed to.

The next amendment was, on page 45, line 8, to change the section number from 12 to 14.

The amendment was agreed to.

The next amendment was, on page 45, after line 23, to insert:

SEC. 15. (a) The Chief of Engineers of the United States Army is authorized and directed to make examinations of any privately owned or operated dam constructed across navigable waters of the United States, or across tributaries thereof.

(b) Whenever it shall appear, after reasonable notice and opportunity for hearing to the person or corporation owning or controlling any such dam, that such dam is being operated or maintained in such a manner as to jeopardize the safety of persons or property either above or below such dam, the Chief of Engineers shall enter orders requiring such changes in the operation or maintenance of such dam as he deems appropriate and necessary, and prescribing a reasonable time within which such changes shall be made. If, at the end of such reasonable time, the changes in operation or maintenance ordered by the Chief of Engineers have not been made, the Chief of Engineers shall notify the United States district attorney for the district in which such dam or any part thereof is situated, who shall forthwith cause criminal proceedings to be instituted against the person, or corporation, owning or controlling such dam.

(c) Any person or corporation willfully failing or refusing to comply with an order of the Chief of Engineers issued pursuant to this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding $5,000. Every month during which such willful failure or refusal continues shall be deemed to be a separate offense and shall subject such person or corporation to the penalties herein prescribed.

Mr. MILLIKIN. Mr. President, I suggest to the Senator from Louisiana that this is a very highly controversial amendment.

Mr. OVERTON. Mr. President, we have the evening before us, and I shall be glad later to return and take up some of the controversial items without wasting the afternoon. We can pass over this amendment temporarily.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be passed over.

That completes the committee amendments with the exception of those passed over. The bill is before the Senate and open to further amendment.

Mr. OVERTON. Mr. President, I send to the desk an amendment and ask that it be read.

The ACTING PRESIDENT pro tempore. The amendment will be read.

The CHIEF CLERK. On page 14, after line 5, it is proposed to insert the following:

Paragraph (d) of the lower Mississippi River item in section 3 of the Flood Control Act of August 18, 1941, is amended to read as follows:

"The Chief of Engineers, with the approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to reflect the actual cash value, regardless of State or local assessment valuations, for providing, at the request of the United States, lands, rights-of-way, and flowage easements required for the set-backs of main-line Mississippi River levees: *Provided,* That such lands, rights-of-way, and flowage easements may be provided by local authorities in accordance with local legal procedure or custom: *Provided further,* That this paragraph shall apply to all such lands, rights-of-way, and flowage easements that have been required by the United States for such set-back levees since August 18, 1941, regardless of any reimbursement that may have been agreed upon or made since August 18, 1941."

Mr. OVERTON. Mr. President, I should like to make an explanation of the amendment. I offer the amendment not as a committee amendment, but in my own behalf. I should have been very glad to submit it to the committee but it did not come to my attention until during the recess. The committee has been so occupied with other matters that I did not have opportunity to present it.

I think the amendment is a simple one. Section 3 of paragraph (d) of the act of August 18, 1941, reads as follows:

The Chief of Engineers, with the approval of the Secretary of War, shall reimburse local authorities for actual expenditures found by the Chief of Engineers to be reasonable, for providing at the request of the United States, in accordance with the local legal procedure or custom, rights-of-way and flowage easements required for the future set-backs of main-line Mississippi River levees.

Pursuant to such provision, where a set-back levee was constructed on any part of the Mississippi River, except in Louisiana, the Secretary of War reimbursed the local authorities for expenditures found by the Chief of Engineers to be reasonable. In other words, the United States Government paid for such flowage easements the actual cash value, which would be the reasonable value. As a matter of fact, that is what the Chief of Engineers determined, namely, the actual cash value. That was done in Mississippi, Arkansas, and other States. But the Constitution of Louisiana provides that the State of Louisiana itself, in acquiring easements for levee rights-of-way, may not pay more than the assessed value of the property. The assessed value is usually far below the actual value.

Because the provision of the act of 1941 requires that when the rights-of-way have been acquired the acquisition shall be made in accordance with the local legal procedure or custom, the legislative branch of the engineering department has construed the language to mean that Louisiana may not pay more than the assessed value. The legislative branch of the engineering department has construed that to mean that Louisiana cannot be paid more than the assessed value for the land.

I think that interpretation is wholly wrong. I know something about the history of it. We had a similar act back, as I recall, in 1934, in reference to certain tributaries of the Mississippi River, and at that time General Markham, who was Chief of Army Engineers, did not want the rights-of-way to be abstracted and title passed on by the attorneys for the Federal Government. He said it took too long; that sometimes they were delayed for years before they could go ahead with the construction they had in mind; but he said, "You have in Louisiana a right of appropriation; a levee board can adopt a resolution appropriating any land needed for easement purposes for the construction of levees, and such appropriation vests title in the levee board regardless of who the owner may be." So I wish it stated in the bill that the lands and the easements are to be acquired in accordance with the legal local procedure or custom, so that we can take advantage of the appropriation provision of the Louisiana law. That is the real meaning of the expression "in accordance with the local legal customs and procedure." The legislative department of the engineers said that means that we cannot pay a bit more than the assessed value because under the Louisiana law the State cannot pay more than the assessed value. They have acquired some rights-of-way since then and have refused to reimburse the levee board more than the assessed value. I want to place Louisiana on a parity with Mississippi, Arkansas, Missouri, and other States up and down the line, where these rights-of-way are acquired, so that the owners can be paid the actual cash value deemed by the Secretary of War to be reasonable. With that explanation I submit the amendment.

The PRESIDING OFFICER (Mr. CHANDLER in the chair). The question is on the adoption of the amendment offered by the Senator from Louisiana [Mr. OVERTON].

The amendment was agreed to.

Mr. REVERCOMB. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 26, it is proposed to strike out lines 11 to 15 inclusive, as follows:

The Rowlesburg Reservoir on the Cheat River, substantially in accordance with the recommendations of the Chief of Engineers in the report submitted to Congress by the Secretary of War on November 26, 1942, at an estimated cost of $29,230,000; and.

Mr. REVERCOMB. Mr. President, as will be noted, this amendment deals with what is known as the Rowlesburg reservoir on the Cheat River. I am submitting the amendment because I do not believe that this project at the great expense involved, is justified. It calls for an expenditure of $29,230,000. I think, perhaps, that the item should not be contained in this bill. This project would flood and cover thousands of acres of land with water and create a vast lake where land now exists.

Even with that result I would be less insistent in urging my views on this part of the bill if the project was in fact a flood-control project. But it is more than that, it goes further, under the guise of flood control it creates a power dam, with the result that many workers who earn their living in the production of coal—a principal means of livelihood in my State—would be probably thrown out of work. This provision of the bill is not good for my State or the population. I move the adoption of the amendment.

Mr. OVERTON. Mr. President, I have taken this position in reference to the projects contained in the bill, that where a project relates exclusively to one State and does not affect any other State and the Senators from that State desire that the project be not authorized, I am perfectly willing, if it is a committee amendment, to ask that the Senate reject the committee amendment. In this case this is a provision contained in the bill as passed by the House. I will raise no objection whatsoever to the amendment of the Senator from West Virginia, and we can take the amendment to conference and there thrash the matter out.

Mr. REVERCOMB. I thank the Senator from Louisiana.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from West Virginia is agreed to.

Mr. TAFT. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 38, after line 10, it is proposed to insert the following:

Clear Fork of the Mohican River, in Richland County, Ohio.

Mr. OVERTON. Mr. President, there will be no objection at all to that amendment.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. DOWNEY. I offer an amendment for the survey of the Napa River, Calif. I send the amendment to the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 55, between lines 7 and 8, it is proposed to insert "Napa River, Calif."

Mr. OVERTON. That, as I understand, is a survey item?

Mr. DOWNEY. It is.

Mr. OVERTON. I think the page is wrong. There are not that many pages in the bill. I suggest to the Senator from California that he modify his amendment by providing that it be inserted on page 39, after line 22.

Mr. DOWNEY. Mr. President, I will ask that the amendment be modified in that respect.

The PRESIDING OFFICER. The amendment will be so modified.

Mr. OVERTON. Mr. President, a parliamentary inquiry. Have all the amendments beginning on page 38 been adopted?

The PRESIDING OFFICER. The Chair is informed they have been adopted.

Mr. OVERTON. Have all the committee amendments been agreed to there?

The PRESIDING OFFICER. The Chair is so informed. The question is on agreeing to the amendment offered by the Senator from California [Mr. DOWNEY], as modified.

The amendment, as modified, was agreed to.

Mr. JENNER. Mr. President, I offer an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 26, between lines 20 and 21 it is proposed to insert the following:

No provision of this or any other act shall be construed to authorize the construction of Shoals Dam on the East Fork of the White River in Martin County, Ind.

Mr. OVERTON. Mr. President, I am sorry, but my attention was diverted and I did not hear the amendment.

The PRESIDING OFFICER. The amendment will be restated.

The Chief Clerk restated the amendment.

Mr. OVERTON. Mr. President, may we have an explanation of the amendment?

Mr. JENNER. Mr. President, I will say to the distinguished Senator from Louisiana that the situation involved is about the same as that explained on the floor of the Senate by the Senator from

North Carolina [Mr. BAILEY]. It affects a community in which I have lived for the last 10 years. This matter has been discussed publicly for several years, ever since the Army engineers began their survey. I want it understood that I am in favor of flood control; however, this is really not a question of flood control; it is more a question of flood diversion, because this dam would back water up through the valley for miles, damaging farm lands of several counties, railroads, and highways, and affecting more than a thousand farms which, I am informed, contain the best farming land in this community.

The matter has been taken up with the Army engineers and they have promised as soon as possible to bring about a real flood program in this valley by a substitute proposal which involves planting, terracing, strip farming, and the construction of a series of several dams at the headwaters of the tributary to hold the water where it falls. We have a falling water table in this area. For instance, Columbus, Ind., has to go deeper each year for its water. The method proposed by the substitute program would raise the water level, control floods, and protect the best farm land in five counties and save the farmers their homes.

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

Mr. JENNER. I yield.

Mr. OVERTON. This dam is situated wholly in Indiana in the Senator's own State, is it not?

Mr. JENNER. That is correct.

Mr. OVERTON. Very well; and it affects merely the area in the vicinity?

Mr. JENNER. Yes. I now live only 20 miles from the proposed site of the dam.

Mr. OVERTON. I have no objection to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Indiana.

The amendment was agreed to.

Mr. TAFT. Mr. President, I should like to ask the chairman of the subcommittee whether the amendment relating to Reno Beach, Lucas County, Ohio, has been inserted in the bill.

Mr. OVERTON. It is a committee amendment. I presume it has been agreed to.

The PRESIDING OFFICER. The committee amendment has been agreed to. Does the Senator from Ohio wish to have the vote reconsidered?

Mr. TAFT. No. However, there is nothing in the printed bill relating to this project.

Mr. OVERTON. There is no objection to the amendment. I was under the impression it was in the bill.

Mr. TAFT. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 39, after line 13, it is proposed to insert the following:

Reno Beach, Lucas County, Ohio, with a view to protection of the Reno Beach-Howards Farm area and adjacent areas from floods caused by frequent windstorms and from increases in the lake level of Lake Erie.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment was agreed to.

Mr. HAYDEN. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 10, after line 10, it is proposed to insert the following:

The project on the Little Colorado River for local flood protection at Holbrook, Ariz., is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 648, Seventy-eighth Congress, second session, at an estimated cost of $258,000.

Mr. OVERTON. Mr. President, I think the Senator has the paging of the amendment wrong. It should be on page 29, after line 10.

Mr. HAYDEN. I should like to correct the page where the amendment is to be inserted.

The PRESIDING OFFICER. The correction will be made.

Mr. HAYDEN. Mr. President, let me explain the background of the amendment. Proper authorization was made by Congress for investigation of this project in the Flood Control Act of August 27, 1937. Investigation was made, and the project was recommended by the Corps of Engineers and the Bureau of the Budget. All the formalities required by law have been complied with. However, there was a rule of the Senate Committee on Commerce, of which I never before heard, that there must be a finding that the benefits equaled the amount to be appropriated, and that if the benefits were not equal, then an authorization should not be made.

In this case it was found that the benefits would amount to nine-tenths of the appropriation, but not ten-tenths. If it had been ten-tenths, this project would have come within the rule. Because of this one-tenth difference between the cost and the benefits, as found by the Army engineers, the committee, by a rule of its own, omitted this item from the bill. Do I correctly state the situation?

Mr. OVERTON. The Senator's statement is correct as to the facts.

Mr. HAYDEN. The situation is that the Army engineers have found actual benefits equal to nine-tenths of the appropriation. They also found unevaluated or intangible benefits to be exceptionally large. An intangible benefit is something that is very difficult to prove. Through the town of Holbrook runs the main line of the Santa Fe Railroad, a transcontinental line, double tracked. A river runs through the town, and if something is not done, floods will inundate the town, which is a county seat, with values of many hundreds of thousands of dollars, and tear up the railroad. So it is perfectly obvious that the benefits to be conferred are greater than the amount of the appropriation. But because of the words tangible and intangible, the committee has, it seems to me, split a very fine hair. If it could have been shown that the tangible benefits were equal to the amount to be appropriated, then the appropriation would have been allowed. The actual tangible benefits as found by the Corps of Engineers amount, as I have said, to nine-tenths of the amount to be appropriated. The committee does not take into consideration any intangible benefits, does not give us any credit for them at all, whereas as a matter of fact intangible benefits are and must be very much greater where there is a town of 2,500 people, a county-seat town, and there is a transcontinental railroad which is bound to be washed away unless this project is constructed.

Under such circumstances the chairman of the subcommittee should be willing not to split quite so fine a hair, and should consent that the amendment be agreed to by the Senate. It does not seem to me that such a strict adherence to the rule is justified in the light of the facts.

Mr. President, I have been at Holbrook and know exactly what the situation is. At one time the Little Colorado River there had a deep and well-defined channel, but due to overgrazing in the watershed, vast quantities of silt have come down and filled up the river bed, until now the bed of the river is above the level of the land in the town. The local authorities have themselves put in a temporary levee, as best they could, but any big flood, such as those which have occurred at different times on that stream, would bring about such a condition that that weak levee would not hold.

There is one other matter about determining what these benefits are. I think the Corps of Engineers has not adopted a rule which fits our western section of the country at all. Here in the East, where there are annual floods every year or two, where floods are frequent, it is perfectly proper to divide the damage done by the number of years in which the floods occur. In the western section of the country there is a totally different situation. We may run along in that arid section, as we do, with a series of drought years, or with slight rainfall at least, perhaps for 8 or 10 years. Then there will be a tremendous flood which does enormous damage, as I know western Senators will testify, I see before me the Senator from Colorado [Mr. MILLIKIN]. There have been floods in the city of Pueblo in his State from time to time which nearly washed the town away, but by the help of the Federal Government the town was protected.

If we are to divide the amount of damage done, which is certain to be done, at any one particular time, by the number of years in which floods occur, we do an injustice to all the western section of the country, where we have these torrential floods, and then have long dry spells. That kind of a rule can be adopted for the East, where floods are frequent. It is a sound rule in the East, but it does not fit in the West. So such a basic rule for determining the ratio of benefits to appropriations is not applicable. In the second place, if it were applicable, I contend that Holbrook comes nine-tenths within the rule. If

it is that close, this amendment should be agreed to by the Senate.

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

Mr. HAYDEN. I yield.

Mr. McFARLAND. I should like to ask my colleague if it is not a fact that the testimony was to the effect that the last flood did great damage to the town of Holbrook.

Mr. HAYDEN. There is no question about it. At that time the water came up over the part of the town between the railroad tracks and the river and almost broke the tracks.

Mr. McFARLAND. The raising of the river bed would make the damage much greater in the future.

Mr. HAYDEN. I was about to point out that the conditions have grown worse since the time to which I have referred, because of the accumulation of silt in the river bed, which has resulted, as the situation is today, in the bed of the river being higher than parts of the town. The river will just overflow a large part of Holbrook unless something is done about it.

Mr. McFARLAND. Mr. President, I should like to add that when the subcommittee of the Committee on Reclamation and Irrigation held hearings in Arizona it was testified there that if this flood-control project was not put into effect the result would be that if another flood occurred it would practically wipe out the town of Holbrook.

Mr. OVERTON. Mr. President, the very able Senator from Arizona [Mr. HAYDEN] a moment ago wanted to know whether the statement he made was correct. It was very correct up to that time, but when he discussed the question of how the cost benefit ratio is calculated the Senator fell into certainly a very pardonable error. It is not a question of how much is to be appropriated or the total cost. The engineers consider what the annual costs are and they amortize them, and then they add the interest, and so on. Then, as against that they take the annual benefits which would be derived from the improvement.

When the annual benefits exceed the annual costs then the project is ripe for authorization. It is necessary that we have some rule about it, and we have had to adhere to it rather strictly, because it may be contended for instance, that if the cost benefit ratio is 50 to 100, then the project ought to be authorized. Such a contention might be made.

What is done in determining the benefits is this: The whole flood history of a particular stream is considered as far back as it can be found, and so far as it affects a particular town, and then there is ascertained the damage which has been caused throughout the years. If a great flood has swept away Holbrook, that would be considered, and that damage would be prorated over the years, and there would be added to it any additional damage that had occurred. That is the only systematic way to go about it.

The Senator from Arizona is very persuasive with me and with the committee, and I think with the Senate, and I am very much in sympathy with him. I wish I could agree with him without departing from the rule respecting authorization of his project. If the Senate agrees to the Senator's amendment, I shall not shed any tears. I simply want to explain that the committee cannot depart from the rule. If we did, we would soon be at sea.

Mr. HAYDEN. Mr. President, there is just one point I should like to clear up. Floods are more frequent in the East, where there is plenty of rainfall, than they are in the arid regions, and therefore, if the damage is prorated annually, and if the floods occur on the average every 3 or 4 years in the East, the damage done would be divided by 3 or 4, while if floods occur every 10 or 15 years in the West, the damage done must be divided by 10 or 15, according to the formula stated by the Senator from Louisiana. But when floods come in the West, as they will come and have come from time to time, although not so frequently as in the East, a town is wiped out just as effectively whether it occurs once every 10 or 15 years or once every 5 years. The situation as it exists requires that this protection be given to the community, and to a great transcontinental railroad line so as to avoid disaster. Therefore, Mr. President, I ask that the amendment be adopted.

Mr. OVERTON. There is no evidence that the town has ever been wiped out, is there?

Mr. HAYDEN. As I told the Senate, when the flood occurred considerable damage had been caused before the water ceased to rise, but in the meantime the conditions have changed for the worse. I want the Senate to understand that the amendment is recommended by the Chief of Engineers. When I took it up with him the second time he said, in substance, "We can only repeat our recommendation. We urge the Congress to adopt this amendment. In our judgment it should be adopted."

Mr. OVERTON. I wish to advise the Senate that if there were any changes locally the engineers could easily report them, and a review report could be made. That report could be made very promptly and the item could have been placed in this bill.

Mr. HAYDEN. Why does the Senate need a review report when this project has already been recommended by the Chief of Engineers? In proof of what I have said I ask to include as a part of my remarks an extract from House Document No. 648, Seventy-eighth Congress, second session, and a more recent letter from the Secretary of War approving my amendment.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, January 2, 1942.

Subject: Little Colorado River, Ariz., and N. Mex.

To: The Secretary of War.

1. I submit for transmission to Congress my report with accompanying papers and an illustration on preliminary examination and survey of Little Colorado River and its tributaries upstream from the boundary of the Navajo Indian Reservation in Arizona, authorized by the Flood Control Act approved August 28, 1937.

2. Little Colorado River rises in northwestern New Mexico and flows northwesterly 315 miles to join the Colorado River in north central Arizona, 293 miles above Boulder Dam. Its drainage area of 27,800 square miles ranges from mountains to relatively flat desert country through which the lower river and its tributaries have cut deep canyon courses. The basin is sparsely populated and its principal development is in farming and stock raising. These activities are limited due to scarcity of water. The average annual precipitation ranges from 7 inches in the downstream desert area to 25 inches in the headwater mountains. Most of the main stream and tributary channels have only intermittent flow.

3. Flood flows of appreciable magnitude are possible throughout the basin and, according to the meager records available, have been of comparatively frequent occurrence, but the threat of serious flood damage is concentrated largely at Gallup, N. Mex., and Holbrook and Flagstaff, Ariz. The possible future flood damage in these localities, on an average annual basis, is estimated at $40,000, $12,600, and $5,800, respectively. There have been no Federal improvements primarily for flood control. The Department of Agriculture is making extensive improvements for erosion control in the vicinity of Gallup, N. Mex. Local interests at Gallup, Holbrook, and Flagstaff have made various improvements for prevention of flooding and bank erosion but none of the measures taken is adequate for major floods. There are 26 reservoirs, ranging from 500 to 22,000 acre-feet in capacity, and numerous smaller reservoirs, primarily for irrigation storage. The total capacity of these projects is estimated at 150,000 acre-feet or more, but their regulatory effect on major flood flows is negligible. Local interests request that consideration be given to improvements for flood control, water conservation, soil-erosion prevention, water-supply and power development. They suggest 18 specific projects for which their partial estimate of costs is $1,421,880.

4. The district engineer reports that a program designed for general control of floods throughout the basin, either with or without conservation or power-development features, would be clearly uneconomical at this time, due principally to the comparatively small extent of development and the wide dispersion of flood damages. Of the 18 specific improvements suggested by local interests, only 3 were found to have sufficient flood-control possibilities to warrant detailed study; namely, the projects for Holbrook, Gallup, and Flagstaff. Several alternate methods of obtaining flood protection at these localities were investigated, but no plan was found to be economically justified at Gallup and Flagstaff. The plan found most suitable for Holbrook is a levee system at an estimated cost of $258,000 for construction, $29,000 for highway bridge and utility alterations, and $1,000 for rights-of-way. The annual carrying charges would be $12,500. The project would provide protection for 95 percent of the town against floods up to the estimated maximum experienced flow and would result in tangible benefits estimated at $11,100 annually. The district engineer considers that these benefits, together with the unevaluated benefit of protecting this community which serves as a supply center for 35,000 inhabitants in the surrounding area, are sufficient to justify the project and he recommends its construction at an estimated cost to the United States of $258,000 subject to certain conditions of local cooperation. The division engineer concurs.

5. The Board of Engineers for Rivers and Harbors concurs in general in the view of the reporting officers and in their recommendation for construction of the project.

6. After due consideration of these reports, I concur in the views of the Board. Flood control throughout the Little Colorado Basin generally, by measures for which the War Department would be responsible, is not economically justified under existing conditions of development. The only individual project warranted at this time is the construction of a levee at Holbrook, a community which serves as a supply and distribution center for 35,000 inhabitants in the surrounding area. In my opinion, the tangible benefits of the project together with the unevaluated benefits of the increased security and welfare of the inhabitants are sufficient to justify the project at Holbrook, and I recommend its construction, substantially as outlined in plan A in the report of the district engineer, at an estimated cost to the United States of $258,000 for construction; subject to the condition that responsible local agencies give assurances satisfactory to the Secretary of War that they will (a) provide without cost to the United States all lands, easements, and rights-of-way necessary for construction of the project; (b) bear the expense of all necessary highway, highway bridge, and utility alterations; (c) hold and save the United States free from claims for damages resulting from construction of the works; (d) maintain and operate all works upon completion in accordance with regulations prescribed by the Secretary of War; and (e) establish and enforce flood-channel limits and regulations satisfactory to the Secretary of War for protection of the flood-carrying capacity of the channel.

E. REYBOLD,
Major General, Chief of Engineers.

WAR DEPARTMENT,
Washington, September 8, 1944.

Hon. JOSIAH W. BAILEY,
Chairman, Committee on Commerce,
United States Senate,
Washington, D. C.

DEAR SENATOR BAILEY: I refer to your letter of August 10, 1944, requesting a report on an amendment intended to be proposed by Mr. HAYDEN to the bill (H. R. 4485) authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes.

The purpose of this amendment is to authorize a project on the Little Colorado River for local flood protection at Holbrook, Ariz., at an estimated cost of $258,000.

In pursuance of authority contained in the Flood Control Act approved August 28, 1937, a survey of the Little Colorado River and its tributaries upstream from the boundary of the Navajo Indian Reservation in Arizona, was made and a report giving the results thereof was transmitted to the Speaker of the House of Representatives with the Department's letter of May 31, 1944. In that report a plan for local flood protection at Holbrook, by the construction of a levee system at an estimated cost to the United States of $258,000, was recommended for adoption by Congress. The amendment proposed by Senator HAYDEN would authorize this project substantially in accordance with the recommendations of the Chief of Engineers in that report which is being printed as House Document No. 648, Seventy-eighth Congress, second session.

The War Department favors enactment of this amendment. The page reference should be corrected as indicated on the copy of amendment herewith to insure that the item will go into the bill in its proper sequence.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

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

Mr. HAYDEN. I yield.

Mr. McFARLAND. In answer to the Senator from Louisiana I should like to read a brief portion of the testimony which was taken before the subcommittee of the Senate Committee on Irrigation and Reclamation in Arizona last summer. I read from the testimony of Mr. J. R. McEvoy, the president of the bank at Holbrook. He said, speaking of the last flood:

> This was just a few of approximately 20 buildings that were destroyed by this flood, and a number of business houses and homes in the residential district were damaged by the water running into the basements. This loss was approximately between $40,000 and $50,000 to the residents of Holbrook.

I do not wish to go into detail in regard to this testimony, but it shows a great loss to the town of Holbrook in the last flood, and, as pointed out by my colleague, this damage will be nothing compared with what it will be in a future flood, because the bed of the river has risen until it is almost as high as the banks.

Mr. President, I ask unanimous consent that the testimony of Mr. McEvoy, beginning on page 17 of the record, as well as that of Mr. William Darling, be printed in the RECORD at this point.

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

Mr. J. R. McEvoy. I realize as Judge Levi Udall said, that time is precious, that you have a good many other counties to hear from. With your permission, I am going to refer to this paper I have prepared here.

From what information of record I have gathered together since 1915 to 1923 the town of Holbrook was in danger of flood water. In 1915 the Lyman Dam went out, causing a flood at Holbrook.

I am going to bring before this committee only the period from 1922 up to the present time, which is approximately 22 years, during which time I have been a resident of Holbrook.

On September 17 and 18, 1923, a big onrush of flood waters engulfed Holbrook buildings. The first house to fall into the river was Judge Crosby's, next the J. C. Manley home, which was owned by L. D. Cadwell, the next two cottages belonging to R. D. Greer were swept away. The Emil Berling bakery was washed away, and the A. C. M. I. warehouse went down the river Tuesday about 4 p. m. in the evening. That was just a few of approximately 20 buildings that were destroyed by this flood, and a number of business houses and homes in the residential district were damaged by the water running into the basements. This loss was approximately between $40,000 and $50,000 to the residents of Holbrook.

During the flood the Little Colorado bridge, built by the Arizona Highway Department, was damaged, and people wondered how it stood up so well. The Apache Railway Co.'s bridge just west of the highway bridge was damaged very badly. On September 21, 1923, the Holbrook paper came out with the heading "Holbrook will dike the Little Colorado River." A meeting was called by the chairman of the chamber of commerce, W. J. Hookway. In attendance were W. J. Hookway, John R. Hulet, Dr. S. Earl Taylor, Adolph Schuster, Julius Wetzler, and Judge Jesse E. Crosby, and a number of other citizens. In fact, it probably was one of the largest meetings of a public kind held in Holbrook. The meeting was held at the Pastime Hall, Wednesday, September 19, 1923. It was decided upon by this group that a dike was the proper thing to build for flood protection to the remaining property located at the south of Porter Street.

Chairman of the board of supervisors Clarence Owens, offered the assistance of the county to the extent of approximately $6,000, and the town of Holbrook contributed approximately $1,000, and with this money some rip-rapping was done for the river, which was of great assistance. However, periodically from 1923 on we were menaced each year with the high water of the river.

The matter was taken up with the State highway department, and they spent approximately $15,000 in building one or two more dikes near the south end of Porter Street which helped divert the water to the center of the river bed, therefore helping to protect the rest of the residents along the north end of the river bank. This helped a great deal, and in addition to this work, the Lions Club of Holbrook planted tamarack trees along the north bank of the river adjacent to Holbrook, which during the past years have grown to a size where they are some protection to that part of town. It should be mentioned that the river over these periods of years has been filling up with silt until it has been almost level with the bank of the river. This means that at flood time the water can easily overflow the bank.

Up until 1925 after doing all we could in Holbrook to protect ourselves from floods, to the extent of our financial abilities, we found that it was more than we could take care of. It was then that this matter of flood protection to Holbrook was taken up with our Senators and Representatives in Congress, and we are glad to say that they have helped us a great deal. About 1928 Army Engineers spent considerable time surveying the river, and at this time easements were signed for rights-of-way on the river bank, and as we understand it, flood protection to the town of Holbrook. This, of course, took several years to work out, and with the war coming on, this project was stopped for the time being.

The flood that caused the damage to our town was only from the Little Colorado River. Less than 3 miles east of town the Puerco River also runs into the Little Colorado. If these two rivers should ever flow floodwaters at the same time, there is no question but that the biggest part of Holbrook would be washed away.

I also might mention that we are unable to purchase flood insurance which signifies that the underwriters must consider it an extraordinary risk.

I wish to state again that it has been through the good help and assistance of our Senators and Representatives in Congress that we have been able, over a period of years, to get over the importance of flood protection to the town of Holbrook. In the Arizona Republic of June 1 an article appeared headed Washington, D. C., that two flood-control projects were recommended: One, Bill Williams River, Ariz., concrete flood-control dam at Alamois site, $3,202,000; Little Colorado River, N. Mex.-Ariz. levees, and others, $288,000. During the month of May on page 4228, CONGRESSIONAL RECORD, House, Mr. MURDOCK brought before the House of Representatives that there is a flood-control situation badly needed at Holbrook, Ariz., on the Little Colorado River, which has been looked into and carefully studied by the Army Engineers. They made their complete report some time ago and the only thing left in finishing this report is that it has not cleared the Bureau of the Budget nor the Bureau of Reclamation; however, I happen to know that the Bureau of Reclamation is favorable to it and it would interpose no objection. He asked to have this referred to the Senate after clearance is received and later, if possible, to the conferees in regard to this same bill, because the flood hazard at Holbrook is very, very bad. The Army Engineers' report is complete up to the point indicated.

You can see, gentlemen, that considerable work has been done, money has been spent, but the job has not been completed. There is no question in my mind, and I do not believe there is any question in anyone's mind who has seen our rivers adjacent to Holbrook, that we need flood protection as soon as possible, and it is, without question, an emergency.

There has been introduced in the House of Representatives by Mr. WHITTINGTON, H. R. 4485, authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes. I have read the bill, and I find that there are approximately 80 different projects set up that stated the amount of appropriation; however, not one cent for the Little Colorado River at Holbrook. It has been suggested that possibly when this H. R. 4485 bill is presented to the Senate that a rider might be placed on the said bill setting up approximately $300,000 protection to the town of Holbrook.

Not being familiar with the procedure of legislation through our Congress, I am not in a position to say whether or not this would be the proper thing to do. I do say this, that if such an amendment could be attached to this bill, it would give us the flood protection that we need at Holbrook.

Now, gentlemen, if this suggestion meets with your approval, we would appreciate your support in our behalf. I feel today, like I have every day since the flood of 1923, that Holbrook is in a vulnerable spot to be washed away some day if high waters come from the Puerco and the Little Colorado Rivers. We have been fortunate over the past several years in not being menaced too much with high waters. This was attributed to the fact that we have had a drought in our vicinity during that period of time, and the rains that we did get came at intervals so that not a great deal of damage was done; however, there were times when the entire river bed filled up from the Little Colorado River.

* * * * *

Mr. WILLIAM DARLING. Mr. McFarland, Mr. Hatch, and Mr. Bashore, I didn't come here to make any particular speech, but I do want to say that I have lived in Winslow on the Little Colorado for some 23 years; and being in the engineering department of the railroad, it has been necessary for me to study the actions of the Little Colorado, and to take such steps necessary to stop erosion and keep our railroad together.

At Holbrook in particular, we have been able to hold our railroad together for the past 23 years, and in doing so, we have afforded the town some protection, but not all the town is entitled to. We have spent the equivalent of seventy to ninety thousand dollars in the part of the river that menaces Holbrook, but as stated by Mr. McEvoy, neither the Rio Puerco nor the Little Colorado which join just above Holbrook has come down in flood stage in the same period. Now, that can easily happen, as all of you who live in the Southwest know, that ordinarily our streams do not all run the same day or the same hour, but if you get a stream from the three directions, you can run all of them together, and when they do, you have a river full of water. And while the river may stay full of water only 1 or 2 hours and all be gone, in that same time all of the damage that could be thought of can be done, because these rivers in the Southwest are not slow-running pleasant streams like they are in the Middle West. They are fast, their stream beds are swift. All of you have seen these big muddy streams and how they just cut banks away like they were sugar. And that can happen to any ordinary protection like that afforded by ourselves.

In the case of the town of Holbrook, the minor portion of the town lies between the river and the Santa Fe Railroad. That portion has very little protection already afforded by the street. But that portion of the town, which we might say is one-fifth of the town, can be washed away very easily.

But the rest of the town north of the railroad is really in a hazardous position also, whether they know it or not. During the past 25 to 30 years the river bed of the Little Colorado for a distance of 5 miles below Holbrook to a distance of 15 to 20 miles above Holbrook has been filling up with sand that has been coming down from New Mexico and part of Arizona.

Senator HATCH. Yes; we know about sand in New Mexico.

Mr. DARLING. And gradually raising this river bed until actually the threat is that the river bed can be higher than the town.

Senator HATCH. That sounds ridiculous, but I know as a matter of fact that it can happen.

Mr. DARLING. We have a case right at the lower end of town where other streams come in. The Leroux wash which 30 years ago a man could ride horseback under. The railroad raised that bridge 5 feet about 2 years ago, and 5 years ago built a new line and raised it another 5 feet.

Senator HATCH. Do you happen to be familiar with San Marcial, N. Mex.?

Mr. DARLING. The sand was up to the second-story windows.

Senator HATCH. That's right.

Mr. DARLING. And this same thing can happen in Holbrook. And as we say, we of the railroad can repair our damage as we always have and keep the railroad. We know we can repair our damage in 48 hours and keep our railroad, but if the levees we have provided for the town break through and the town of Holbrook gets inundated, they cannot repair their damage with a lifetime of work.

I don't think there is a great deal more that I can add to this, because all of you are familiar with the Southwest streams and exactly how they act. But where stream beds rise the hazard grows and creeps up on the people without their knowing it.

I would say that 4 years ago it happened that the Army Engineers had completely developed a plan to take care of this situation, and it is expected that this plan can be put into effect in the following year if the war hadn't come along. But naturally, with the war on, it is necessary to underwrite and pass up other expenditures. But it does appear that this is a logical expenditure for the people of Holbrook right after the war, and whether it is done by the Bureau of Reclamation or by the United State Army Engineers, it is still a Government function because it is caused by streams beyond the control of the town of Holbrook.

Senator MCFARLAND. Thank you.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN] on page 29, after line 10.

The amendment was agreed to.

Mr. OVERTON. Mr. President, I see that the Senator from Kentucky [Mr. BARKLEY] is present. He desired the first committee amendment, appearing on page 1, to be passed over temporarily. Is the Senator ready to proceed with it now?

Mr. BARKLEY. Mr. President, I asked that the first amendment be passed over. That amendment seems to depart from the legislative course which Congress has heretofore adopted in regard to flood control. I do not know what the committee had in mind, but on the surface it looks as if this amendment was intended to preclude Congress hereafter from establishing for the development of any river valley, such as the Missouri River Valley, which is now very much in the picture, and other valleys, any agency similar to the T. V. A. or patterned after the T. V. A. I do not recall that this provision has been in any previous flood-control bill. I wish to read it so that Senators may understand it, and then I want to inquire of the Senator from Louisiana what the committee had in mind in inserting this language in the bill:

> It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operation, and maintenance of all public improvements in connection with navigation, flood control, and allied activities; to insure coordinated operation of all Federal projects therein for the improvement of navigation and alleviation of flood conditions; to provide for realization of other benefits to be derived from such projects; to facilitate preparations and planning for post-war construction by the Federal Government in the interest of employment; and to secure efficient executive management under the direction and supervision of the permanent executive agencies already established by act of Congress.

It seems to me that language could have only one meaning, and that is to preclude the creation of any more authorities in any valleys for the development of our natural resources.

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

Mr. BARKLEY. I yield.

Mr. OVERTON. I know the Senator is familiar with the Flood Control Act of 1936, because he was very active on the floor in the passage of the measure. The Senator was very much interested in the passage of that measure at the time. I shall now quote, if the Senator will permit me, from that act, because the Senator desires to know whether there has ever been previous legislation along this line.

Mr. BARKLEY. I was reading the amendment in order to inquire of the Senator——

Mr. OVERTON. Whether there has ever been legislation along the same line?

Mr. BARKLEY. I wished to inquire of the Senator the purpose of reinserting this language, in substance, in the present bill.

Mr. OVERTON. There has been legislation along this line. In other bills we have usually had a general statement of policy. Let me read from the act of 1936:

> SEC. 2. Hereafter Federal investigations and improvements of rivers and other waterways for flood control and allied purposes shall be under the jurisdiction of and shall be prosecuted by the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers, and Federal investigations of watersheds and measures for run-off and waterflow retardation and soil-erosion prevention on watersheds shall be under the jurisdiction of and shall be prosecuted by the Department of Agriculture under the direction of the Secretary of Agriculture, except as otherwise provided by act of Congress.

The act further provided for examinations, reports, surveys, and so forth. That is a general declaration of policy, somewhat similar to the language of the pending bill.

Mr. BARKLEY. What was the date of the act from which the Senator just read?

Mr. OVERTON. The act of June 22, 1936.

Mr. BARKLEY. My attention was brought to this provision in the bill by an editorial in the St. Louis Post-Dispatch, which may have come to the attention of the Senator from Louisiana. The editorial was published on the 12th of November. It refers to this bill and this particular provision as a grave threat to the Missouri Valley Authority, which is provided for in legislation now pending before the Congress. I believe one bill was introduced by the Senator from Montana [Mr. MURRAY] and another by the Senator from Wyoming [Mr. O'MAHONEY]. Those bills have not as yet been reported by the committee.

Of course, the Senator will recall that only a few days ago the President recommended the creation of seven different valley authorities in the United States, somewhat after the pattern of the Tennessee Valley Authority. I realize that no language in a bill like this would bind future Congresses. It would not prevent a future Congress from establishing a separate authority in any valley in the country, as a matter of law or authority. However, I was wondering whether the language which has been inserted in the bill, declaring it to be the policy that hereafter no improvements of any kind shall be undertaken on any rivers except through existing agencies, was intended to have whatever effect it might have upon future Congresses in determining whether there should be a Missouri Valley Authority, a White River Valley Authority, or some other river valley authority based upon the pattern set by the Tennessee Valley Authority.

I am interested in that question, not particularly because of any geographical situation, but because of the possibility that ultimately the Cumberland River may be included, and such a program might be established under the Tennessee Valley Authority. If the Cumberland River should ever be treated as the Tennessee River has been treated, it might be included under the existing Tennessee Valley Authority. Bills have heretofore been introduced to that effect. They have not been acted upon by the Congress, although one of them did pass the Senate.

I should like to know what was behind the committee's proposal undertaking to freeze all future river improvements, for whatever purpose, in existing authorities, which would be the Corps of Engineers of the Army and the Bureau of Reclamation of the Department of the Interior. We all know that there has been a dispute between the Corps of Engineers and the Bureau of Reclamation of the Department of the Interior with regard to jurisdiction over rivers. It seems that they have now reached a sort of armistice. Whether that is an agreement of convenience, or whether it is one involving any principle, or whether it works to the more efficient administration of our river valleys, I do not know. However, the discussion of this problem in the editorial in the St. Louis Post-Dispatch rather hints at the idea that the two divisions, one in the Army and the other in the Department of the Interior, have got together in order to forestall the creation of any other authorities or agencies. I should like to know from the Senator from Louisiana just what was in the minds of members of the committee when this amendment was adopted.

Mr. OVERTON. Mr. President, flood-control legislation is progressive. The Federal Government did not take serious charge of flood control until 1928, following the great disaster of 1927 in the lower Mississippi Valley. Then the Congress of the United States declared that the control of floods in the lower Mississippi Valley was a national obligation, and undertook to authorize projects and the appropriation of money. The work was to be done solely under the supervision of the Army engineers.

In 1936 the Congress proceeded much further. It took a very forward step, and declared that flood control generally throughout the Nation was a national obligation. It proceeded to authorize certain projects for that purpose and placed them under the supervision of the Army Engineers, to be assisted by the Department of Agriculture in reference to the headwaters of various streams.

Flood-control legislation is very progressive. It has proceeded step by step under the direction of the Congress, of which the Senator from Kentucky is a very distinguished Member, until we have intertwined it with irrigation, with the generation of power, and with a broader and more extensive agricultural development of lands bordering upon streams or their upper reaches. So various agencies of the Government have come into the picture to deal with this subject. Each time we have had a flood-control bill we have had a declaration of policy, not in this exact language, but in language somewhat similar to it. We have now reached the point where, instead of mentioning all the various agencies, we simply say, as suggested in this amendment:

> It is the purpose of this act to establish a definite policy of making use of existing Federal agencies—

Such agencies include the Bureau of Reclamation, when it comes into the picture in relation to irrigation dams, reservoirs, and so forth. It includes the Federal Power Commission, which enters into the picture when a dam has anything to do with power, and also the Department of Agriculture when it is interested in any of the projects contained in the bill. Therefore, we make use of existing Federal agencies which may be interested—

> for the construction, operation, and maintenance of all public improvements in connection with navigation, flood control, and allied activities; to insure coordinated operation of all Federal projects therein for the improvement of navigation and alleviation of flood conditions; to provide for realization of other benefits to be derived from such projects; to facilitate preparations and planning for post-war construction by the Federal Government in the interest of employment; and to secure efficient executive management under the direction and supervision of the permanent executive agencies already established by act of Congress.

It does not seem to me that that general provision smacks of seven regional authorities or of a blow against seven regional authorities. We use the presently constituted and existing agencies to help in the development of our water resources. At any time Congress wishes to deprive the engineers of control of navigation or flood control, or wishes to destroy the Bureau of Reclamation insofar as it has to deal with irrigation, it can do so, and have one authority after another over the whole Mississippi River and all its tributaries, or can bring it all under one great authority. All that is within the power of Congress.

The newspaper to which the able Senator has referred is one of the St. Louis newspapers—the St. Louis Post-Dispatch—is it not?

Mr. BARKLEY. Yes.

Mr. OVERTON. It is a strong advocate of these authorities, as I understand. If in the opinion of the lay editor of that newspaper any provision of the bill might militate against the future authorization of some authority, I can understand why he would become very much excited about it; but I am surprised that the able senior Senator from Kentucky should become excited about such a provision as this one.

Mr. BARKLEY. I am not excited at all; I was never more calm in my life.

Mr. OVERTON. I am very glad to hear that.

Mr. BARKLEY. I simply endeavored to obtain, in a calm way, a clear statement from the committee about what was in the back of the heads of the members of the committee when they inserted this provision.

I should also like to refer to the report filed by the committee when this provision was inserted. I read the following from the report:

> The committee is of the opinion that the best interest of the country as a whole will be served by fully utilizing Federal agencies in the planning, construction, maintenance, and operation of all improvements for the development of the Nation's water resources.

That is very broad language. If the Senator had said in his amendment and in his report that, insofar as the projects carried in the bill are concerned, they advocate the limitation of jurisdiction over them to existing agencies, that would have been one thing. But it seems to me to be a fair interpretation of this language to say that it projects itself into the future, and attempts to declare a policy on the part of Congress, because, as I read further, it says—

> The established Federal agencies have highly trained personnel that are specialists in their respective fields. The chiefs of the principal bureaus and commissions directly responsible for the preparation of plans and for the administration of the national program for the development of the water resources of the country have entered into an agreement to insure cooperation on multiple-purpose projects.

Those are the Bureau of Reclamation and the Corps of Army Engineers for rivers and harbors, which have been at each other's throats for a long time

over the question of jurisdiction. They have now come to an agreement.

Mr. OVERTON. If the Senator will permit me to interrupt him at this point, let me say that I do not think they have been at each other's throats. I think they have gotten along together quite well.

Mr. BARKLEY. But they have disagreed.

Mr. OVERTON. Perhaps they have disagreed in some instances. But in the case of the Missouri River Basin development, which has caused so much comment, when they got together they found that the differences between them were very few. If the Senator will read the report, he will see that when they got together their differences were reconciled.

Mr. BARKLEY. I do not know under what auspices they have met and have entered into an agreement. I read further from the report:

> Under the terms of that agreement, conferences are held in Washington at least once each calendar month for the purpose of discussing the results of studies and investigations, adjusting differences of opinion, and promoting ways and means for implementing the agreement.
>
> The committee believes that the most effective means of insuring efficient executive management and a uniform administration of the national policies enunciated by Congress with respect to navigation, flood control, irrigation, development of hydroelectric power, water-flow retardation, and soil-erosion prevention is through the utilization of the permanent executive agencies already established by acts of Congress for the administration of these programs and it recommends adoption of the amendment.

Mr. OVERTON. That is a conclusion.

Mr. BARKLEY. I cannot read into that language anything except the purpose, at least, to try to commit the Congress in advance of any separate treatment of any river which might come under the jurisdiction of Congress. Frankly, I do not know what other reason could have actuated the committee in inserting that language.

Mr. OVERTON. Does the Senator disagree with the conclusion that these projects should be under the control of established agencies?

Mr. BARKLEY. I do not disagree.

Mr. OVERTON. Does the Senator disagree with the conclusion that the projects should be under the control of experts long trained and schooled in this kind of work? That is the statement made by the committee.

Mr. BARKLEY. Of course, I do not disagree to that. Neither do I disagree to the proposal or suggestion that, so far as the projects to be carried on under this bill are concerned, which are flood-control projects, or even insofar as the rivers and harbors bill is concerned, which relates to the ordinary and routine improvement of our rivers and harbors, they should be under the jurisdiction of experts.

But the Senator from Louisiana knows what I have in mind. Congress decided to establish the Tennessee Valley Authority. It may decide—I do not know about that—to establish or adopt the St. Lawrence waterways project, in which the Senator from Vermont [Mr. AIKEN] is vitally concerned. It may decide to establish an Arkansas Valley Authority. It may undertake to set up a separate Government agency hereafter. While I agree that the language used by the committee cannot prevent Congress from doing that in the future——

Mr. OVERTON. Certainly not; I agree thoroughly with the Senator that it could not.

Mr. BARKLEY. Nevertheless, I wonder if it would not normally commit and bind the Congress to the proposition, if any separate valley development should be undertaken, of putting it into the hands of some existing agency, instead of into the hands of a new agency, as we did in the case of the Tennessee Valley Authority.

Mr. OVERTON. It would be futile for the committee in a report or in this bill to undertake to bind the Congress in respect to its action in the future.

Mr. BARKLEY. I realize the futility of attempting to do so.

Mr. OVERTON. We cannot possibly do so.

I wish to state that I really believe that navigation should be under the control of the Board of Army Engineers for Rivers and Harbors. It is one of the presently constituted agencies. I believe that flood control should be under the Board of Army Engineers for Rivers and Harbors. I believe that irrigation projects and other related projects should be under the control of the Bureau of Reclamation, which for 40 years has been dealing with that subject, and has engineers who are now schooled and trained in it and are experts. The Army Engineers have been dealing with navigation projects for more than 120 years, and with flood-control projects ever since we began them. They are the greatest dam builders in the world. They are the greatest levee builders in the world. They are the greatest reservoir builders in the world. As I remarked in my opening statement in connection with the pending bill, I think the splendid schooling we have given our Army Engineers has been of immense value to them in the war in which we are now engaged, and in aiding our soldiers on the battle fronts all over the world.

Now I am expressing and the committee is expressing just what we think—and what I think, too—namely, that we should not overlook the Department of Agriculture. It is doing splendid work. I think these agencies should be recognized. That is just what is said. Congress has not yet undertaken to establish any other authority. If it desires to create some other agency, very well; that would be a matter to be determined by the Congress.

Mr. BARKLEY. I understand that. I raise no question about the competence of the Army Engineers in regard to the improvement of rivers and harbors or in regard to flood control. Neither do I question the ability of the Reclamation Service in matters of irrigation. But we all know that we are reaching a period in the development of our country when we must take into consideration industrial development, hydroelectric-power development, and all sorts of things which are incidental to the improvement of rivers or which may be primarily more important in some sections of the country than the mere improvement of rivers by way of dredging them or otherwise providing deeper channels for navigation. It is impossible to separate flood control from such development.

I think we are rapidly reaching such a point in this country that we must utilize our river resources. Not only must we integrate them simply in order to deepen channels and to dredge harbors but we must integrate them in regard to the whole industrial and agricultural development of the valleys. I think we must soon enter upon a comprehensive program for the utilization of water power.

Mr. OVERTON. If the Senator had attended the hearings he would know, or if he will read the printed hearings he will find, that the bill now before the Senate goes a long way toward doing what the Senator has suggested. The bill deals with hydroelectric energy, irrigation, and reclamation, as well as with navigation and flood control. It interrelates those various activities.

Mr. BARKLEY. I am not a member of the committee and, as the Senator from Louisiana knows, I cannot attend all the hearings which the committee holds, and neither can I attend all hearings which take place before other committees of the Senate.

Mr. OVERTON. That is the reason why I suggested that the Senator read the hearings.

Mr. BARKLEY. I appreciate the Senator's suggestion, and I hope that I can follow it.

In order that the pending amendment may not be misinterpreted by anyone interested in the development of water power, would the Senator object to an amendment at the end of the committee amendment reading substantially as follows:

> *Provided, however,* That this section shall not be interpreted to preclude the right of Congress hereafter to establish different agencies, if it should see fit, for the development of our water resources.

Mr. OVERTON. That would be a pretty broad provision. It would provide that nothing could be construed to inhibit the power of Congress to enact future legislation. Such an amendment would deal very broadly with the subject.

Mr. BARKLEY. I agree that the pending amendment would not bind future Congresses but it is subject to being misinterpreted by those who do not always understand the technicalities of congressional legislation. If the amendment cannot bind Congress in the future——

Mr. OVERTON. Why not say so?

Mr. BARKLEY. Why not say so?

Mr. OVERTON. Why not say so in a broader sense? We want it to apply not merely to future agencies, but in other ways and to new methods. Should we not say, "It will not bind Congress at all in the future with respect to legislation

dealing with flood control, power, navigation, and so forth"? Merely to say "agencies" is to stop too soon.

Mr. BARKLEY. I do not care how the language is framed. I realize that so far as binding any future Congress is concerned, legally or constitutionally, the language of the committee amendment is nugatory. But many people throughout the country, especially in the Middle West, may misinterpret the language in the way which I have indicated. If the Senator will agree to language which would dissipate such fear, I think it would go a long way toward reconciling many of those people to the amendment offered by the committee. The amendment could not and would not bind future Congresses, but notwithstanding that many persons think it would bind future Congresses, I think the language should be made clear. It should be plain that it will not bind Congress in the future regarding the manner of developing our water resources.

Mr. CLARK of Missouri. Mr. President will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CLARK of Missouri. If, in connection with the pending bill, we do what the Senator suggests, it seems to me that language should be written into every future act to the effect that we are not attempting to abolish the Constitution of the United States, and that one Congress cannot bind a future Congress. There is no sense in putting such a provision into this measure unless it is put into every measure proposed in the future. Every person who has any sense, and who has read the Constitution of the United States, knows that one Congress cannot bind a future Congress, or bind itself for the duration of the Congress. To insist on writing into this bill a provision that we are not attempting to bind a future Congress, and that we are still operating under the Constitution of the United States, seems to me to be ridiculous.

Mr. BARKLEY. It may be that the original amendment is ridiculous, but while constitutional lawyers like the able Senator from Missouri understand the bill, there are many millions of people throughout the country who do not understand it. I dare say that the Senator from Missouri is more interested in this matter than I am.

Mr. CLARK of Missouri. I am certainly very much interested in the proposal. I am interested in it as a matter of the most vital concern to the people of my State, and the people of the Missouri and the Mississippi River Valleys. But picking out peccadilloes, and undertaking to make attacks on the declaration of the flood-control policy on the theory that it might bind some future Congress, seems to me to be an attempt to defeat the whole measure.

Mr. BARKLEY. Of course, if the Senator wishes to do so, he can put an interpretation upon the measure and endeavor to defeat it, but that is not my objective. My apprehensions are aroused by the fears of people in the Senator's own State with regard to the authority being contemplated.

Mr. CLARK of Missouri. It is not contemplated by the people of the Missouri River Valley, but only by two newspapers in St. Louis. I intend to discuss their interests in the matter before the discussion on this bill is concluded.

Mr. BARKLEY. In order that the RECORD may show the ground upon which I rose to interrogate the Senator from Louisiana, I ask unanimous consent that the editorial from the St. Louis Post-Dispatch be printed in the RECORD as a part of my remarks.

Mr. CLARK of Missouri. The Senator should include the editorial of the Star-Times, because it always follows the St. Louis Dispatch about 2 weeks later.

Mr. BARKLEY. I have not seen the editorial to which the Senator refers, but I am sure the Senator from Missouri would be willing to put it into the RECORD.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

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

A GRAVE THREAT TO THE M. V. A.—DEAL IS COOKING IN THE SENATE THAT WOULD PUT OFF INDEFINITELY THE "ONE BIG PLAN FOR ONE BIG RIVER"

A situation which greatly concerns President Roosevelt and Vice-President-Elect TRUMAN is developing in the United States Senate this week.

It is a situation perilous to the creation of a Missouri Valley Authority—perilous to the one big plan for one big river to which the President and Mr. TRUMAN solemnly pledged themselves in the campaign just closed.

It is a situation which threatens to deny the people of the Missouri Valley the blessings and security which unified development of the valley's resources would bring.

What is this situation?

The first order of business before this "lame duck" session of the Senate is two measures—the rivers and harbors bill and the flood-control bill. If they are passed in contemplated form, it may delay M. V. A. for years—indeed, the deal now being cooked up, if successful, may be a fatal stab in the back for the M. V. A. idea.

Last spring an old controversy between the Army Engineers and the Reclamation Bureau burst into flame before Congress on the question of bureaucratic control of the Missouri River. The engineers fought bitterly for the Pick plan. The Reclamation Service Bureau fought for the Sloan plan. And no holds barred.

The resumption of this old and apparently irreconcilable feud between two vested governmental interests convinced many people that the time had come to cut the Gordian knot by advancing the M. V. A. idea. That idea would rescue the Missouri Valley from contending factions and place it under harmonious and scientific, but above all, under unified and nonpolitical management.

As the M. V. A. idea took instant hold upon the imagination of the country, and won the ultimate endorsement of the President in a special message to Congress, a strange and wondrous thing occurred.

The feudists, fearful of the M. V. A., lest it invade their bureaucratic precincts, began to murmur softly to each other. And now—marvelous to relate—a marriage between old and bitter enemies has been arranged. The United States Senate will be asked this week to officiate as clergyman at this odd alliance.

But this is no love match. This is a marriage of convenience, arranged not only to kill off M. V. A. but to save the interests jealously guarded by two powerful Government agencies.

This is what the Senate will be asked to do by Senator OVERTON, of Louisiana, spokesman for the Army Engineers and certain lower river interests, and by Senator O'MAHONEY, who represents the Reclamation Bureau and certain upper river interests.

It will be asked to amend either the rivers and harbors bill or the flood-control bill by the adoption of a written compact between the Army Engineers and the Reclamation Bureau.

What is this compact? It is an attempt to reconcile the hitherto clashing views of the two Government agencies. It is an attempt to pass off as an amicable plan a compromise between two points of view which are necessarily antagonistic.

Broadly speaking, the legal concerns of the Army Engineers are navigation and flood control. The legal concern of the Reclamation Bureau is irrigation. Neither is empowered by law or equipped by experience or tradition to look at the river as a whole, or to formulate one big plan for one big river. Here the fatal impasse rests. Here it has always rested. Here it will continue to rest, despite the last-minute skin-saving deal that has been contrived.

Why would passage of the Overton-O'Mahoney deal vitiate or destroy the M. V. A. idea? It would do so by intrenching through act of Congress the authority over the river of the Army Engineers and the Reclamation Bureau. The preamble of the flood-control bill expressly states: "It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operations, and maintenance of all public improvements in connection with navigation, flood control, and allied activities * * *."

It would delay or destroy the M. V. A. idea because, although the two pending bills are only authorization measures, they would set a divided pattern for future development of the river. Passage of the deal would pledge the Nation by law and in honor to the execution of a plan which consigns the Missouri River to the same old pulling and hauling which has cursed it in the past.

The deal now cooking would continue the system of "pork barrel" politics in Missouri River development as against a scientific determination of the valley's needs. It would continue remote control from Washington of the valley's destiny as against the decentralized, regional control that M. V. A. would represent. In a word, it would be to ignore, to repudiate, and defy the basic principles which have made the Tennessee Valley Authority the outstanding success that it is, admired throughout the world.

Is M. V. A. to be delayed or done to death by a "lame duck" Congress which does not fully represent the mandate of the people at the polls? Is this to be done before newly elected champions of M. V. A. like Senator-elect MOSES, of North Dakota, are permitted to be heard? Is it to be done in the hope that the President, burdened with a thousand concerns, will not notice this sabotage of his own idea?

Will President Roosevelt stand for it? Will Vice President-elect TRUMAN stand for it? Will Senator MURRAY stand for it? Will Senator GILLETTE stand for it? Will Senator LISTER HILL stand for it? If it is passed and goes to conference, will Representatives COCHRAN and RANKIN stand for it? All these men stand for M. V. A. Four of them have M. V. A. bills pending in Congress.

This editorial does not propose either delay or defeat of the river and harbor and flood-control bills. These bills are national in scope. They include many worthy developments—in Connecticut, in the Great Lakes region, in Boston Harbor, in the Santa Ana River Basin, and even in Hawaii. Our concern is solely and simply with the Missouri Valley. It is a concern born of a century of failure on the part of existing agencies to control the Missouri River. It is a concern born of a conviction that a Missouri Valley

Authority can control our floods, can provide navigation, conserve our soil, give us low-cost power, and bring the new life of irrigation to our thirsty uplands.

This we urge upon the Senate: Amendment of the river and harbor bill or the flood-control bill, or both, to substitute the President's M. V. A. proposal for every section of both acts that concerns the Missouri Valley.

The written compact made public by Senators OVERTON and O'MAHONEY is, in fact, a substitute for the Missouri Valley provisions of these bills. It is a substitute which would prolong indefinitely an impossible situation by which the river has many masters. If there is to be substitution, it should be the kind of substitution, the kind of amendment that will give this river one master, one plan, one destiny.

The President and a Democratic Congress have just received a mandate of approval for such progressive policies and public works as are typified by the M. V. A. idea. Moreover, that idea was endorsed during the campaign by the President and the Vice President-elect.

In view of this endorsement, how can Congress permit two Government agencies to sneak past it legislation which will vitiate or destroy a specific pledge to the people by the newly elected administration?

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

Mr. BARKLEY. I yield.

Mr. AIKEN. I invite the Senator's attention to the wording of the amendment which was offered earlier in the day by the Senator from North Carolina [Mr. BAILEY], and approved by the Committee on Commerce. It reads in part as follows:

The sale of such electric power as may be generated at reservoir projects shall be made at the point of production, without special privilege or discrimination, so as to provide for the complete coordination of such power and energy with other power developments, both private and public, in the area contiguous with such projects. It shall be stipulated in connection with any sale that any and all savings realized by the purchasers shall be passed on under Federal regulation where no State regulation exists to the consuming public: *Provided*, That unless 90 percent of the firm power produced at such projects shall be demanded or purchased within 3 years after completion of construction of such projects, the Secretary of the Interior is authorized to construct transmission lines for the purpose of selling such power at wholesale.

I believe that the Senator can see that the amendment dovetails into the declaration of purpose which the committee adopted for the bill, and that with the declaration of purpose as contained in this amendment in the bill the effect would be to prevent the setting up of yardsticks in any area where yardsticks for the sale of electric power do not presently exist. It would prevent the expansion of the Tennessee Valley Authority to include the Cumberland River territory, or the setting up of new valley authorities. It would prevent the inauguration of public power distribution at almost any place where it does not exist at the present time, and it would also militate against the expansion of rural electrification cooperatives into sections where they do not presently exist. I think the amendment which has been offered by the Senator from North Carolina goes with the declaration of purposes to which I referred, and that it would have the effect which I have stated.

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

Mr. BARKLEY. I yield.

Mr. BURTON. Speaking as a member of the minority party on the subcommittee, I wish to endorse the provision under discussion. It seems to me that we have endeavored to do a limited thing. We have endeavored to make use of the existing facilities, and to meet questions presented to the committee. Obviously that would not in and of itself prohibit Congress from doing anything else in the future, and neither would the first paragraph of the bill put any limitations upon future Congresses. Furthermore, nothing can be found in the proposal which would prohibit the establishment of such authorities as the T. V. A., the M. V. A., or anything of that nature.

The reason for this first paragraph, as I see it, is this: We have done a good many things in the bill itself, but we have proceeded on the theory of making use of existing facilities. The first paragraph does not prohibit future Congresses, it does not prohibit executive agencies, from establishing new facilities, but it does expressly say that this act shall not be used and cited as authority for an Executive order establishing any kind of a new agency under the act, because here we have set out to do a thing with existing agencies. We do not prohibit Congress from doing something else; we do not prohibit executive authority from doing something else under some other authority, but we do not want this act cited by implication or otherwise as authority for new agencies. I think it is proper for that reason that the provision should be in the bill.

Mr. BARKLEY. If that be the purpose, would the Senator from Ohio and the Senator from Louisiana object to the insertion of a very small amendment, namely on page 1, line 5, after the word "improvements" to insert the words "provided for in this act", so that it would read:

It is the purpose of this act to establish a definite policy of making use of existing Federal agencies for the construction, operation, and maintenance of all public improvements provided for in this act in connection with navigation, flood control, and allied activities.

Mr. OVERTON. I would have no objection to the inclusion of those words.

Mr. BARKLEY. I offer that as an amendment.

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

Mr. BARKLEY. I should like to have my amendment adopted.

Mr. McCLELLAN. I want to have the amendment stated again.

Mr. BARKLEY. The amendment I offer is on line 5, after the word "improvements" to insert the words "provided for in this act."

Mr. McCLELLAN. On what page?

Mr. BARKLEY. On page 1. It is an amendment to the committee amendment.

Mr. McCLELLAN. At what point does it come in?

Mr. BARKLEY. It comes in on line 5 after the word "improvements," next to the end of the line.

Mr. McCLELLAN. Very well.

Mr. OVERTON. So that the general declaration of policy would apply to projects provided for in this act.

Mr. BARKLEY. The policy is made applicable to projects carried in this act.

Mr. OVERTON. I do not think it would be applicable to any other projects.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky to the committee amendment.

Mr. McCLELLAN. Mr. President, in this connection I wish to say that section 1 now under discussion, which undertakes to formulate a policy, is the same as a section of a bill which I introduced in November 1943, in which I attempted to deal with development of the Arkansas and White River Basins. I believe section 1 of the pending bill is a verbatim copy of the first section of the bill which I introduced for that purpose. My thought in trying to coordinate the development of the lower Arkansas and White River Basins was to establish a definite policy, a legislative policy, with respect to the construction and operation of all the projects which might be authorized on those streams. I had in mind, of course, to deal with those basins separately, but the Commerce Committee, after considering my bill at the time they considered this flood-control bill, did not report it, but merely took this section and some other provisions of it and incorporated them in the pending flood-control bill. I thought, and I still believe, that it is advisable for the Congress to establish an over-all policy dealing with all our river and waterway developments. In other words, if this would be a good policy or a good program for the White and Arkansas River Valleys, probably it would be a good policy in connection with improvements in other valleys throughout the Nation.

However, if we are going finally to proceed under a policy and program of establishing separate authorities for each valley, then, of course, this policy would probably not fit into that scheme. Until, however, we determine and enter upon the course of developing our waterways by the creation of separate authorities for each particular drainage area, I think it is well and advisable and necessary that the Congress itself establish a policy which shall be pursued until that time. I rather favor the policy expressed in the pending flood-control bill and in the bill which I introduced dealing with the White and Arkansas River Valleys, rather than the establishment of separate authorities.

Mr. President, I believe that everything we need to accomplish can be accomplished by the utilization of existing agencies of Government without having to create a new authority for each drainage basin. There are certain functions of different agencies already established by the Congress which are indispensable to the development of the Nation's streams and their proper utilization, and legislation that declares and formulates a policy such as the pending flood-control bill does in section 1, and as was proposed in the bill which I introduced dealing with the White and Arkansas River

Basins, will enable and permit the development of these waterways.

Another reason, Mr. President, why I think that such a policy is sound is that I believe that the supervision of navigation on our navigable streams should remain under the War Department and under the supervision of the Chief of Army Engineers. It is further my judgment, Mr. President, that all projects on navigable streams, on all streams where flood control is a vital problem, should be constructed with a view to controlling floods and in aid of navigation. Those ought to be the primary purposes of the construction. Particularly is that true in the lower valleys of the White and Arkansas Rivers. I realize that upon the upper stretches of the streams the great problem possibly of the people living there is to get water for irrigation purposes; but there is no conflict of interest between the people on the upper stretches of the streams who require water or who need to utilize the water that can be made available for irrigation purposes, and the people downstream, because the interest of those living downstream is to try to control the floods, and certainly the water that is stored in the reservoirs on the upper stretches tends to relieve our burden and problem in the lower valleys. I believe, except for the projects which might be constructed on the upper stretches of the streams primarily for irrigation purposes so as to impound water for that use, that all projects constructed in the lower valleys should be constructed primarily to control the floods, and then for the secondary purpose of generating power.

It matters not, Mr. President, how much cheap power we are able to generate and give to the people in a valley by the construction and operation of a dam, if we do not give them protection from devastating floods we can easily see all the fruits and benefits which come to any section from cheap power washed away and lost when the floods come. The dams ought to be constructed primarily for the purpose of flood control and navigation and secondarily for the purpose of generating power.

I subscribe wholeheartedly to the policy set forth in the flood-control bill, especially in section 1 thereof.

Mr. MILLIKIN. Mr. President, I should like to ask the senior Senator from Louisiana a question. With reference to the provision of the bill which is now being discussed, the Senator from Wyoming [Mr. O'MAHONEY] and a large group of Senators have proposed amendments which include what might be a supplemental statement of policy, and I am going to ask that this matter go over until the Senator from Wyoming can be present, and perhaps some agreement can be reached as to the other statement of policy.

Mr. OVERTON. Of course, I should be very glad to accommodate the Senator, but I should like to make some progress. I do not think the amendments which the Senator from Wyoming has in mind affect the matter before us at all. They do not relate to it.

Mr. MILLIKIN. I do not believe they conflict.

Mr. OVERTON. He does not undertake to amend the committee amendment.

Mr. MILLIKIN. No, but there is a statement of policy to be included at an appropriate place, which, if included at an appropriate place, might supplement the committee's statement of policy.

Mr. OVERTON. Let us pass on the pending amendment, and when the Senator from Wyoming presents his amendment, we will act on it.

Mr. MILLIKIN. If I am not losing any parliamentary position——

Mr. OVERTON. Not at all.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the committee amendment.

Mr. MURRAY. Mr. President, I should like to make an inquiry with reference to the first section. I cannot understand the necessity for this language in the bill at all if it is not designed to create the notion in the country that the enactment of the language would preclude the possibility of a program like the T. V. A. program for the various river basins of the country. I cannot see any other purpose, because we have been enacting this character of legislation annually without provisions of this character.

Mr. OVERTON. I think the Senator is in error. We have had provisions in pari materia, not in the exact language.

Mr. MURRAY. This is an attempt through the language employed to create the idea that this will provide for a realization of other benefits to be derived from such projects. Such language was never included in any previous measures which have been enacted, and the sole and only purpose of it can be to create the impression that there is no need for a unified program of development of the various river basins such as was provided under the T. V. A., or under similar authorities which might be created in other sections of the country. It is not relevant to the bill at all except for the purpose of establishing a legislative or moral precedent that this legislation concludes the subject, and makes it unnecessary for the Congress again to consider the proposition of a unified development of these river basins. It is proposed that it can all be done under the arrangement set forth here.

Mr. BARKLEY. I may say to the Senator from Montana that the amendment which I offered a moment ago, I think, takes care of the situation by limiting this declaration of policy to the projects carried in the bill. That was my purpose in offering it, and I understand there was no objection to it.

Mr. MURRAY. I cannot understand why it is necessary to have such provisions in the bill in any form.

Mr. BARKLEY. I argued that here at some length a while ago. I expressed myself as having no objection to having a declaration of policy in regard to the projects carried in the bill. My objection was to the interpretation placed upon the language by those who feared it was an effort to place some moral restrictions upon Congress, although Congress could not be legally restrained as to what it might do in the future. For that purpose I offered the amendment, and to it there is no objection. I thought it had been agreed to, but I am informed it has not yet been agreed to.

Mr. MURRAY. For my part, I do not see the need for this language in the bill at all, and it has only one purpose, that is, to attempt to preclude the country from having developments such as the T. V. A. in the various river basins of the country.

Mr. OVERTON. Does the Senator contend that such a provision would be very effective in hereafter and forever preventing all these developments?

Mr. MURRAY. No, but it is designed to give an approval of the programs which have been carried out thus far, and which have failed to accomplish any material results. It has been piecemeal legislation. I find, too, that many of the Members of Congress who serve on the committees which control this kind of legislation go before the people of their various States claiming that they have special advantages because of their positions on these committees, and they claim they get projects for their sections of the country while other sections of the country are unable to get them.

Mr. OVERTON. I hope the Senator is not referring to the chairman of the subcommittee, to the Senator in charge of the bill, who is myself, because if he looks at the bill he will see that there is scarcely anything in it for Louisiana, as compared with other States.

Mr. MURRAY. I am not referring to the Senator from Louisiana.

Mr. OVERTON. The Senator was looking me squarely in the eye when he was making the statement.

Mr. MURRAY. I could not look in any other direction. I could not look at the floor. I like to look at the distinguished Senator from Louisiana when I am talking to him. But it seems to me that the record of the Congress in handling these matters over the years has shown a failure. The efforts have been piecemeal efforts to remedy the conditions, and have failed to bring about any real development of the resources or expansion of industry in the various river basins of the country. The only way that can be accomplished is by an authority such as was set up under the T. V. A. That would then give us a unified development of an entire basin, would give us not only a program for flood control and for irrigation and power, but would also give us an opportunity to develop the natural resources of the sections of the country involved. This is going to be especially important in the post-war period, when it becomes necessary for us to bring about a huge expansion of industry in this country, and to provide homes for thousands of new settlers in the western section of the Nation, where these projects can be carried out.

It seems to me this language should be entirely eliminated from the bill so as to prevent any notion that the Congress is approving the record that has been made in carrying out these projects in various sections of the country,

I am opposed to this first section in its entirety.

Mr. CLARK of Missouri. Mr. President, I intend to vote against the amendment of the Senator from Kentucky, although I do not intend to make a fight about it, because I do not think it amounts to anything.

The language of the committee amendment, of course, does not attempt to bind any future Congress. Everyone who knows anything knows that one Congress cannot bind another, and that a Congress today cannot bind its own action a week later. I shall vote against the amendment because it is simply intended to curry favor with a couple of editorial writers on the St. Louis Post-Dispatch and the St. Louis Star-Times. Mr. Ralph Coghlan, principal editorial writer on the Post-Dispatch, a few months ago happened to read Dave Lilienthal's book on the Tennessee Valley Authority, and he immediately committed the Post-Dispatch to a very enthusiastic program for a Missouri Valley Authority. He had previously committed the Post-Dispatch in the strongest terms in opposition to the President's foreign policy before Pearl Harbor and then did a complete about face on the return from Canada of Mr. Joseph Pulitzer, the owner of the paper. The last time I saw Coghlan was at a dinner given Colonel Lindbergh on the occasion of his speaking in St. Louis. Shortly after that, I understand, in some manner Mrs. Coghlan, Ralph Coghlan's wife, who was also an editorial writer on the Post-Dispatch, was permitted to fly over the T. V. A. in a Government plane and at public expense, and they began to write articles about the T. V. A., and to suggest that the vast Missouri River Valley should be subjected to the same treatment the Tennessee Valley had received.

Of course the St. Louis Post-Dispatch is a piratical craft, but it is a man o' war. The St. Louis Star-Times always comes in a couple of weeks later as a rowboat in the wake of the piratical craft of the Post-Dispatch. If you want to know what will be in the Star-Times tomorrow all you have to do is to read the Post-Dispatch of 2 weeks ago. So, of course, shortly after Mr. Coghlan had written his editorial, and his wife had flown over the Tennessee Valley in a Government plane, the Star-Times came along to the same effect.

Mr. Coghlan is the fellow who raised the question as to whether we were attempting to bind a future Congress, which, if he had been a lawyer he would have known would have been impossible to happen. The Senator from Kentucky, able lawyer and jurist that he is, certainly knows that. This amendment is simply, in my opinion, a cheap catering to two cheap editorial writers on the St. Louis Post-Dispatch and the St. Louis Star-Times, and for that reason, while I have no objection to it and know that it is entirely innocuous and does not in the slightest degree change the effect of the committee amendment, I intend to vote against it. It is only an exception without meaning of an obvious constitutional fact that one Congress cannot bind another one.

Mr. BARKLEY. Mr. President, I wish simply to state in reply to the Senator from Missouri that it is a matter of indifference to me as to how cheap he thinks my performance may be here in offering the amendment. Long before I ever heard of any amendment or any editorial in the St. Louis Post-Dispatch, I was opposed to the Congress attempting to create the impression that it was holding out the hope that it might bind future Congresses by the continuation of a policy which ought to be limited to a provision carried in a bill.

Mr. CLARK of Missouri. Mr. President, if the Senator will permit me, the Senator has supported many measures on this floor which, without attempting to bind any future Congresses, declared a policy of Congress for the guidance of executive bureaus which would be in effect until such a time as the Congress saw fit to change the policy. That is all this amendment attempts to do.

Mr. BARKLEY. I do not claim to be as profound a constitutional lawyer as the Senator from Missouri.

Mr. CLARK of Missouri. The Senator from Kentucky is an able constitutional lawyer.

Mr. BARKLEY. But even I know that one Congress cannot bind another Congress. I know that one Congress ought not to create the impression that it is trying to bind another Congress. That is what my amendment tries to save this proposal from.

Mr. CLARK of Missouri. Then I think we ought to write into the bill an amendment that we should not abolish the Presidency or the House of Representatives or any other constitutional function.

Mr. BARKLEY. Of course, the Senator can carry the suggestion for amendment ad nauseam and ad libitum and ad infinitum if he wishes to.

Mr. CLARK of Missouri. It seems to me no example I could give could be more ridiculous.

Mr. BARKLEY. The amendment I offer is no more ridiculous than the effort made by the bill to create the impression that we are trying to settle the policy of Congress for all time.

Mr. CLARK of Missouri. Of course, that is not intended to be done.

Mr. BARKLEY. I am not so certain that the language here is not an attempt to settle a permanent policy on the part of Congress, otherwise why did not the committee write in the language that is now agreed to by the committee; that it shall only have effect upon the projects carried in this bill?

Mr. CLARK of Missouri. Mr. President, I have seen the Senator from Kentucky on at least 40 different occasions since the present administration came into power in 1932, stand on this floor and defend declarations of policy much more binding and much more stringent than anything proposed in this bill. It just so happens that the Senator has read the editorial in the St. Louis Post-Dispatch, which he has just put into the RECORD, and was actuated to offer this amendment.

Mr. BARKLEY. I do not know anything about the motives which inspired the editorial carried in the St. Louis Post-Dispatch. I do not know whether the editorial was a cheap one, or whether the editors are cheap editors. I do not know anything about the character of the people who write these editorials. I do not have the honor or privilege of their acquaintance. But long before I ever saw this editorial, in connection with legislation of this kind dealing with rivers and harbors and the permanent improvement of our resources, I objected to one Congress attempting to bind another Congress by a declaration of policy, or, even though it could not do it, at least endeavor to have some moral effect upon the succeeding Congress.

Mr. CLARK of Missouri. Did the Senator protest against the declaration of policy which was the preamble to the act creating the P. W. A.?

Mr. BARKLEY. No; I do not suppose I did, and it would not have anything to do with the matter now before us whether I did or did not.

Mr. CLARK of Missouri. Very well. The Senator has defended on this floor many declarations of policy by Congress.

Mr. BARKLEY. That was a declaration of policy dealing with a temporary unemployment condition, and we did undertake to establish a policy and declare a policy of giving men work in a great depression. That is quite a different thing from trying to bind future Congresses with respect to the permanent improvement of our natural resources.

Mr. McCLELLAN. Mr. President, since the section of the bill now under discussion was taken from a bill which I introduced dealing with the Arkansas and White River Basins in which the same identical policy was set out, I want the record to show that I am opposed to the amendment offered by the senior Senator from Kentucky. Of course, there is no attempt here to do the impossible. We all know, and it is agreed by everyone, that the action taken here today in this legislation cannot bind a future Congress. But I submit that if this is a good policy for the pending bill and the projects which are authorized therein, if it is good for these projects and for this measure, then it is good for all projects heretofore authorized by the Congress with reference to which no previous legislative policy has been established.

Mr. PEPPER. Mr. President——

The ACTING PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Florida?

Mr. McCLELLAN. I yield.

Mr. PEPPER. In view of the fact that the Senator was apparently the author of the prototype of this amendment, I should like to know what in the mind of the author is the intention or implication of this language. In what respect does it change the policy which we have followed in the past?

Mr. McCLELLAN. Mr. President, in answer to the Senator from Florida I will say that when I drafted the bill from which this section was taken I was not undertaking to formulate or to establish a policy for the Nation as such. I was dealing primarily with river basins that my people are vitally interested in, and in

the absence of a valley authority having been established to deal with the project in those river basins, the White and Arkansas, in order to coordinate the different projects that are now being constructed in those valleys, and those that have heretofore been authorized, and such as may be hereafter authorized, I was trying to establish a definite policy with respect to those projects in those two river basins. I was not undertaking to fix one for the Nation. I do think it would be good until such time as the Congress may decide that it prefers to proceed by the establishment of separate authorities for each drainage basin. In other words, as I understand it now we have no definite fixed policy in many respects. For instance, take the power generated on dams in my section—and we have one just about completed now, the Norfolk Dam. There is no authority, there is no policy, with reference to that power except a directive or an Executive order from the President which deals with it during the emergency period only. When that power becomes available the Southwest Power Authority, which has jurisdiction of it by reason of the Executive order, is unable to make contracts for the power or make any disposition of it for a period of time beyond 6 months after the end of the war. And therefore looking to the development of our waterways I was undertaking, when I drafted the bill, to fix a policy by legislation under which we could operate which would enable those in authority to act, and in the bill which I introduced I placed the power under the Secretary of the Interior for his disposal just as the President had done by Executive order. But it would enable them to make contracts beyond the end of the war. In the absence of a legislative policy, I undertook to deal with the question of fixing a policy by legislation until such time as the Congress, if it should ever wish to change it, might make a change. Apparently the Commerce Committee simply took that section of the bill which I had introduced for the White and Arkansas River Valleys and incorporated it in this general flood control bill, to serve as a declaration of policy until such time as Congress might wish to legislate further.

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

Mr. McCLELLAN. I yield.

Mr. PEPPER. As I understand, the language was intended to mean only that the policy of universality should apply until Congress might decide to set up a governing authority for a particular area.

Mr. McCLELLAN. Absolutely. In other words, it is an interim provision. If Congress should finally enter upon the program of establishing regional authorities or valley authorities as a general program for the development of our waterways, when such authorities are established these policies would be abrogated, or merged into the new procedure.

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

The ACTING PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Kentucky?

Mr. McCLELLAN. I yield.

Mr. CHANDLER. As I read the declaration in the bill, it simply states that it is the purpose of the act to establish a definite policy of making use of existing Federal agencies for the construction and operation of such works. In the future would not anyone undertaking to establish some authority be faced directly with an expressed intention of Congress, unless it were changed, to the effect that it is the purpose to be guided by this provision until some Congress changes it?

Mr. McCLELLAN. That is correct.

Mr. CHANDLER. In the future, if the Senator from Montana [Mr. MURRAY], for example, should wish to establish a Missouri Valley Authority, he would be faced with the declaration of this Congress that it wishes to handle the program through existing agencies. He might be able to overcome that handicap, but the burden would be distinctly upon him.

I do not know what will happen to the amendment offered by my colleague; but if that is the burden which is to be imposed upon anyone in the future—and I so conceive it—I intend at the proper time to move to strike the entire section, because it is meaningless. We all agree that we cannot even bind this Congress for the remainder of the session. We cannot bind the next Congress. I do not intend to be a party to trying to bind this Congress or any future Congress. I do not wish to place a burden upon anyone who may in the future wish to establish some authority.

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

Mr. McCLELLAN. I yield.

Mr. MURRAY. The Senator from Kentucky [Mr. CHANDLER] states exactly the position which I sought to state a few moments ago. There should be no need for such a provision in this bill, unless it is intended to declare a policy which is to affect the development of river basins in the future. The record in the case shows that such policies have been a failure in the past and will continue to be a failure in the future. I do not need to depend upon newspapers from St. Louis to tell me that. We know it from our actual experience in the West. I know that during all the years while this work has been going on, the results which have been accomplished have been very poor.

I have before me an editorial from the New York Times, which I should like to submit for the RECORD at this point in my statement. It indicates the great need for unified development of river basins, and the possibilities which might flow from such development. I ask unanimous consent that an editorial entitled "Future of the Northwest" published in the New York Times of July 16, 1944, be printed in the RECORD at this point as a part of my remarks.

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

FUTURE OF THE NORTHWEST

Like the rest of the country, the Pacific Northwest is booming, and it is booming, for one reason, because of Columbia River electric power. The region has one-third of the Nation's aluminum capacity. It is producing magnesium, ferro-alloys, calcium carbide, chlorates, metallurgical coke, zinc, copper, mercury, tungsten, antimony. Much lumber comes from its forests, and much grain and fruit from its farms and ranches. But the development is lopsided because it has thus far met the exigencies of war primarily. No region in the country has such a varied climate and such an agricultural and industrial future. If the most is to be made of such possibilities, if the expected post-war slump is to be largely averted, an entirely new administrative structure is needed—a structure clothed with such authority that it will not merely supply electric energy to factories and homes but help knit the Pacific Northwest into an economic fabric in accordance with far-reaching plans already laid.

An example of what can be done is presented by the Tennessee Valley Authority, which has such broad powers that it can carry out a flood-control program, aid navigation, distribute power to factories and households, develop parks for recreation, conserve soil, reclaim land, and engage in about any other activity that does not properly belong to private enterprise. In the Columbia Valley, by contrast, half a dozen separate agencies and bureaus are trying to perform a similar task. Some, like the Bonneville Administration and the Reclamation Service, are part of the Department of the Interior; some fall in the jurisdiction of the Departments of War and Agriculture; others are State bodies.

The Pacific Northwest has resources far richer than those of the Tennessee Valley. Its industrial and agricultural activities are not sufficiently diversified and may decline after the war. Its population is relatively smaller to the square mile than that of the Tennessee Valley and anything but permanent in these war days. Markets are not near at hand. There is no difficulty about selling Columbia River power. The question is how it can be sold to the greatest advantage to selected industries and to farmers who must learn what the region needs. For all these reasons the Bonneville Administration should have the corporation form of administration which has been so successful in the Tennessee Valley, so that it may change its policies to meet new social needs. It should conduct more practical research to make the most of land, water, mineral resources, and forests.

This does not mean that States and local communities must relinquish all their rights, but it does mean that they will have to give up claims for individual consideration. As it is, the Bonneville Administration has the necessary leaders, but they are hampered because they must take orders from Washington and at the same time yield to local ambition. This is the time to reorganize the administration now charged with making the most of Columbia River power. If Congress waits until the war is over and the workers in the shipyards and industrial plants migrate, years may elapse before the Pacific Northwest can march forward with the certainty of reaching its goal.

Mr. MURRAY. I also ask that, following my remarks, there be printed in the RECORD a brief summary of a statement which I have prepared.

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

THE OMAHA AGREEMENT OF THE ARMY ENGINEERS AND THE BUREAU OF RECLAMATION

The so-called Omaha agreement between the Bureau of Reclamation and the Army engineers is strictly an engineering agreement providing the basis for comprehensive and integrated development of the Missouri River system only as regards structures to be

built and the capacity of the reservoirs, thereby reconciling the differences between the Army's plan and the Bureau's plan. This agreement resulted from demands of the Congress, the Bureau of the Budget in behalf of the President, and the State Governors' resolutions for presentation of an agreed plan after the Bureau of Reclamation had opposed the authorization of the so-called Pick plan of the Army engineers which the Bureau said would foreclose certain phases of beneficial development of the valley. The basis of the engineering agreement, which has been called the Omaha agreement, is that upstream structures assure certain use of the waters for irrigation and power and that a certain amount of reservoir space provide for protection against flood control and a certain amount of water be available for downstream navigation.

Close observers have noted that the Army's willingness to consider such a compromise increased after opposition by the Bureau of Reclamation before the Senate to the Pick plan and increased again to such a point that a compromise was possible following the introduction of the Murray bill for the establishment of a Missouri Valley Authority and similar bills which were given wide support. The President's message endorsing the principle of an authority for the basin preceded the Omaha agreement by only a few weeks.

DOES NOT FORECLOSE THE MISSOURI VALLEY AUTHORITY

The so-called Omaha agreement does not foreclose the establishment of a Missouri Valley Authority nor does it solve a great number of questions which might be solved by such an authority. While the Omaha agreement provides for comprehensive development of the river system in its entirety, it gives consideration largely to irrigation, power, flood control, and navigation principally. It does not, of course, provide for a singly unified administration of the comprehensive development. The Bureau of Reclamation is on record in testimony before the Senate Commerce Committee and in public statements to the effect that this plan in no way forecloses a single agency administering the development of the whole river. The agreement, however, is intended to end or reduce conflict between the various multiple interests of the Department of the Interior in the valley and the flood-control and navigation interests of the War Department. It is believed that the development contemplated in the so-called Omaha agreement would be a necessary part, but not all, of any development undertaken were the Congress to provide a single authority to administer the resources of the valley.

PENDING RIVERS AND HARBORS AND FLOOD-CONTROL BILLS

There are pending before the Senate omnibus rivers and harbors and flood-control bills. Both of these measures embrace a wide variety of development in no way related to the Missouri Valley, as well as certain items that are related to the valley. These two measures are objectionable on several scores to the Department of the Interior and the Bureau of Reclamation both as to the Missouri River items and the other items. Broadly speaking, the Department of the Interior does not think that they provide for and protect fully the programs of orderly, integrated resource development with which the Department is concerned. Included in the non-Missouri Valley items in both these twin measures on flood control and rivers and harbors are a number of developments in various other areas for which the President has indicated a desire for authority bills to provide for unified basin-wide administration. It is the opinion of the Department of the Interior and the Bureau of Reclamation that more adequate consideration to the needs of the affected areas can be given by the Congress if action on these omnibus measures is deferred until the new Congress is in session.

Mr. McCLELLAN. Mr. President, in answer to both the Senator from Kentucky and the Senator from Montana, let me say that certainly until some legislation of this character is enacted, we shall be proceeding with the authorization and construction of many valuable projects without a declaration of policy by law. Our policy at present is being fixed by Executive order. As the Senator from Montana says, that is a pretty weak way to do it. Possibly we are not getting the maximum results. Possibly valley authorities would be a better method of procedure. I do not know. But certainly until such time as the Congress acts and creates the authorities, there ought to be a legislative policy with respect to the procedure. This may be a weak policy, but certainly we have none now established by the Congress. Therefore we ought to act so as to take care of the interim period. Then if we find that this policy is not adequate, and the Congress wishes to change it, I do not see that any burden would be placed upon any one in changing the policy as we develop the authority program, if that is the way we later decide to pursue the development. If we decide that that is the better course to attain our objectives, namely, the development and utilization of our water resources, it can be done without any violence whatever. The proposed policy would do no violence to the suggested program, so long as the authorities are not in existence.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CLARK of Missouri. It seems to me that in this debate it has been overlooked to a very large extent that this is a flood-control bill, not a navigation bill, not a river and harbor bill, not a power bill. It is a flood-control bill; and the question of flood control, not in Montana, but in the lower region of the Missouri River and of the Mississippi River, is the most acute problem we have to face. It seems to me that it is completely overlooked that the whole theory of Federal responsibility and Federal action in flood control is of comparatively recent origin. It was only after the great floods of 1928 and 1929 that Federal responsibility for flood control was ever assumed, and then only as to the main stem of the Mississippi River, Lake Okeechobee in Florida, and the Sacramento River in California. It has only been since I have been a Member of the Senate, and since the Senator from Louisiana, who is in charge of the bill, has been a Member of the Senate, that there has been established the principle of Federal responsibility for flood control on the tributaries as well as the main stems of the great rivers. That has necessarily been a piecemeal business. We have made an advance from one stage to another. Therefore, it has been argely a matter of specific authorizations by Congress in each particular bill, and a very large measure of discretion has been left to Government agencies.

The pending committee amendment, adopted from the bill of the Senator from Arkansas, represents nothing more than an effort to formulate a general policy as the policy to be pursued by executive agencies in progressive flood-control measures, until such time as the Congress may see fit to change the policy. If the Congress wishes to establish a Missouri Valley Authority, which I think is preposterous, there is nothing to prevent Congress from doing so. But until Congress sees fit to do so, all that it is proposed to do by this amendment, which is adopted from the measure introduced by the Senator from Arkansas, is to establish a general rule for guidance in matters of flood control, in a field which has only recently, within the service of a great many Members of the Senate, been assumed by the Federal Government.

Mr. McCLELLAN. Mr. President, the Senator from Missouri has well stated the position of the proponents of the amendment. The thing which prompted me to introduce such a measure was the fact that the development of the Arkansas and the White River Valleys was then and is now under way. Projects are under construction, and others are authorized, awaiting the end of the war, when materials can be made available. We are proceeding with this construction without a definite legislative policy.

There should be something to guide us, something to point out what our objectives are, and to point out the manner in which we intend to achieve them.

Now I yield to the Senator from Ohio.

Mr. BURTON. Mr. President, sometime earlier this afternoon, before a number of the Senators who now are discussing the matter were in the Chamber, a statement was made on behalf of the subcommittee by both the chairman of the subcommittee and myself as a member of it. That statement emphasized the point which the Senator from Arkansas is now making. The Senator from Arkansas introduced a statement of policy in his bill. That statement of policy, which fitted well into the general bill, has been incorporated in the pending bill.

To this statement of policy I understand that the Senator from Kentucky [Mr. BARKLEY] is requesting the adoption of an amendment providing merely for the insertion of the words "provided for in this act." This is to make the section refer expressly and only to the improvements provided for in this act. It seems to me that what he has in mind is that, first of all, the Congress cannot now establish a policy which will bind future Congresses, and that, furthermore, this bill does not prohibit the setting up of new agencies. The bill does, however, contain a statement that we wish to make all necessary improvements in America, with the least possible waste of mechanics of government in doing so.

In the pending bill we have attempted to give an illustration of how to accomplish a considerable amount of our objective with existing agencies. We do not wish to have the bill used or cited in an

executive decree or executive order or in any kind of directive as authority for the establishment of a new authority to manage the things which we have said can be managed by existing authorities as provided for in the bill.

Therefore, I think it is important for us to emphasize the fact that we think the work can be done by existing agencies, that we so declare, and that we do not leave the bill as merely authorizing independent projects under no general policy. We should declare that it is our policy to use and coordinate the existing agencies. Such a declaration will make it impossible for this bill to be cited as authority for doing such things in some other way. If the Congress later desires to have the work done in some other way, that will be all right. I think the pending bill is an example of how to do it under existing authority, and I think it highly important to make that statement of policy in the opening paragraph of the bill.

Mr. McCLELLAN. By doing so, Congress would retain the power of saying how it should be done.

Mr. President, with respect to the amendment of the Senator from Kentucky, let me say that his amendment would simply restrict the application of this policy to the projects authorized under the pending bill. In the pending bill we are authorizing projects on streams which are more or less interrelated to other projects already authorized. It seems to me that no legislative policy along that line has been declared as to them at all. They are subject to any sort of Executive order with reference to policy or other matters. But if we adopt the amendment proposed by the Senator from Kentucky, we say that this policy will apply only to the projects covered under the pending bill. And with respect to other projects heretofore authorized on the same streams, there is no legislative policy as to them. Therefore, it seems to me that either the whole committee amendment should be stricken from the bill—I say that in all sincerity—or it should be retained and adopted just as it is, whichever the Congress wishes to do. If we strike out all of it, then we have no legislative policy, and will continue to proceed as heretofore without any adequate legislative policy or direction. If we retain the committee amendment, then Congress has fixed the policy which will control until such time as it may be changed.

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

Mr. McCLELLAN. I yield first to the Senator from Montana, who has been on his feet for some time.

Mr. WHEELER. Mr. President, I wish to call attention to the fact that the Senator from Missouri stated a moment ago that the pending bill is a flood-control bill. While it is true that it is a flood-control bill, we must bear in mind that its provisions reach much further than do the provisions of a mere flood-control bill, because in the pending bill an effort is made to lay down a policy not only as to flood control but with respect to the development of power, the sale of power, irrigation, and reclamation. While it is true that the next Congress or even the present Congress can change such a policy, in that connection I have a distinct recollection regarding legislation which developed with reference to the Fort Peck Dam. Because of the fact that the War Department desired to have a certain amendment adopted, and it was adopted, I was confronted with the proposition that a policy with reference to the Fort Peck Dam had been laid down by the War Department, even though it was never intended as a policy of the administration when the legislation was enacted. But that was constantly thrown in my teeth by the Senator from Louisiana and the Senator from Missouri——

Mr. OVERTON. Oh, no, Mr. President; the Senator is in error about that.

Mr. WHEELER. I do not think I am in error about it.

Mr. OVERTON. I will make my statement later, but I should like to say now that what I said to the Senator was that the undertaking was authorized as a navigation and irrigation project. That is what I said, and that is all I said. I did not say that future Congresses could not change it.

Mr. WHEELER. Of course, the Senator did not say so.

Mr. OVERTON. Certainly I did not. The Senator from Montana took the position that the undertaking was an irrigation project.

Mr. WHEELER. Oh, no, Mr. President; the Senator is entirely mistaken about that. I did not take the position that it was an irrigation project.

Mr. OVERTON. I so understood.

Mr. WHEELER. I took the position that it was a flood-control, navigation, and irrigation project.

Mr. OVERTON. Yes; but the Senator said that irrigation was transcendental.

Mr. WHEELER. Oh, no; the Senator is mistaken.

Mr. OVERTON. Very well. Then we are both agreed that it was a navigation project. And that is what it is today.

Mr. WHEELER. That is correct—navigation, irrigation, and flood control.

Mr. OVERTON. And power.

Mr. WHEELER. There can be no question about that now. It so happens that I was the Senator who talked first to the President about it, and I know what was in his mind.

Mr. OVERTON. I do not know what the President said, but I know what Congress said when it authorized it.

Mr. WHEELER. But that was after the project had been started. It had been started and projected under the Public Works Administration. Then, after it had been commenced, in order to obtain a further appropriation, in addition to the W. P. A. funds, to be used to complete it, the amendment to which I have referred was suggested. It never for 1 second occurred to me or to anyone else that the amendment would be cited as a declaration of policy, and that the statement would be made that the project was merely for flood control or for navigation, as the Senator and as members of his committee have contended.

Mr. OVERTON. Mr. President, the Senator is in error. Neither the War Department nor I so contended.

Mr. CLARK of Missouri. Mr. President, will the Senator yield to me?

Mr. WHEELER. Mr. President, I think I have the floor; the Senator from Arkansas yielded to me.

Mr. OVERTON. Mr. President, as I just said, neither the War Department nor I ever made such a contention. He said it was for all those purposes. That testimony is contained in the hearings.

Mr. WHEELER. I also call attention to the fact that a policy for reclamation, a policy for power, and a policy for the sale of power are being inserted in the pending bill. It provides specifically that power which happens to be generated at such projects cannot be sold except at wholesale. It can be sold at wholesale. A reclamation project can grow out of this project, provided the Secretary of War——

Mr. McCLELLAN. Mr. President, that provision is in another section of the bill. It is not contained in this section of the bill.

Mr. WHEELER. Yes; but that is the policy which is being laid down in the bill. If the project can be used for irrigation and reclamation, the Secretary of the Interior will be able to go to the Secretary of War, with his hat in his hand, and if the Secretary of War says that the project can be used for irrigation and that it is proper for irrigation, then it will be agreed that some of the water can be used for irrigation and reclamation, provided, of course, that they come back to Congress, and provided, of course, that the persons concerned can afford to pay for it, and provided, of course, something else.

I submit that when we lay down a policy of that kind, everyone who comes to Congress in the future with an application for a reclamation project or for some similar project will be confronted with this policy, as laid down by the Congress of the United States, and will be told that this is the definite policy which should be followed.

I am interested in flood control projects being favorably considered, because floods occur in my State. Perhaps they are not so devastating as the floods which occur in Missouri, but, nevertheless, we have had some devastating floods in Montana. When, however, it is proposed to regulate irrigation, navigation, and reclamation in Montana, I am opposed to that being done without at least certain restrictions. I am interested in navigation, and I have helped in every way in which I could in the promotion of navigation, but I do not want those who are interested in navigation to come into my State and tell us how our reclamation is to be regulated, or how the sale of power is to be regulated. It seems to me that that is something which should not be laid down as a national policy in this kind of bill. It should be treated as a separate problem.

Mr. McCLELLAN. Mr. President, the Senator from Montana is far better informed than I with respect to reclamation and irrigation projects, and the need

of water and its uses in the State of Montana. Neither by the section under discussion nor by any other do I wish to do any violence to the State of Montana or any other State which needs and depends on irrigation projects. But with respect to a policy as to power, I believe that it should be the same throughout the Nation. I may be wrong about it. Today the power generated from the dams to which reference has been made is subject to Executive order. If we are to develop our waterways, I believe that the time has come for Congress to say what the policy is to be. If the policy is a wrong one, we should change it. But Congress should assume responsibility for it, and then we can move ahead and make progress.

Mr. WHEELER. Mr. President, I agree with the Senator from Arkansas. We should have a policy for power. It should not be left to the whim of any one of the executive branches of the Government. I am also in thorough accord with the suggestion that we should have a policy with reference to flood control, and that it should not be left to the whim of any executive department, whether it be the War Department, the Interior Department, or any other department. The same thing is true with regard to reclamation.

What I am objecting to, however, is the claim that we should establish a policy with reference to reclamation or power in a flood-control bill. It seems to me that sufficient opportunity is not given us to give the matter the consideration which some of us believe it should have.

I may be in error, and I hope the Senator from Louisiana will correct me if I am, but because of a speech which he made in Louisiana the people in the Northwest were certainly stirred up. He talked about certain uses of the waters which should come first, and stated that irrigation should come next.

Mr. OVERTON. Who said that? Was the Senator present?

Mr. WHEELER. When we come to the question of what is most important in this country——

Mr. OVERTON. Mr. President——

Mr. WHEELER. Allow me to finish my statement and then I will yield.

When we come to the question of what is most important for the masses of the people of this country, whether it be to allow a little more water to go down the Missouri River for the Standard Oil Co. and a few other big companies which operate and put the money in their pockets, or to furnish homes for the soldiers who will come back and need homes to live in, I shall want to discuss the problem at some length on the floor of the Senate.

Mr. McCLELLAN. I do not know whether the Senator meant any implication in his remark about the Standard Oil Co.

Mr. WHEELER. No. I read the testimony before the committee. This is what happened with reference to irrigation: When the Standard Oil Co. representative from Kentucky was testifying, he stated that the money which the company had made was not passed on to the consumer, but that it was put into the pockets of the company and never passed on to the consumer in any instance. If the Senator will check up on the oil shipped up the Mississippi River, on the lumber which goes down the river, and on the cement which goes up, he will find that not a single solitary nickel or dime was passed on to the consuming public of this country.

Mr. McCLELLAN. The people of the State of Montana may need water for irrigation and agricultural purposes. In our State we have to keep the water off our lands. There is a line somewhere between Montana and Arkansas where our rights will not conflict, and where the people of the State of Montana may have irrigation and we of Arkansas may restrain the flood waters. That is what I hope to see done. I want to see dams built primarily for flood control. I am speaking of projects farther down the stream. I am sure they would not conflict in any way with the program which the Senator desires to see adopted for his State.

The Senator representing Montana, and I, in my humble effort to represent Arkansas, should have sufficient intelligence to get together on this matter and quit quarreling about it. The Senate should be able to establish a national policy which will enable us to construct the proposed projects, and build up our country.

Mr. WHEELER. I agree with the Senator from Arkansas.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. CLARK of Missouri. I agree entirely with what the Senator from Arkansas has said. But in view of what the Senator from Montana has said about the character of the pending bill, I wish to call attention to the fact that the bill originally started as a strictly flood-control measure, and that the whole question of irrigation and reclamation was injected into the measure entirely improperly and irrelevantly, in my opinion, by an amendment introduced by the Senator from Wyoming [Mr. O'MAHONEY], joined in by numerous Senators from other irrigation States. They undertook to establish an absolute priority in futurity, not only as to the use of water for existing irrigation projects, but in all futurity for any project which they might devise, including one which would extend into Canada and divert water from the Missouri Basin into an entirely different watershed.

The controversy concerning that matter was waged not by the people who are interested in flood control, but by Senators who went before the committee, sat with the committee, and, through the courtesy of the committee, proceeded to examine, cross-examine, and browbeat witnesses when they could do so. They were not interested in the slightest degree in flood control, but were interested in establishing a priority for all the future with regard to all water which might fall on the Missouri watershed.

Mr. President, I believe it is unfair for the Senator from Montana, who is my very dear friend, to say at this time that the bill is not a strictly flood-control bill because the provisions which have to do with anything else than flood control were not inserted by those who were interested in flood control, but were inserted in the committee in an effort to compromise with and satisfy the people who are interested in power, irrigation, reclamation, and other subjects.

This controversy originally took place, not on the flood-control bill, but on the river and harbor bill, where it certainly had no place whatever. I repeat, those who were interested in navigation and those who were interested in flood control were not responsible for injecting extraneous issues into those two measures.

Mr. BARKLEY. Mr. President——

Mr. McCLELLAN. I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, awhile ago I asked the Senator to yield to me merely to call attention to the fact that Congress has not been devoid of a policy with respect to the improvement of rivers and harbors, nor as to flood control. There has not been a river and harbor bill passed, as I recall, certainly since I have been a Member of Congress, which did not carry the specific provision that the improvements carried in the bill should be handled by the Secretary of War through the Chief of Engineers. That has always been the policy of Congress, that river and harbor improvements should be carried on through the Corps of Engineers.

The Flood Control Act of 1936 enunciated the policy that the improvements for flood control should be under the direction of the Secretary of War, through the Chief of Engineers, subject to the right of the President to allocate priorities for emergency flood-control projects. In other words, he had the right, under the act of 1936, to designate which projects he thought were most emergent, because they could not all be carried on at the same time, they could not be begun at the same time. But we have had that policy with respect to flood control, and that is still the law, and it is still the law and we had the same policy with respect to the improvement of rivers and harbors. Therefore I do not agree with the observation of the Senator from Arkansas that we have never had any policy with regard to these improvements. We have had a policy.

Inasmuch as it has been the policy, both as to river and harbor improvements and flood control, that these projects be carried on under the directions of the Secretary of War through the Chief of Engineers, it seems to me unnecessary in this bill to reiterate that policy. If it is to be limited to the matters carried in the bill or covered by the policy heretofore adopted, I cannot see any reason for writing in a new policy, which does not contemplate anything else. If it contemplates something beyond river and harbor improvements and beyond flood control, we should know what it is.

It is for that reason that I offered the amendment to the language under consideration, limiting the policy to the

projects carried in the bill, which has always been done heretofore when Congress has passed any sort of flood-control or river and harbor improvement bill, to be administered under the Chief of Engineers, or the Secretary of War through the Chief of Engineers.

Mr. McCLELLAN. Will the Senator enlighten me as to what, under existing law, is the policy established by Congress with reference to the disposition and handling of power derived from these projects?

Mr. BARKLEY. The Senator would require me, in answer to that question, to coordinate from memory the provisions of the Federal Power Act. Many years ago we passed the Federal Power Act, setting up the Federal Power Commission, which was instructed, under the law, to cooperate with and to make use of the Corps of Engineers in the construction of dams for power purposes. I could not from memory give all the provisions of the Power Act, but there is nothing inconsistent between the Federal Power Act and the various annual appropriations by Congress for the improvement of rivers and harbors, or even flood control.

Mr. McCLELLAN. Let me ask the Senator if it is not true that when projects are constructed under existing flood-control acts, multiple-purpose projects, from which electricity is generated, there is no provision in the general flood-control acts with respect to the sale and distribution of the power, but it is now being handled by Executive order.

Mr. BARKLEY. I do not think the amendment we have under discussion now has any relationship to the question of the disposition of power. The amendment offered by the Senator from North Carolina [Mr. BAILEY] today dealt with that subject, and this amendment, attempting to establish a policy, it seems to me, deals more with the inauguration and construction of the projects than the final disposition of power that may be created under them.

Mr. MAYBANK. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I am about to yield the floor.

Mr. MAYBANK. I wish to ask the Senator from Kentucky a question.

Mr. McCLELLAN. I yield to the Senator.

Mr. MAYBANK. The Senator from Kentucky mentioned the Federal Power Commission law. I should like to ask the Senator from Kentucky if it is not a fact that the construction of any of these dams might have in view the generation of electricity. After they have been approved by the Army engineers, as the Senator suggested, is it not necessary that additional hearings be held by the Federal Power Commission before any permission is granted for the sale of power?

Mr. BARKLEY. I think that is true. They have general authority, under the law, to pass upon a license before disposing of power generated by a dam, even though the dam is approved by the Chief of Engineers.

The primary function of the Corps of Engineers in regard to the improvement of rivers originally was to pass upon whether a proposed improvement would obstruct navigation or improve navigation. That has been enlarged from time to time. By and large, any prospective producer of power must have a license from the Federal Power Commission.

Mr. MAYBANK. How about the Government?

Mr. BARKLEY. I am not able to say from memory whether that applies to the Government.

Mr. MAYBANK. But before a prospective producer of power on any river can get his license the Federal Power Commission holds proper hearings?

Mr. BARKLEY. That is true; they have to do that; they have to determine who is best able to produce the power.

Mr. MAYBANK. And whether it is necessary?

Mr. BARKLEY. Yes.

Mr. McCLELLAN. That would not apply to the multiple projects, would it?

Mr. BARKLEY. Only incidentally, because sometimes the production of power in flood-control projects is incidental. Indeed, in most cases it is incidental.

Mr. McCLELLAN. Mr. President, I have stated my position with respect to the proposed modification of the committee amendment, and I hope it will not be adopted.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY] to the committee amendment.

Mr. WHEELER. Mr. President, it is apparent that we cannot pass the bill this evening, and as there are some further provisions with respect to irrigation and reclamation which very seriously affect the whole northwestern area, I should like to have an opportunity to study them during the evening, as I have not had an opportunity to do so. For that reason I am going to ask that the bill may go over until tomorrow.

Mr. OVERTON. Can we not dispose of this one amendment?

Mr. WHEELER. No, because I think this whole amendment vitally affects the provisions with reference to irrigation and reclamation, and before we pass upon it I should like to have an opportunity to see how far it does affect irrigation. For instance, I find this provision:

> Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws and after subsequent specific authorization of the Congress by an authorization act; and, within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes.

From a hasty reading of the language, a serious question is raised in my mind as to whether the Secretary of War would not have to pass upon the question of whether people about to receive the benefit of the improvement would be able to repay the cost, rather than have that determined by the Reclamation Bureau and the Department of the Interior, who are always the ones properly to pass upon the question.

Mr. OVERTON. Mr. President, the Secretary of War has nothing to do with that.

Mr. WHEELER. I am not so sure but that the Senator is making that statement too hastily. Notwithstanding what the Senator's assistant tells him, I think there is a very serious question as to whether the Secretary of War does not have to do with it. At least, I desire to look into the matter further.

Mr. OVERTON. Very well.

The ACTING PRESIDENT pro tempore. Is there objection to the amendment being passed over? The Chair hears none, and it is so ordered.

Mr. WHERRY. Mr. President, on behalf of the senior Senator from New Jersey [Mr. HAWKES], who has been called from the Senate Chamber this afternoon, I offer an amendment to section 10, on page 38, after line 22, which has to do with authorizing a survey or preliminary examination of a project.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 38, after line 22, it is proposed to insert the following:

> Absecon Island, N. J., with a view to the protection of Atlantic City, Ventnor, Margate City, Longport, and other areas on the New Jersey coast that have been affected from floods due to tide and wind.

The ACTING PRESIDENT pro tempore. Is there objection to the immediate consideration of the amendment?

Mr. OVERTON. There is no objection so far as I am concerned, Mr. President.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. OVERTON. Mr. President, I do not know of any further amendments to be taken up this afternoon. Quite a number of amendments have gone over. I hope we may be able to complete action on the bill tomorrow.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH of Massachusetts:

From the Committee on Finance:

Brig. Gen. Frank T. Hines, United States Army, to be Retraining and Reemployment Administrator, to which office he was appointed during the last recess of the Senate; and

William H. Burke, Jr., of Northampton, Mass., to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass., to fill an existing vacancy.

From the Committee on Naval Affairs:

Capt. Harry L. Merring, United States Navy, retired, to be a rear admiral in the Navy on the retired list, for temporary service, to continue while serving as Deputy Chief of Industrial Readjustment Branch of the Office of Procurement and Material;

William F. Hausman, a naval aviator of the Marine Corps Reserve, to be a first lieutenant in the Regular Marine Corps, in accordance with the provisions of the Naval Aviation Personnel Act of 1940, as amended, to rank from the 1st day of September 1939; and

Sundry naval aviators in the Marine Corps Reserve, a meritorious noncommissioned officer, and sundry citizens to be second lieutenants in the Marine Corps.

By Mr. WILEY, from the Committee on the Judiciary:

Charles H. Cashin, of Wisconsin, to be United States attorney for the western district of Wisconsin, vice John J. Boyle, deceased.

By Mr. BAILEY, from the Committee on Commerce:

Harllee Branch, of Georgia, to be a member of the Civil Aeronautics Board for the term of 6 years from January 1, 1945 (reappointment); and

Sundry officers for appointment and/or promotion for temporary service in the Coast Guard.

The ACTING PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

UNITED STATES MARITIME COMMISSION—NOMINATION PASSED OVER

The legislative clerk read the nomination of Edward Macauley, of California, to be a member, United States Maritime Commission, for the term of 6 years from September 26, 1944.

Mr. BAILEY. Mr. President, in view of the fact that the Committee on Commerce reported this nomination on September 20, 1944, I think I should say to the Senate that consideration of the nomination has been delayed at the instance of the senior Senator from Nevada [Mr. McCARRAN], who is absent and who informs me that he is not likely to appear here prior to the first of December. The committee has approved the nomination. I do not think any charges are pending in the committee against this nominee. There never have been charges made against him. Whether the Senate will proceed to consider the nomination or not is a question for the Senate to decide. The facts are that Captain Macauley's term expired just about the time Congress adjourned prior to the election. So he has been deprived of his salary from then until now and will be deprived of it until we confirm the nomination. Moreover, the Maritime Commission is deprived of his services.

I submit the matter to the Senate. I do not know whether the Senate wishes to await the return of the senior Senator from Nevada. If it does, I have no objection. But I believe that Captain Macauley is entitled to some consideration. Action on his nomination has been delayed from September 20 until now; that is, for 2 months the matter has been hanging fire here.

The ACTING PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

The ACTING PRESIDENT pro tempore. Without objection, the nominations in the United States Public Health Service will be confirmed en bloc.

That completes the Executive Calendar.

AUTHORIZATION TO RECEIVE AND REFER NOMINATIONS

Mr. BARKLEY. Mr. President, I ask unanimous consent that any nominations that may be sent to the Senate by the President today may be received by the Secretary of the Senate and be appropriately referred.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

Mr. REVERCOMB. Mr. President, does the request include appropriate reference of the nominations to committees?

Mr. BARKLEY. Yes.

The ACTING PRESIDENT pro tempore. Without objection, the request will be granted.

(Subsequently, sundry nominations to the Office of War Mobilization and Reconversion and the Surplus Property Board were received and, under the above order, appropriately referred.)

RECESS

Mr. BARKLEY. 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 18 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, November 22, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate November 21, 1944:

THE JUDICIARY

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Henry A. Schweinhaut, of Maryland, to be an associate justice of the District Court of the United States for the District of Columbia, vice Hon. Oscar R. Luhring, deceased.

UNITED STATES ATTORNEYS

Gerald A. Gleeson, of Pennsylvania, to be United States attorney for the eastern district of Pennsylvania. (Mr. Gleeson is now serving in this office under an appointment which expired October 8, 1944.)

Steve M. King, of Texas, to be United States attorney for the eastern district of Texas. (Mr. King is now serving in this office under an appointment which expired July 30, 1944.)

UNITED STATES MARSHAL

Jordan B. Royall, of Florida, to be United States marshal for the northern district of Florida. (Mr. Royall is now serving in this office under an appointment which expired June 19, 1944.)

SURPLUS PROPERTY BOARD

The following-named persons to be members of the Surplus Property Board:

Robert A. Hurley, of Connecticut.

Lt. Col. Edward Heller, of California.

OFFICE OF WAR MOBILIZATION AND RECONVERSION

The following-named persons to be members of the Advisory Board, Office of War Mobilization and Reconversion:

PUBLIC MEMBERS

O. Max Gardner, of North Carolina.
William H. Davis, of New York.
Anna M. Rosenberg, of New York.

LABOR MEMBERS

William Green, of Ohio.
Philip Murray, of Pennsylvania.
T. C. Cashen, of New York.

AGRICULTURE MEMBERS

Edward A. O'Neal, of Alabama.
James G. Patton, of Colorado.
Albert S. Goss, of Washington.

INDUSTRY MEMBERS

Eric A. Johnston, of Washington.
George H. Mead, of Ohio.
Nathaniel Dyke, Jr., of Arkansas.

REGISTER OF LAND OFFICE

Richard McElligott, of Oregon, to be register of the land office at Roseburg, Oreg., terminating recess appointment, vice George Finley.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be lieutenant general

Maj. Gen. Wilhelm Delp Styer (colonel, Corps of Engineers), Army of the United States.

To be major generals

Brig. Gen. James Maurice Gavin (captain, Infantry), Army of the United States.

Brig. Gen. Clarence Ames Martin (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Orvil Arson Anderson (lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Brig. Gen. John Y. York, Jr. (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Robert Morris Webster (lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Brig. Gen. Kenneth Bonner Wolfe (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Leo Donovan (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Harry Briggs Vaughan (lieutenant colonel, Corps of Engineers), Army of the United States.

Brig. Gen. Arthur Arnim White (colonel, Field Artillery), Army of the United States.

Brig. Gen. Willard Gordon Wyman (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Wilton Burton Persons (lieutenant colonel, Signal Corps), Army of the United States.

Brig. Gen. James Edmund Parker (lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Brig. Gen. Frank Emil Stoner (lieutenant colonel, Signal Corps), Army of the United States.

Brig. Gen. Russel Burton Reynolds (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Julian Sommerville Hatcher (colonel, Ordnance Department), Army of the United States.

Brig. Gen. Clyde Lloyd Hyssong (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. William Howard Arnold (major, Infantry), Army of the United States.

Brig. Gen. Royal Bertrand Lord (major, Corps of Engineers), Army of the United States.

Brig. Gen. James Alward Van Fleet (colonel, Infantry), Army of the United States.

Brig. Gen. Carl Adolphus Hardigg (colonel, Quartermaster Corps), Army of the United States.

Chaplain William Richard Arnold (brigadier general, Chief of Chaplains), United States Army.

Brig. Gen. Otto Lauren Nelson, Jr. (major, Infantry), Army of the United States.

To be brigadier generals

Col. William Thaddeus Sexton (major, Field Artillery), Army of the United States.

Col. Josiah Toney Dalbey (lieutenant colonel, Infantry), Army of the United States.

Col. Francis Kosier Newcomer, Corps of Engineers.

Col. Robert Reese Neyland, Jr. (major, Corps of Engineers), Army of the United States.

Col. Clyde Davis Eddleman (major, Infantry), Army of the United States.

Col. Walter Edwin Todd (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Robert Ward Berry (major, Coast Artillery Corps), Army of the United States.

Col. Morrill Watson Marston (lieutenant colonel, Infantry), Army of the United States.

Col. Hugh Bryan Hester (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. Matthew John Gunner, Infantry.

Col. John Andrews Rogers, Medical Corps.

Col. Jack Weston Wood (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Walter Joseph Muller (lieutenant colonel, Infantry), Army of the United States.

Col. Fenton Stratton Jacobs (lieutenant colonel, Cavalry), Army of the United States.

Col. Herbert Bernard Loper (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. James Michael Fitzmaurice (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Carroll Arthur Powell (lieutenant colonel, Signal Corps), Army of the United States.

Col. Roy William Grower (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. William Joseph Morrissey, Infantry.

Col. Joseph James O'Hare (lieutenant colonel, Infantry), Army of the United States.

Col. William Lecel Lee (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. John Moore Thompson, Cavalry.

Col. Kendall Jordan Fielder (lieutenant colonel, Infantry), Army of the United States.

Col. Francis Andrew March (lieutenant colonel, Field Artillery), Army of the United States.

Col. Lewis Tenney Ross (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Charles Frederick Colson (lieutenant colonel, Infantry), Army of the United States.

Col. Halley Grey Maddox (lieutenant colonel, Cavalry), Army of the United States.

Col. Edmund Clayton Lynch (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Neal Henry McKay (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. John Howell Collier (lieutenant colonel, Cavalry), Army of the United States.

Col. Ralph Julian Canine (lieutenant colonel, Field Artillery), Army of the United States.

Col. Wayne Carleton Smith (major, Infantry), Army of the United States.

Col. Clyde Massey (major, Cavalry), Army of the United States.

Col. John Paul Doyle (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Francis Augustus Englehart, Ordnance Department.

Col. Bruce Cooper Clarke (major, Corps of Engineers), Army of the United States.

Col. Emil Lenzner (major, Signal Corps), Army of the United States.

Col. Leroy Hugh Watson, Infantry.

Col. James Creel Marshall (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Robinson Earl Duff (lieutenant colonel, Infantry), Army of the United States.

Col. William Albert Collier (lieutenant colonel, Infantry), Army of the United States.

Col. Sumner Waite, Infantry.

Col. Julian Merritt Chappell (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. William Franklin Campbell (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. John Ter Bush Bissell (lieutenant colonel, Field Artillery), Army of the United States.

Col. Carter Weldon Clarke (lieutenant colonel, Signal Corps), Army of the United States.

Col. Ford Larimore Fair (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Chaplain (Colonel) George Foreman Rixey, United States Army.

Col. Urban Niblo (lieutenant colonel, Ordnance Department), Army of the United States.

Col. Crump Garvin (lieutenant colonel, Infantry), Army of the United States.

Col. Harry Howard Baird (lieutenant colonel, Cavalry), Army of the United States.

Col. James Stevenson Rodwell (lieutenant colonel, Cavalry), Army of the United States.

Col. Emery Scott Wetzel (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Harold Loring Mace (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Harold Alling McGinnis (lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Harold Eugene Eastwood (lieutenant colonel, Cavalry), Army of the United States.

Col. Hammond McDougal Monroe (lieutenant colonel, Infantry), Army of the United States.

Col. Francis Gerard Brink (lieutenant colonel, Infantry), Army of the United States.

Col. Samuel Davis Sturgis, Jr. (lieutenant colonel, Corps of Engineers), Army of the United States.

Col. Ernest Aaron Bixby (lieutenant colonel, Field Artillery), Army of the United States.

Col. John Harold Wilson (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Charles Heyward Barnwell, Jr. (lieutenant colonel, Infantry), Army of the United States.

Col. Ralph Adel Snavely (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

To be major general

Brig. Gen. William Joseph Donovan (colonel, Cavalry Reserve), Army of the United States.

To be brigadier generals

Col. Robert Wilbar Wilson (lieutenant colonel, Field Artillery Reserve), Army of the United States.

Col. L. Kemper Williams, Infantry Reserve.

Col. Frederick Walker Castle (first lieutenant, Air Reserve; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Archie J. Old, Jr. (captain, Air Reserve; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. David Sarnoff, Signal Reserve.

Col. Timothy James Manning (temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. William Andros Barron, Jr., Army of the United States.

Col. Oscar Nathaniel Solbert, Army of the United States.

Col. John Adams Appleton, Army of the United States.

Col. Rudolph Charles Kuldell, Army of the United States.

HONOR GRADUATES FOR APPOINTMENT IN THE REGULAR ARMY

To be second lieutenants with rank from December 1, 1944

INFANTRY

Douglas Monroe Benbrook
Joseph Anthony Bohnak
Edgar Nicholas Glotzbach
Leroy Arthur Guest
Wilford LeRoy Harrelson, Jr.
Jules Ord Hendricks
Dallas Wilkinson Hoadley
John Merlin Hunter
Clifford Joseph Kalista
Maurice Wesley Kendall
Jonathan Frederic Ladd
John Browder Longley
Ben Hugh Lowry
George Horace Ried
William Bruce Robertson
Edward Ellis Smith
Robert Orion Smythe
Thomas Elton Terry
James Vardaman Thompson
Frederick Alven Wells

CAVALRY

William Francis Callahan, Jr.
John Hamilton Irving, Jr.

FIELD ARTILLERY

Philip Myers Chamberlain, Jr.
Ralph William Deuster
William Jefferson Galloway
James Marion Kidd, Jr.
Charles Ledyard McCord
Billy Murray McCormac
William Charles McKamy
Robert Louis Perdue
Lawrence Harrison Rogers 2d.
Carroll Hamilton Wood
E. T. York, Jr.

COAST ARTILLERY CORPS

Aaron George Amacher
Spencer Roe Baen
Stanley Marlin Block
John William McConnell, Jr.
Frank Watt Rose, Jr.
Vernon Roberts Widerquist

CORPS OF ENGINEERS

Edsel Jay Burkhart
William George Donaldson
John Irwin Dye
Stephen Charles Kaffer

SIGNAL CORPS

Daniel Overton
George Murrell Snead, Jr.

ORDNANCE DEPARTMENT

George Henry Childers
Walter Edward Rafert

CHEMICAL WARFARE SERVICE

David Mortimer Falk

QUARTERMASTER CORPS

William Wooldridge Dillard
Robert Bruce Stiles

APPOINTMENTS IN THE REGULAR ARMY

MEDICAL CORPS

To be first lieutenants, with rank from date of appointment

First Lt. William Karl Barton, Medical Corps Reserve.

Capt. Wayne Peter Beardsley, Army of the United States.

Capt. John Joseph Graff, Army of the United States.

Capt. Hal Bruce Jennings, Jr., Army of the United States.

Capt. Voris Francis McFall, Army of the United States.

Lt. Col. Wayne Creekmore Pittman, Army of the United States.

Capt. Joseph Gilbert Rogers, Army of the United States.

Maj. Carlton Willard Sargent, Army of the United States.

Capt. Walter Frank Smejkal, Army of the United States.

PHARMACY CORPS

To be second lieutenant, with rank from September 1, 1944

Pvt. (1st cl.) Jack Williamson McNamara, Army of the United States.

IN THE NAVY

Commodore Albert G. Noble, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 12th day of April 1943.

Commodore Jerauld Wright, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 5th day of May 1943.

Capt. James Fife, Jr., United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 7th day of April 1943.

Capt. Charles W. Styer, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 13th day of April 1943.

Capt. Howard H. J. Benson, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff and aide to commander, Gulf Sea Frontier.

Capt. Leon S. Fiske, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, Service Squadron 12.

Capt. Giles C. Stedman, United States Naval Reserve, to be a commodore in the Naval Reserve, for temporary service, to continue while serving as Superintendent of the United States Merchant Marine Academy, Kings Point, N. Y.

Capt. William J. C. Agnew, Medical Corps, United States Navy, to be a medical director with the rank of rear admiral in the Navy, for temporary service, to continue while serving as Assistant Chief of Bureau of Medicine and Surgery.

Vice Admiral David W. Bagley, United States Navy, to be a vice admiral in the Navy, for temporary service, to continue while serving as commander, Hawaiian Sea Frontier, to rank from the 1st day of February 1944.

Vice Admiral Charles M. Cooke, Jr., United States Navy, to be a vice admiral in the Navy, for temporary service, to rank from the 20th day of September 1944.

Vice Admiral Charles H. McMorris, United States Navy, to be a vice admiral in the Navy, for temporary service, to continue while serving as chief of staff to the commander in chief, United States Pacific Fleet, to rank from the 23d day of September 1944.

Vice Admiral Howard L. Vickery, United States Navy, to be a vice admiral in the Navy, for temporary service, to rank from the 24th day of October 1944.

Rear Admiral Luther Sheldon, Jr. (MC), United States Navy, to be a medical director with the rank of rear admiral in the Navy, for temporary service, to rank from the 15th day of September 1942.

Rear Admiral Lucius W. Johnson (MC), United States Navy, to be a medical director with the rank of rear admiral in the Navy, for temporary service, to rank from the 15th day of September 1942.

Rear Admiral Ingolf N. Kiland, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 26th day of February 1943.

Rear Admiral Thomas R. Cooley, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 20th day of March 1943.

Commodore John J. Mahoney, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, United States Naval Operating Base, Guantanamo Bay, Cuba, to rank from the 27th day of September 1944.

Commodore Valentine H. Schaeffer, United State Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Seventh Fleet, to rank from the 12th day of October 1944.

Commodore Albert L. Swasey, United States Naval Reserve, retired, to be a naval constructor with the rank of commodore in the Naval Reserve, on the retired list, for temporary service, to continue while serving in the Bureau of Ships, to rank from the 12th day of October 1944.

Commodore Irving H. Mayfield, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, South Pacific force, to rank from the 20th day of October 1944.

Commodore Francis W. Scanland, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, Naval Training and Distribution Center, Camp Elliott, San Diego, Calif., to rank from the 20th day of October 1944.

Commodore Otto M. Forster, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, Naval Training and Distribution Center, Shoemaker, Calif., to rank from the 20th day of October 1944.

Commodore Paulus P. Powell, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Third Amphibious Force, to rank from the 20th day of October 1944.

Commodore Clifford G. Richardson, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 20th day of October 1944.

Commodore Merrill Comstock, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, submarine force, Pacific Fleet, to rank from the 20th day of October 1944.

Commodore Herbert B. Knowles, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 20th day of October 1944.

Commodore Donald W. Loomis, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 20th day of October 1944.

Commodore Thomas P. Jeter, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, battleships, Pacific Fleet, to rank from the 20th day of October 1944.

Commodore John B. McGovern, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 20th day of October 1944.

Commodore Arleigh A. Burke, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, First Carrier Task Force, Pacific Fleet, to rank from the 20th day of October 1944.

Commodore Edwin D. Foster (SC), United States Navy, to be a pay director with the rank of commodore in the Navy, for temporary service, to continue while serving as aviation supply officer and supply officer in command, Naval Aviation Supply Depot, Philadelphia, Pa., to rank from the 20th day of October 1944.

Commodore Milton O. Carlson, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 25th day of October 1944.

Commodore Henry C. Flanagan, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 25th day of October 1944.

Commodore Vernon F. Grant, United States Navy, retired, to be a commodore in the Navy, on the retired list, for temporary service, to continue while serving as commander, Naval Air Bases, Guam, to rank from the 25th day of October 1944.

Capt. John G. Moyer, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 10th day of November 1944.

Capt. Homer W. Graf, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 10th day of November 1944.

Capt. Russell H. Ihrig, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff of the commander in chief, United States Pacific Fleet and Pacific Ocean areas, to rank from the 10th day of November 1944.

Capt. James B. Carter, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as assistant chief of staff (operations) to commander in chief, United States Pacific Fleet and Pacific Ocean areas, to rank from the 10th day of November 1944.

Capt. Thomas B. Brittain, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, to rank from the 10th day of November 1944.

POSTMASTERS

The following-named persons to be postmasters:

ARKANSAS

Opal Mae Roland, Bryant, Ark. Office became Presidential July 1, 1944.

Manley E. Nation, Lamar, Ark., in place of L. C. Barger, deceased.

Jesse C. Latta, Pollard, Ark. Office became Presidential July 1, 1944.

Riley B. Emory, Rose Bud, Ark. Office became Presidential July 1, 1944.

CALIFORNIA

Oliver H. Umberham, El Modeno, Calif. Office became Presidential July 1, 1944.

CONNECTICUT

William J. Farnan, Stonington, Conn., in place of W. J. Farnan. Incumbent's commission expired May 12, 1942.

FLORIDA

Randilla B. Renfroe, Dover, Fla. Office became Presidential July 1, 1943.

INDIANA

Albert T. Ferber, Palmyra, Ind. Office became Presidential July 1, 1943.

Clarence Rea, Patriot, Ind. Office became Presidential July 1, 1944.

ILLINOIS

Lawrence F. Markus, Aviston, Ill. Office became Presidential July 1, 1944.

Frances Dalziel, Braceville, Ill. Office became Presidential July 1, 1943.

Carl Miller, Macedonia, Ill. Office became Presidential July 1, 1944.

Alfred R. Hart, Modesto, Ill. Office became Presidential July 1, 1943.

KENTUCKY

Bertha D. Vincent, Brownsville, Ky., in place of J. V. Carder, deceased.

William G. Kelly, Maceo, Ky. Office became Presidential July 1, 1944.

Oleva C. Bailey, Rineyville, Ky. Office became Presidential July 1, 1944.

LOUISIANA

Eva A. Matlock, Bethany, La. Office became Presidential July 1, 1944.

Mary V. Bryson, Greenwood, La. Office became Presidential July 1, 1944.

Robert Hamilton Fuller, Hosston, La. Office became Presidential July 1, 1944.

Idella N. Trombino, Keatchie, La. Office became Presidential July 1, 1944.

Annie I. McCord, Keithville, La. Office became Presidential July 1, 1944.

Audrey Rowe, Longstreet, La. Office became Presidential July 1, 1944.

Adina M. Edwards, Noble, La. Office became Presidential July 1, 1944.

Orren M. Peters, Quitman, La. Office became Presidential July 1, 1943.

MICHIGAN

Meda G. Keith, Bellevue, Mich., in place of W. A. Young, removed.

Velma Strait, Horton, Mich. Office became Presidential July 1, 1944.

Carol F. Acre, Otter Lake, Mich. Office became Presidential July 1, 1944.

MINNESOTA

Thomas J. McGonigal, Bayport, Minn., in place of C. A. Smith, retired.

Ervan W. Finke, Vining, Minn. Office became Presidential July 1, 1944.

MISSISSIPPI

Louise Burris, McCall Creek, Miss. Office became Presidential July 1, 1944.

MISSOURI

Chester Alan Platt, Jefferson City, Mo., in place of Albert Linxwiler, deceased.

Josephine B. Diggs, Jonesburg, Mo., in place of W. H. Fleahman, resigned.

Otis C. Mackey, Morrisville, Mo. Office became Presidential July 1, 1944.

Nadine Smith, Tina, Mo. Office became Presidential July 1, 1944.

NEW JERSEY

L. Raymond Gunter, Columbia, N. J. Office became Presidential July 1, 1944.

William T. Keeshan, Navesink, N. J. Office became Presidential July 1, 1944.

OHIO

Frances L. Robinson, West Jefferson, Ohio, in place of J. S. Hockenbery, resigned.

OKLAHOMA

Pearl L. Bulman, Mill Creek, Okla., in place of J. S. Austin, transferred.

Ward H. Roysden, Pocasset, Okla. Office became Presidential July 1, 1944.

OREGON

Beatrice I. Scoggins, Arlington, Oreg., in place of L. O. Ferguson, resigned.

PENNSYLVANIA

Gladys M. Glass, Fallentimber, Pa. Office became Presidential July 1, 1944.

James H. McConnell, Jackson Center, Pa. Office became Presidential July 1, 1942.

Nathaniel E. Lyons, Lake Lynn, Pa. Office became Presidential July 1, 1942.

Jacob C. Reddig, Reamstown, Pa. Office became Presidential July 1, 1944.

Elsie D. Naylor, Warminster, Pa. Office became Presidential July 1, 1944.

Clay E. Houck, Warriors Mark, Pa. Office became Presidential July 1, 1944.

TEXAS

Edmond B. Cummins, Cleveland, Tex., in place of M. A. Anderson. Incumbent's commission expired April 11, 1942.

Roe Sledge, Forestburg, Tex. Office became Presidential July 1, 1944.

Mary V. Denton, Port Aransas, Tex., in place of A. L. Smith, removed.

William A. Ramirez, Roma, Tex. Office became Presidential July 1, 1943.

VERMONT

Arthur C. Wells, Bakersfield, Vt. Office became Presidential July 1, 1944.

Murray K. Paris, Lyndon, Vt. Office became Presidential July 1, 1944.

Raymond Taylor, Weston, Vt. Office became Presidential July 1, 1944.

VIRGINIA

Alvah B. Chappell, Clarksville, Va., in place of I. D. Newcomb, deceased.

E. Paul Osborne, Dungannon, Va. Office became Presidential July 1, 1944.

Charles G. Coppedge, Powhatan, Va., in place of G. H. Jenkins, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 21, 1944:

U. S. MARITIME COMMISSION

Edward Macauley to be a member, United States Maritime Commission, for the term of 6 years from September 26, 1944.

UNITED STATES PUBLIC HEALTH SERVICE

PROMOTIONS AND APPOINTMENTS IN THE REGULAR CORPS

To be temporary senior dental surgeons, effective October 1, 1944:

Leland E. Weyer

Robert A. Scroggie

Vernon J. Forney to be temporary dental surgeon, effective October 1, 1944.

Harold D. Lyman to be temporary senior surgeon, effective October 1, 1944.

To be temporary surgeons, effective October 1, 1944:

Daniel D. Chiles

James J. Griffitts

Robert R. Smith

To be temporary passed assistant surgeons, effective October 1, 1944:

Frederic C. Bartter

Warren S. Kennison

Joseph E. Maurer

Guy H. Faget to be temporary medical director, effective October 1, 1944.

Lynne A. Fullerton to be medical director, effective July 9, 1944.

Roy E. Wolfe to be temporary surgeon, effective September 15, 1944.

To be temporary surgeons, effective September 1, 1944:

David B. Wilson

George E. Parkhurst

Joe M. Chisolm

James K. Norman to be passed assistant surgeon, effective July 11, 1944.

To be assistant surgeons, effective date of oath:

John H. Prichett, Jr.

John K. McBane

Roland K. Iverson

Arthur Kornberg

Harold B. Alexander

Harry Leaffer

Henry A. Holle to be temporary senior surgeon, effective September 1, 1944.

Omar C. Hopkins to be temporary senior sanitary engineer, effective September 1, 1944.

WITHDRAWAL

Executive nomination withdrawn from the Senate November 21, 1944.

POSTMASTER

NEW YORK

Mrs. Gertrude A. Vande Bogart to be postmaster at Leonardsville, in the State of New York.

HOUSE OF REPRESENTATIVES

TUESDAY, NOVEMBER 21, 1944

The House met at 12 o'clock noon.

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

O Thou who dwellest in the midst of the throne, we rejoice that we are in the presence of One who loves and understands and promises: "They who wait on the Lord shall renew their strength." We pray Thee to fortify us against temptation; make us faithful to that which we love and ever prepare us for labor here and for a brighter world beyond. Keep us free from that which is purely temporal and transient, ever sensible to the glorious things of the spirit.

We pray for those who are defending us on sea, land, and air, suffering the hardships of war even unto death, and for those homes from which they have gone; may they not sorrow as those who have no hope. Heavenly Father, in these gray and sober days reveal unto America the kindred humanness of all enslaved and tortured peoples. Humble us and lay bare before us our obligation and allow nothing to draw us away from our Christian duty. Be with us, O Divine Exemplar, subduing confusion and discord, taking away our narrow sense of liberty and our feeble understanding. In all things may we acknowledge Thee to be the Lord, and let us hear again the song of the morning stars in a world redeemed through Him who hath loved us and gave His life that we might claim eternity as our own. In the name of Saint Mary's holy Child. Amen.

The Journal of the proceedings of Monday, November 20, 1944, was read and approved.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation, which was read by the Clerk:

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

HON. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the standing Committee on Mines and Mining and also the standing Committee on the Public Lands of the House of Representatives.

Respectfully submitted.

WALTER E. BREHM,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

INFORMATION REGARDING CERTAIN REFUGEES

Mr. DICKSTEIN. Mr. Speaker, by direction of the Committee on Immigra-

tion and Naturalization, I present a privileged report and resolution (H. Res. 568; Rept. No. 1913) and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Attorney General be, and he is hereby, directed to furnish the House of Representatives the answers to the following questions:

(1) How many refugees, if any, and of what nationality and from what countries, have arrived in the United States by plane at LaGuardia Field, N. Y., since June 1943?

(2) How many refugees, if any, and of what nationality and from what countries, have arrived at any other airports in the United States, giving the names of such airports, during the same period?

Mr. DICKSTEIN. Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. FAY. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes today following the legislative business of the day and other special orders.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein excerpts from remarks at the testimonial dinner given to Hon. James A. Farley upon his retirement as chairman of the New York Democratic State Committee, July 10, 1944.

I have an estimate from the Public Printer that it will exceed the two-page limit by one-half page at a cost of $130. Notwithstanding, I ask unanimous consent that it be inserted in the RECORD.

The SPEAKER. Notwithstanding the cost, without objection, it is so ordered.

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in connection with two matters, and to include in one an editorial that appeared in the Evening Tribune, Lawrence, Mass., entitled "Al Smith," and in the second to include an address by His Excellency Archbishop-Elect Richard J. Cushing, of Boston, Mass.

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

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address which I made over the radio recently.

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

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a letter I have today filed with the House Committee on the Post Office and Post Roads.

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

There was no objection.

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a short statement.

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

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a resolution.

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

There was no objection.

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Wall Street Journal.

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

There was no objection.

NO PUBLIC DEMONSTRATION UNTIL FINAL VICTORY

Mr. BREHM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. BREHM. Mr. Speaker, I am today introducing a House concurrent resolution and sincerely trust that prompt and favorable action may be taken on it. Personally I feel that it would be extremely unfair to our boys now fighting in the Pacific, as well as to the memory of those who have given their lives in that theater of operation, to engage in any public demonstration simply because Germany might collapse, unless it be a prayer of thanksgiving.

I trust America will reserve any emotional upheaval until final victory is achieved on all battle fronts.

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

AMENDMENT TO ACT ENTITLED "AN ACT FOR THE CONFIRMATION OF THE TITLE TO THE SALINE LANDS IN JACKSON COUNTY, STATE OF ILLINOIS"

The Clerk called the first bill on the Private Calendar, S. 1451, to amend the act entitled "An act for the confirmation of the title to the Saline Lands, in Jackson County, State of Illinois, to D. H. Brush, and others," approved March 2, 1861.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act for the confirmation of the title to the Saline Lands in Jackson County, State of Illinois, to D. H. Brush, and others", approved March 2, 1861 (12 Stat. 891), is amended by striking out so much thereof as reads as follows: "To Stephen Holliday, the southwest quarter of the southeast quarter of the southeast quarter of section thirty-one, township eight, of range two:", and inserting in lieu thereof the following: "To Stephen Holliday, the southeast quarter of the southeast quarter of section thirty-one, township eight, of range two:".

SEC. 2. The amendment made by the first section of this act shall be effective as of March 2, 1861.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PHOEBE SHERMAN

The Clerk called the next bill, H. R. 2354, for the relief of Mrs. Phoebe Sherman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Phoebe Sherman, Eatontown, N. J., the sum of $4,642. The payment of such sum shall be in full settlement of all claims of the said Mrs. Phoebe Sherman against the United States on account of personal injuries sustained by her on January 19, 1942, when the automobile in which she was riding was struck in the borough of Shrewsbury, N. J., by a United States Army truck.

With the following committee amendment:

Page 1, strike out all after the enacting clause and insert the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500 to the estate of Mrs. Phoebe Sherman; to pay the sum of $650 to Mrs. Harriett W. Vanderhoef; and to pay the sum of $150 to Allan Vanderhoef, of Red Bank, N. J. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries, medical expenses, and property damage sustained when Mrs. Vanderhoef's car was involved in a collision with a United States Army truck in Shrewsbury, N. J., on January 19, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Mrs. Phoebe Sherman and Mrs. Harriett W. Vanderhoef."

CLARENCE H. MILES ET AL.

The Clerk called the next bill, H. R. 2688, for the relief of Clarence H. Miles, Mrs. Mollie Miles, and Hardy Miles, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clarence H. Miles, of Leesville, La., the sum of $500, to Mrs. Mollie Miles, of Leesville, La., the sum of $2,500; and to Clarence H. Miles, of Leesville, La., as father of Hardy Miles, a minor, the sum of $1,000, for personal injuries sustained by the said Clarence H. Miles, Mrs. Mollie Miles, and Hardy Miles when the automobile in which they were riding was struck by a United States Army truck near Leesville, La., on September 10, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$500" and insert "$250."

Page 1, line 9, strike out "$1,000" and insert "$250."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IDA M. RUTHERFORD

The Clerk called the next bill, H. R. 2827, for the relief of Ida M. Rutherford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida M. Rutherford, of West Bloomfield, N. Y., the sum of $5,000, in full settlement of all claims against the United States for compensation for personal injuries sustained by her and for reimbursement of medical, hospital, and other expenses incurred by her as the result of her being struck and knocked down by Israel Zitron, an employee of the Ordnance Department of the United States, on a public sidewalk on Franklin Street, in the city of Rochester, N. Y., on December 28, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$4,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ROSE POISSON

The Clerk called the next bill, H. R. 3285, for the relief of Mrs. Rose Poisson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement of all claims against the Government of the United States, the sum of $2,000, to Mrs. Rose Poisson, of Fall River, Mass., for medical and hospital expenses, loss of wages, and for personal injuries received as the result of an accident involving an Army truck on January 21, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$2,000" and insert "$1,269.50."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. VIOLET DE GROOT

The Clerk called the next bill, H. R. 3727, for the relief of Mrs. Violet De Groot.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Violet DeGroot, the sum of $2,500, in full settlement of all claims against the United States for injury to said Violet DeGroot, on September 29, 1943, as a result of negligence and excessive speed in the operation of an Army vehicle in the city of Auburndale, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the words "appropriated to", insert "the legal guardian of."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the legal guardian of Violet De Groot."

CHARLES NOAH SHIPP

The Clerk called the next bill, H. R. 3791, for the relief of the estate of Charles Noah Shipp, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Charles Noah Shipp, deceased, a mechanic's helper at the time of his death, the sum of $10,000, in full settlement of all claims against the United States for the death of Charles Noah Shipp, April 2, 1943, as the result of being run over by an Army tank on that date, which was being operated by a soldier in the service of the United States Army, which occurred on the right-of-way of United States Highway No. 31W, a public highway of Hardin County, Ky., between Radcliff and Fort Knox, Ky., in Hardin County: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$10,000" and insert "$5,361."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

F. L. GAUSE, ROSALIND GAUSE, AND HELEN GAUSE

The Clerk called the next bill, H. R. 3996, for the relief of F. L. Gause, Rosalind Gause, and Helen Gause.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15,000 to F. L. Gause for personal injuries and permanent disability; the sum of $25,000 to Rosalind Gause for personal injuries and permanent disability; and the sum of $1,500 to Helen Gause for personal injuries and permanent disability, as a result of a United States Army airplane crashing into the automobile in which they were passengers on West Beach of Galveston Island, Galveston County, Tex., on February 21, 1943. The Secretary of the Treasury is also hereby authorized and directed to pay F. L. Gause medical and hospital expenses in the total sum of $2,006.65, incurred by himself, Rosalind Gause, and Helen Gause; also the sum of $114 for damage to the automobile owned by F. L. Gause: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this

act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after the word "of", strike out down to and including the word "Gause", on page 2, line 8, and insert "$10,000 to F. L. Gause, of Galveston, Tex., for property damage, personal injuries, and permanent disability to himself: and medical and hospital expenses incurred for himself and his two minor daughters; to pay the sum of $12,500 to the legal guardian of Rosalind Gause, a minor, for personal injuries and permanent disability; and to pay the sum of $1,500 to the legal guardian of Helen Gause, a minor, for personal injuries and permanent disability, as a result of a United States Army airplane crashing into the automobile in which they were riding on West Beach Road, Galveston Island, Galveston County, Tex., on February 21, 1943."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of F. L. Gause and the legal guardian of Rosalind and Helen Gause, minors."

MRS. RUBY WINSCH

The Clerk called the next bill, H. R. 4014, for the relief of Mrs. Ruby Winsch.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ruby Winsch, Newark, Ohio, the sum of $2,109.29. The payment of such sum shall be in full settlement of all claims of the said Mrs. Ruby Winsch against the United States on account of personal injuries sustained by her as the result of the crash of a United States Army bomber at Newark, Ohio, on September 8, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALFRED F. ROSS

The Clerk called the next bill, H. R. 4049, for the relief of Alfred F. Ross.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alfred F. Ross, of Marion County, Kans., the sum of $1,930.25, in full settlement of all claims against the United States by reason of personal injuries sustained on account of a collision with a Government truck operated by the Work Projects Administration agency of the United States Government, said injuries having occurred on the 28th day of November 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person found guilty of violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS BECKHAM

The Clerk called the next bill, H. R. 4111, for the relief of Louis Beckham.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. Louis Beckham, Jersey City, N. J., the sum of $2,500. The payment of such sum shall be in full settlement of all claims of the said Mr. Louis Beckham against the United States for injuries sustained on August 9, 1942, when a United States Army truck struck said Mr. Beckham while he was walking in a southerly direction on Jackson Avenue, and having reached the intersection of Jackson and Bramhall Avenues, Jersey City, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$2,500" and insert "$1,343.50."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY CLAY WALKER

The Clerk called the next bill, H. R. 4305, for the relief of Henry Clay Walker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Henry Clay Walker, who is alleged to have sustained injuries diagnosed as ruptured intervertebral disc, necessitating operation for removal of disc and wearing of steel cast, in line of duty on or about September 15, 1942, while employed in the United States navy yard at Boston, Mass., and his claim for compensation is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

SEC. 2. The monthly compensation which the said Henry Clay Walker may be entitled to receive by reason of the enactment of this act shall commence on the first day of the month during which this act is enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MABELLE E. OLIVE

The Clerk called the next bill, H. R. 4380, for the relief of Mabelle E. Olive.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mabelle E. Olive, of Quincy, Mass., the sum of $5,000, in full settlement of all claims against the United States for personal injuries sustained as a result of an accident involving a United States Army vehicle and an Eastern Massachusetts Street Railway bus in Quincy, Mass., on January 12, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$2,655."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREDERICK G. GOEBEL

The Clerk called the next bill, S. 1461, for the relief of Frederick G. Goebel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $103.45 to Frederick G. Goebel, of Van Buren, Maine, a customs patrol inspector, United States Bureau of Customs, in full satisfaction of his claim against the United States for reimbursement of the total amount refunded by him as the result of the disallowance by the General Accounting Office of part of the travel expenses incurred by him during the period January 22 to February 7, 1937, inclusive, in traveling by personally owned automobile from Buffalo, N. Y., to Portland, Oreg., such excess travel expenses having resulted from the taking of a circuitous route necessitated by acts of God and other conditions beyond the control of the said Frederick G. Goebel: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. A. R. ADAMS

The Clerk called the next bill, S. 1465, for the relief of Dr. A. R. Adams.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. A. R. Adams, of Leavenworth, Kans., the sum of $225, in full satisfaction of his claim against the United States for compensation for services rendered in conducting physical examinations of prospective employees of the United States pursuant to contract No. W-425-eng-409, dated April 14, 1942, with the post engineer, Corps of Engineers, at Fort Leavenworth, Kans., such claim having been disallowed by the Comptroller General on the ground that payment for such examinations was not authorized by law: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARINO BELLO

The Clerk called the next bill, S. 1483, for the relief of Marino Bello.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPRINGER and Mr. HALE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

HELEN HALVERSON

The Clerk called the next bill, S. 1731, for the relief of Helen Halverson.

There being no objection, the clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Helen Halverson, of Kimball, S. Dak., the sum of $3,000, in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her, and for reimbursement of medical, hospital, and other expenses incurred by her, as a result of an accident which occurred when the bicycle which she was riding was struck by a United States Navy vehicle on St. Simons Island, Ga., on April 3, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. HALE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALE: On page 1, line 6, strike out "$3,000" and insert "$2,500."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SQUARE D CO.

The Clerk called the next bill, S. 1763, for the relief of the Square D Co.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of the Square D Co. for payment for certain electrical supplies which were delivered by the said company to the War Department, construction quartermaster, Borinquen Field, P. R., on or about April 1, 1941, upon the failure of a Government contractor to make delivery thereof, and to allow in full and final settlement of the claim the sum of not to exceed $8,276.82. There is hereby appropriated the sum of $8,276.82, or so much thereof as may be necessary, for the payment of said claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MAY HOLLAND

The Clerk called the next bill, H. R. 2345, for the relief of Mrs. May Holland.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPRINGER and Mr. HALE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

DONNA MAY McNULTY

The Clerk called the next bill, H. R. 3463, for the relief of Donna May McNulty.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

ARCHIE BERBERIAN, KURKEN BERBERIAN, AND MRS. OSGETEL BERBERIAN

The Clerk called the next bill, H. R. 3465, for the relief of Archie Berberian, Kurken Berberian, and Mrs. Osgetel Berberian.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $9,300 to Archie Berberian and Kurken Berberian, in full settlement of all claims against the United States for damages to their residence; to pay the sum of $500 to Mrs. Osgetel Berberian for personal injuries, medical and hospital expenses, sustained as a result of a United States Army plane crashing into their home in Warwick, R. I., on April 6, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$9,300" and insert "$7,602.39."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNITED STATES COURT FOR CHINA

The Clerk called the next bill, H. R. 4080, for the relief of certain former employees of the United States Court for China.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the following former employees of the United States Court for China the amount set forth opposite his name, such amount representing compensation as an employee of such court for the period beginning July 1, 1942, and ending May 20, 1943, the date such court ceased to exist:

Zee Yang Ling, $773.34; Koo Yu Tsong, $501.34; Wong Nyok Dong, $373.34; Gue Young Kong, $261.34; Zee Yung Zai, $261.34; Chow Zung Kung, $80.

With the following committee amendment:

At the end of the bill insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN L. MACNEIL

The Clerk called the next bill, H. R. 4631, for the relief of John L. MacNeil.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the appointment, effective March 26, 1943, by order of the Secretary of War, under the provisions of section 1, the Military Appropriation Act, 1943 (Pub-

lic Law 649, 77th Cong.), of John L. MacNeil, in an advisory capacity to the Secretary of War, with payment of actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses while serving away from his home, without other compensation from the United States, is hereby amended to be in effect for the period July 1, 1942, to March 25, 1943, inclusive.

SEC. 2. That the appointment made in section 1 of this act shall be in lieu of the appointment, effectitve July 1, 1942, terminated March 25, 1943, by order of the Secretary of War, under the provisions of section 8, Military Appropriation Act, 1942 (Public Law 139, 77th Cong.), of John L. MacNeil, as expert consultant, with compensation of $10 per diem.

SEC. 3. That all United States Government transportation requests issued during the period July 1, 1942, to March 25, 1943, inclusive, for the travel of John L. MacNeil, invalid under the appointment referred to in section 2 of this act, but which would have been valid if they had been issued pursuant to his appointment under section 1 of this act, are hereby validated and the Comptroller General of the United States is hereby authorized and directed to credit in the settlement of the accounts of the disbursing officer or officers who has or have paid, or may hereafter pay, the sums stated in the aforesaid requests which have been or may hereafter be disallowed, the amounts so paid by him or them: *Provided*, That no person shall be held pecuniarily liable for any part of the sum credited in the disbursing officer's account under the authority of this section.

SEC. 4. That the Secretary of the Treasury is authorized and directed to pay John L. MacNeil, out of any moneys in the Treasury not otherwise appropriated, any amounts of actual transportation expenses, and not to exceed $10 per diem in lieu of subsistence and other expenses while serving away from his home, to which he would have been or may become entitled for the period July 1, 1942, to March 25, 1943, inclusive, under the appointment made by section 1 of this act, and for the period subsequent to March 25, 1943, not heretofore paid: *Provided*, That all amounts heretofore paid to John L. MacNeil pursuant to the appointment referred to in section 2 of this act shall be deducted from the amounts to be paid under the authority of this section.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DIEMER ADISON COULTER AND FRANCES ANDREWS COULTER

The Clerk called the next bill, H. R. 2150, for the relief of Diemer Adison Coulter and Frances Andrews Coulter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Diemer Adison Coulter, Huntsville, Ala., the sum of $5,000 and to Frances Andrews Coulter, Huntsville, Ala., the sum of $5,000. The payment of such sums shall be in full settlement of all claims against the United States arising out of personal injuries sustained by the said Frances Andrews Coulter and the death of Gerald Coulter, the minor child of the said Diemer Adison Coulter and Frances Andrews Coulter, on December 11, 1941, when they were struck by an automobile driven by an enlisted man of the United States Army on United States Highway No. 72 near Huntsville, Ala.

With the following committee amendments:

On page 1, line 6, strike out "$5,000" and insert "$2,500" and in line 7 strike out "$5,000" and insert "$2,000."

At the end of the bill insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE A. CARDEN AND ANDERSON T. HERD

The Clerk called the next bill, H. R. 4513, to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPRINGER and Mr. HALE objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

CITY NATIONAL BANK BUILDING CO.

The Clerk called the next bill, S. 1453, for the relief of the City National Bank Building Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE, Mr. MADDEN, and Mr. PRIEST objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MR. AND MRS. JOHN BORREGO ET AL.

The Clerk called the next bill, S. 1605, for the relief of Mr. and Mrs. John Borrego; Mr. and Mrs. Joe Silva; the legal guardian of Frank Borrego; the legal guardian of Rueben Silva; and the legal guardian of Rudolph Silva.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Mr. and Mrs. John Borrego, of Garden Grove, Calif., the sum of $6,622.48, in full satisfaction of their claims against the United States for medical and hospital expenses incurred by them for the treatment of their minor children, Rosealva Borrego, Faith Borrego, and Frank Borrego, for burial expenses for Rosealva Borrego and Faith Borrego, and for compensation for their deaths; (2) to Mr. and Mrs. Joe Silva, of Garden Grove, Calif., the sum of $6,732.48, in full satisfaction of their claims against the United States for medical and hospital expenses incurred by them for the treatment of their minor children, Mary Silva, Frances Silva, Rueben Silva, and Rudolph Silva, for burial expenses for Mary Silva and Frances Silva, and for compensation for their deaths; and (3) to the legal guardian of Frank Borrego the sum of $1,000, to the legal guardian of Rueben Silva the sum of $1,000, and to the legal guardian of Rudolph Silva the sum of $1,000, in full satisfaction of all claims against the United States for personal injuries sustained by the said Frank Borrego, Rueben Silva, and Rudolph Silva; all as a result of an explosion which occurred when an Army airplane crashed near Huntington Beach, Calif., on June 27, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

GLADYS A. ENNIS

The Clerk called the next bill, H. R. 195, for the relief of Gladys A. Ennis as executrix of the estate of George Pearse Ennis, deceased, and Oscar H. Julius.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Gladys A. Ennis as executrix of the estate of George Pearse Ennis, deceased, and Oscar H. Julius, the sum of $514.10. Such sum represents moneys expended by the said George Pearse Ennis and Oscar H. Julius for the rental of studio at 626–628 West Twenty-fourth Street, New York, N. Y., and public utilities for the use by the West Point glass project of the Work Projects Administration (official project No. 65–1699, superseded by No. 265–95–6900 W. P. 829) during the period October 1935 to March 1936, the said estate of George Pearse Ennis, deceased, and Oscar H. Julius have not been reimbursed for said expenditures and their claim for said sum has been disallowed as an unauthorized claim.

With the following committee amendment:

On page 1, line 7, strike out all after the word "of", down to and including the word "claim", on line 8, page 2, and insert "$514.10; and to pay to the Excelsior Automotive Service, Inc., the sum of $692.50. Such sums represent moneys expended by them for the rental of studio at 626–628 West Twenty-fourth Street, New York, N. Y., and public utilities for the use by the West Point glass project of the Works Progress Administration for the period October 1935 to March 1936, and the period February 1936 to April 12, 1937, respectively: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1.000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Gladys A. Ennis as executrix of the estate of George Pearse Ennis, deceased, and Oscar H. Julius; and the Excelsior Automotive Service, Inc."

DR. W. R. WILLIAMS

The Clerk called the next bill, H. R. 3074, for the relief of Dr. W. R. Williams.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE and Mr. MOTT objected, and the bill was recommitted to the Committee on Claims.

MRS. PEARL W. PETERSON

The Clerk called the next bill, H. R. 3484, for the relief of Mrs. Pearl W Peterson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Pearl W. Peterson, Washington, D. C., the sum of $1,500. The payment of such sum shall be in full settlement of all claims against the United States for personal injuries sustained by the said Mrs. Pearl W. Peterson on May 28, 1943, when she was struck while walking across the intersection of Seventh Street and Market Square NW., Washington, D. C., by a truck in the service of the Office for Emergency Management.

With the following committee amendment:

On page 2, line 2, change the period to a colon and add the following: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JEANNETTE B. STEDMAN

The Clerk called the next bill, H. R. 3782, for the relief of Mrs. Jeannette B. Stedman.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPRINGER and Mr. MOTT objected, and the bill was recommitted to the Committee on Claims.

M. SENDERS & CO.

The Clerk called the next bill, H. R. 3814, for the relief of M. Senders & Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE. Mr. Speaker, I object.

The SPEAKER. One objection is not sufficient.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. Senders & Co., of Albany, Oreg., the sum of $5,000, in full satisfaction of its claim against the United States for compensation for the loss of property and business incurred as a result of the acquisition by the United States for military purposes of certain land at Wells, Oreg., which had theretofore been leased by the said M. Senders & Co. and upon which the said M. Senders & Co. had erected and maintained a warehouse: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 6, strike out "$5,000", insert "$3,000."

On lines 6 and 7, strike out the words "its claim" and insert the words "all claims."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

O. S. STAPLEY CO.

The Clerk called the next bill, H. R. 3852, for the relief of the O. S. Stapley Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the O. S. Stapley Co., of Phoenix, Ariz., the sum of $362.45, in full satisfaction of its claim against the United States for damages arising out of the rental by the Work Projects Administration in Arizona of a TD-40 tractor, owned by said company, under contract No. ER-TO2ps-4964 and dated May 5, 1941: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 7, strike out the words "its claim" and insert the words "all claims."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

ELSIE HAWKE AND CHARLES HAWKE

The Clerk called the next bill, H. R. 3584, for the relief of Elsie Hawke and Charles Hawke.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elsie Hawke and Charles Hawke, of 7820 Garfield Avenue, Oakland, Calif., the sum of $250, in full settlement of all claims against the United States for personal injuries sustained on April 6, 1942, when an Army jeep No. W-2064111 which was in convoy traveling on Highway 50, two and one-half miles west of Pittsburg, Calif., at high speed struck their car almost head on.

With the following committee amendments:

On page 1, line 5, strike out the words "and Charles Hawke" and on page 2, line 2, strike out the words "their car almost head-on" and insert the words "the car which she was driving."

On page 2, line 3, insert the words: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Elsie Hawke."

MRS. ANNA ZUKAS

The Clerk called the next bill, H. R. 3880, for the relief of Mrs. Anna Zukas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Anna Zukas, Cleveland, Ohio, the sum of $6,671. The payment of such sum shall be in full settlement of all claims of the said Mrs. Anna Zukas against the United States for personal injuries sustained on March 6, 1942, when a United States mail truck struck said Mrs. Anna Zukas while she was standing on a raised safety zone at East Seventy-ninth Street and Superior Avenue, Cleveland: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 6, strike out "$6,671.00" and insert "$1,896.61."

On page 1, line 7, insert the words "less Post Office warrant No. 108179, for $500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

JOHN H. BONNEY

The Clerk called the next bill, H. R. 4036, for the relief of John H. Bonney, the legal guardian of Daniel R. Bonney, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized

and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $270.50, to John H. Bonney, of 16 Cushing Street, Medford, Mass., as legal guardian of Daniel R. Bonney, in full settlement of all claims against the United States for property damages sustained as a result of a fire in the living quarters of a group of Boy Scouts in Maysville, Maine, who were engaged in gathering the potato crop under the direction of the War Food Administration, Maine Extension Division, Orono, Maine, on September 22, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIG. GEN. LOUIS J. FORTIER

The Clerk called the next bill, H. R. 4144, for the relief of Brig. Gen. Louis J. Fortier.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,140.80 to Brig. Gen. Louis J. Fortier, of Camp McCain, Miss., in full settlement of all claims against the United States as reimbursement for the loss of personal property as a result of the Yugoslav-German campaign, when he, while serving as military attaché, was forced to leave Belgrade, Yugoslavia, on April 24, 1941, without his clothing, household and other personal effects: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. FLORENCE ARMSTRONG

The Clerk called the next bill, H. R. 4331, for the relief of Mrs. Florence Armstrong.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Florence Armstrong, of East Haven, Conn., the sum of $2,500, in full settlement of all claims against the United States as compensation for injuries sustained and expenses incident thereto, when the automobile in which she was riding was struck by a truck owned by the Work Projects Administration on April 25, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$2,500" and insert "$1,650."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. EUGENE W. RANDALL

The Clerk called the next bill, S. 1471, for the relief of Mrs. Eugene W. Randall.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Eugene W. Randall, route 1, Riverview Station, St. Paul, Minn., the sum of $1,000 in full satisfaction of all claims against the United States for damages sustained by her as a result of being struck by an automobile operated by a rural mail carrier on July 8, 1942, in the driveway to her home: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$1,000" and insert "$2,500."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAU MOTOR SALES CO.

The Clerk called the next bill, S. 1501, for the relief of the Rau Motor Sales Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Rau Motor Sales Co., of Harrold, S. Dak., the sum of $250, in full satisfaction of its claim against the United States for reimbursement of the amount paid by the said company in settlement of its liability to the United States under contract No. I-1-Ind-19827 covering the procurement of a school bus for the Department of the Interior, such contract having been awarded to the said company despite a request made by it prior to the awarding of such contract that its bid thereon be canceled because of an error made in computing the price quoted in such bid: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK ROBERTSON

The Clerk called the next bill, S. 1572, for the relief of Frank Robertson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Robertson, of Portland, Oreg., the sum of $86.13, in full satisfaction of his claim against the United States for payment on account of a $50 Fourth Liberty Loan bond which he purchased and paid for through the disbursing office at the United States Navy Yard, Puget Sound, Wash., but which was never delivered to him, with interest at the rate of 4¼ percent from date of issue, October 24, 1918, to October 15, 1935, the final redemption date of bonds of said Fourth Liberty Loan: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN W. FARRELL

The Clerk called the next bill, H. R. 529, for the relief of John W. Farrell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John W. Farrell, of New York, N. Y., the sum of $1,500, in full settlement of all claims against the Government of the United States for damages received to an automobile truck owned by the said John W. Farrell on the 6th day of June 1938, when the said truck was completely damaged as a result of the careless and negligent manner in which the Works Progress Administration was constructing and repairing the roadway on Summit Avenue, between One Hundred and Sixty-second and One Hundred and Sixty-third Streets, in the Borough of the Bronx, city and State of New York: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$1,500" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

F. L. RIDDLE

The Clerk called the next bill, H. R. 1218, for the relief of F. L. Riddle.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. L. Riddle, of Greenville, S. C., the sum of $11,530, in full settlement of all claims against the United States for damage sustained during the year 1942, when the Greenville (S. C.) Air Base installed a sewage disposal plant which emptied into Reedy Fork Creek, causing the condemnation of Mr. Riddle's dairy: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1 line 7, strike all the balance of the page after the words "United States", on line 7, down to and including line 8, on page 2, and insert "for all damages resulting from the flow of sewage waters from the Greenville Army Air Base, Greenville, S. C., into Reedy Fork Creek, which runs through the dairy farm of the said F. L. Riddle; *Provided*, That no payment shall be made, under this act until the said F. L. Riddle shall have granted unto the United States an easement in his land in a form satisfactory to the Secretary of War consenting to the flow of sewage waters from the Greenville Army Air Base into Reedy Fork Creek and through his said farm: *And provided further*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARCHIE BARWICK

The Clerk called the next bill, H. R. 1556, for the relief of Archie Barwick.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., that the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Archie Barwick, of 1204 McGarrah Street, Americus, Ga., the sum of $5,000, in settlement of claim against the United States for the death of his son, Lucian, who was killed on September 5, 1942, by an explosion in a concrete building, while helping his father start in operation a gasoline motor used to pump water for a Soil Conservation Service nursery located at Americus, Ga.

With the following committee amendments:

Page 1, line 7, strike out "$5,000" and insert "$3,000."

Page 2, line 2, insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LILLIAN HILL, SAVILLA ELEY, AND EDNA BOOTH

The Clerk called the next bill, H. R. 3191, for the relief of Lillian Hill, Savilla Eley, and Edna Booth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lillian Hill, Windsor, Va., the sum of $620; to Savilla Eley, Norfolk, Va., the sum of $100; and to Edna Booth, Baltimore, Md., the sum of $100. The payment of such sums shall be in full settlement of all claims of such persons against the United States growing out of a collision on September 15, 1941, at Windsor, Va., when the vehicle in which they were riding was struck by a vehicle in the service of the United States Army.

With the following committee amendment:

On page 1, line 6, strike out the balance of the page after the word "of" down to and including the word "Army" on page 2, line 3, and insert "$100, in full settlement of all claims against the United States as a result of a collision between the car in which she was riding and a vehicle in the service of the United States Army on September 15, 1941, at Windsor, Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Lillian Hill."

ENID M. ALBERTSON

The Clerk called the next bill, H. R. 3218, for the relief of Enid M. Albertson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Enid M. Albertson, of Indianapolis, Ind., the sum of $5,000, in full satisfaction of her claim against the United States for compensation for personal injuries sustained and property damaged, as a result of the explosion of a bottle of Aqua Regia, a cleaning fluid, brought upon the Stout Field Army Air Base, Indianapolis, Ind., by an officer of Headquarters, I Troop Carrier Command, on the morning of October 19, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert "$2,585.45."

Page 1, line 6, strike out "her claim" and insert "all claims."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELEANOR PARKINSON

The Clerk called the bill (H. R. 3302) for the relief of Eleanor Parkinson.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. HALE and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

QUEEN CITY BREWING CO.

The Clerk called the bill (H. R. 3614) for the relief of the Queen City Brewing Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MOTT and Mr. HALE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

PETER PAUL BACIC ET AL.

The Clerk called the bill (H. R. 3630) for the relief of Peter Paul Bacic, Charles C. Cox, H. Forest Haugh, and Luther M. Durst.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Peter Paul Bacic, Transfer, Pa., the sum of $500; to Charles C. Cox, Transfer, Pa., the sum of $590.76; to H. Forest Haugh, Transfer, Pa., the sum of $391.75; and to Luther M. Durst, Transfer, Pa., the sum of $310. The payment of such sums shall be in full settlement of all claims of said individuals against the United States for property damage sustained by them when water wells on their farms either became dry or polluted due to the lowering of the water table in that area as the result of the drilling of several deep wells by a

private contractor under contract with the United States to provide water for Camp Reynolds (formerly Shenango Personnel Replacement Depot) in Pymatuning Township, Mercer County, Pa.

With the following committee amendment:

Page 2, line 9, after the word "Pennsylvania", insert a colon and the following: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARLEY E. CARTER

The Clerk called the bill (H. R. 3709) for the relief of Harley E. Carter.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Claims.

LUTHER MARCUS SMITH

The Clerk called the bill (H. R. 4345) for the relief of Luther Marcus Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Luther Marcus Smith, the sum of $5,000, in full settlement of all claims against the United States for personal injuries sustained in an accident at the Bristol Industrial School operated by the Federal Government at Bristol, Tenn.-Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

With the following committee amendment:

Page 1, lines 8 and 9, strike out the words, "operated by the Federal Government."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the legal guardian of Luther Marcus Smith, a minor."

TO PROVIDE FOR THE CARRYING OUT OF AN AWARD OF THE NATIONAL WAR LABOR BOARD

The Clerk called the bill (H. R. 4498) to provide for the carrying out of the award of the National War Labor Board of April 11, 1919, and the decision of the Secretary of War of date November 30, 1920, in favor of certain employees of the Minneapolis Steel & Machinery Co., Minneapolis, Minn.; of the Saint Paul Foundry Co., Saint Paul, Minn.; of the American Hoist & Derrick Co., Saint Paul, Minn.; and of the Twin City Forge & Foundry Co., Stillwater, Minn.

Mr. MADDEN, Mr. PRIEST, and Mr. HALE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

JOHN WEAKLEY ET AL.

The Clerk called the bill (S. 887) conferring jurisdiction upon the United States District Court for the Western District of Virginia to hear, determine, and render judgment upon the claims of John Weakley and Rella Moyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Western District of Virginia to hear, determine, and render judgment upon the claims of John Weakley and Rella Moyer, both of Luray, Va., for compensation for personal injuries and property damage sustained by them as a result of a collision between the automobile in which they were riding and a Civilian Conservation Corps truck in Luray, Va., on June 29, 1941.

SEC. 2. In the determination of such claims, the United States shall be held liable for damages, and for any acts committed by any of its officers or employees, to the same extent as if the United States were a private person.

SEC. 3. Suit upon such claims may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from and payment of any judgment thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "Twentieth" of section 24 of the Judicial Code, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES T. ALLEN

The Clerk called the bill (S. 1226) for the relief of Charles T. Allen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles T. Allen, of Wilmington, N. C., the sum of $2,717.60, in full satisfaction of his claims against the United States for compensation for the death of his minor son, Charles Joseph Allen, who died as a result of injuries sustained when he was struck by a United States Army truck on May 10, 1942, and for reimbursement of medical, hospital, and funeral expenses incurred by him as a result of such injuries and death: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. C. DREWRY

The Clerk called the bill (S. 1365) for the relief of J. C. Drewry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. C. Drewry, of Ninnekah, Okla., the sum of $2,090, in full satisfaction of his claims against the United States for compensation for personal injuries sustained by him, and for reimbursement of medical and hospital expenses incurred by him, as the result of an accident which occurred when the automobile in which he was riding as a passenger was struck by a United States Army truck near Ninnekah, Okla., on January 14, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN H. GRADWELL

The Clerk called the bill (S. 1503) for the relief of John H. Gradwell.

The SPEAKER. Is there objection to the consideration of the bill?

Mr. MOTT and Mr. HALE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MRS. CLARK GOURLEY

The Clerk called the next bill, S. 1709, for the relief of Mrs. Clark Gourley, administratrix of the estate of Clark Gourley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Clark Gourley, of Gainesville, Fla., administratrix of the estate of Clark Gourley, the sum of $5,506.60, in full satisfaction of all claims against the United States for compensation for the death of Clark Gourley, who died as a result of personal injuries sustained by him in the performance of his official duties as a second lieutenant in the Florida State Guard, when the Army vehicle in which he was riding as a passenger was struck by an Army airplane during a demonstration held for the Army-Navy staff college at the Alachua Army Air Field, Gainesville, Fla., on October 27, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUELLA F. STEWART

The Clerk called the next bill, S. 1717, for the relief of Luella F. Stewart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the account of Luella F. Stewart, former postmaster at Bottineau, N. Dak., in the sum of $1,153.30, the amount due the United States on account of loss of post-office funds resulting from the failure of the Bottineau County Bank, Bottineau, N. Dak., which closed September 27, 1923.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. C. GREGORY

The Clerk called the next bill, S. 1776, for the relief of L. C. Gregory.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to L. C. Gregory, of Trousdale County, Tenn., the sum of $3,500, in full satisfaction of his claim against the United States for compensation for the death of his minor son, Cecil Gregory, who died on May 13, 1943, as a result of personal injuries sustained by him when the team of mules which he was driving became frightened at low-flying Army airplanes: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ANNA RUNNEBAUM

The Clerk called the next bill, S. 1983, for the relief of Mrs. Anna Runnebaum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,500, to Mrs. Anna Runnebaum, of Axtell, Kans., in full settlement of all claims against the United States for the death of her son, Ralph Joseph Runnebaum, who was killed in an automobile accident while in the employ of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED A. DIMLER AND GWENDOLYN E. DIMLER

The Clerk called the next bill, S. 1995, for the relief of Fred A. Dimler and Gwendolyn E. Dimler, his wife.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred A. Dimler and Gwendolyn E. Dimler the amount of $2,030.16, in full settlement of all claims against the United States for the value of personal property destroyed by fire while stored in a Government building in Alaska: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PEARL SAIEVITZ

The Clerk called the next bill, H. R. 2373, for the relief of Pearl Saievitz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Pearl Saievitz, now of Boston, Mass., the sum of $1,500, in full satisfaction of all claims against the United States for damages for personal injuries, medical expenses, and property damage sustained by her when she was struck by a truck owned by the city of Boston and leased or rented by said city to the Work Projects Administration, and being operated by one Lawrence Flaherty, an employee of said Work Projects Administration in connection with a project then being constructed by and under the supervision of said Work Projects Administration on Atlantic Avenue in the city of Boston Mass., on November 15, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the name "Saievitz" insert "Hurwitz."

Page 1, line 6, strike out the figures "$1,500", and insert in lieu thereof "$100; to pay the sum of $500 to Ruth Levin, of Fitchburg, Mass."

Page 1, line 7, after the name "United States", strike out "for damages."

Page 1, line 11, strike out "Work Projects" and insert in lieu thereof "Works Progress."

Page 2, line 1, strike out "Work Projects" and insert in lieu thereof "Works Progress."

Page 2, line 3, strike out "Work Projects" and insert in lieu thereof "Works Progress."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Pearl Saievitz Hurwitz and Ruth Levin."

MRS. BERTHA MACKLIN

The Clerk called the next bill, H. R. 3138, for the relief of Mrs. Bertha Macklin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Bertha Macklin, Delaware, Ohio, the sum of $250. The payment of such sum shall be in full settlement of all claims of the said Mrs. Bertha Macklin against the United States on account of personal injuries sustained by her on April 7, 1942, while walking on the sidewalk on the west side of South Sandusky Street in Delaware, Ohio, when a United States Army truck struck another truck parked at the curb, forcing the latter truck over the curb and causing it to strike the said Mrs. Bertha Macklin.

With the following committee amendments:

Page 1, line 6, strike out "$250" and insert "$100."

Page 2, after the colon in line 4, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. BERTHA GRANTHAM

The Clerk called the next bill, H. R. 3192, for the relief of Mrs. Bertha Grantham.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Bertha Grantham, Bush, La., the sum of $50. The payment of such sum shall be in full settlement of all claims of the said Mrs. Bertha Grantham against the United States for property damages sustained when a cow owned by the said Mrs. Bertha Grantham was killed as the result of being struck by a United States Army truck on the Bogalusa and Slidell Highway, near Bush, La., on December 18, 1941.

With the following committee amendment:

Page 2, line 2, after "1941" insert the following: "*Provided*, That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or de-

livered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. LUTHER S. SYKES

The Clerk called the next bill, H. R. 3585, for the relief of Mrs. Luther S. Sykes.

Mr. HALE and Mr. MOTT objected and, under the rule, the bill was recommitted to the Committee on Claims.

JOSEPH W. STEEL

The Clerk called the next bill, H. R. 4038, for the relief of Joseph W. Steel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph W. Steel, San Francisco, Calif., the sum of $2,132.01, in full settlement of all claims against the United States for reimbursement of expenses as a result of being transferred by the Director of the United States Mint, Washington, D. C., from San Francisco, Calif., to Philadelphia, Pa., during the month of July 1934 for a period of 6 months: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$2,132.01" and insert "$910."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEX WYLIE AND JAMES EVANS

The Clerk called the next bill, H. R. 4366, for the relief of Alex Wylie and the estate of James Evans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alex Wylie, of Columbus, Ga., $1,500, and to the administrator or executor of the estate of James Evans, of Columbus, Ga., $5,000. The payment of such sums shall be in full settlement of all claims against the United States arising out of the injury of Alex Wylie, and the injury and death of James Evans, when the truck they were driving was struck by a tank driven by Private W. J. Jenkins, Company B, Seven Hundred and Sixtieth Tank Battalion, at the intersection of the Cusseta Highway and First Division Road at Fort Benning, Ga., on August 21, 1942.

With the following committee amendments:

Page 1, line 6, strike out "$1,500" and insert "$600."

Page 1, line 8, strike out "$5,000" and insert "$3,000."

Page 2, at the end of the bill insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. (T) P. J. VOORHIES

The Clerk called the next bill, H. R. 4452, for the relief of Lt. (T) P. J. Voorhies.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that S. 2031, a similar Senate bill, be considered in lieu of H. R. 4452.

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

There was no objection

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,243.05, to Lt. (T) P. J. Voorhies, United States Coast Guard Reserve, of Lafayette, La., as agent for Lafayette Flotilla and Iberia Flotilla, United States Coast Guard Auxiliary, in full settlement of all claims against the United States as reimbursement for certain building facilities used in connection with the Louisiana Gulf Coast Guard Auxiliary headquarters and for material and passenger transportation expenditures during the years 1942 and 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 4452) was laid on the table.

TERRELL E. BECKNER, COMMITTEE FOR KIMBALL LEE BECKNER

The Clerk called the next bill, H. R. 4786, for the relief of Terrell E. Beckner, committee for Kimball Lee Beckner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Terrell E. Beckner, committee for Kimball Lee Beckner, of Richmond, Va., the sum of $7,500, in full settlement of all claims against the United States for personal injuries and medical and other expenses sustained by Kimball Lee Beckner as the result of being injured on February 21, 1944, by an Army motorcycle driven by Eldon L. Dickinson, private, first class, Company D, Seven Hundred and Ninety-seventh Military Police Battalion, Byrd, Park, Richmond, Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, lines 5 and 6, strike out the words "Terrell E. Beckner, committee for" and insert "the estate of."

Page 1, line 7, strike out "$7,500" and insert "$2,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Kimball Lee Beckner."

SAUNDERS MEMORIAL HOSPITAL

The Clerk called the next bill, H. R. 5167, to confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment upon the claim of the Board of Trustees of the Saunders Memorial Hospital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment upon, notwithstanding the lapse of time or any provision of law to the contrary, the claim of the board of trustees of the Saunders Memorial Hospital, Florence, S. C., against the United States for damages arising from the failure of the United States to exercise the option granted to the United States on November 16, 1942, to lease such hospital for the use of the Army. Such suit shall be instituted within 6 months from the date of enactment of this act, and the liability of the United States in such suit shall be determined upon the same principles and measures of liability as in like cases between private individuals.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN C. SHAW

The Clerk called the next bill, S. 1101, to provide for the payment of the claim of John C. Shaw, administrator de bonis non of the estate of Sydney C. McLouth,

deceased, arising out of a contract between said deceased and the United States Shipping Board Emergency Fleet Corporation, for the construction of seagoing tugs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John C. Shaw, administrator de bonis non of the estate of Sydney C. McLouth, deceased, the sum of $27,467.97, in full satisfaction of the claims of said decedent against the United States Shipping Board Emergency Fleet Corporation, and its successors, including the United States of America, arising out of the certain contract dated May 24, 1920, between Sydney C. McLouth, of Marine City, Mich., party of the first part, and United States Shipping Board Emergency Fleet Corporation, a corporation organized and existing under the laws of the District of Columbia, acting for and on behalf of the United States of America, party of the second part, including particularly, without limitation on the foregoing generality, the obligation of said United States Shipping Board Emergency Fleet Corporation, to adjust and pay the subcontract of said deceased with Ingram-Day Lumber Co. under article 2 of said contract: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $2,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

YELLOW CAB TRANSIT CO.

The Clerk called the next bill, S. 1278, for the relief of Yellow Cab Transit Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Yellow Cab Transit Co., of 1405 Ramsey Tower, Oklahoma City, Okla., the sum of $2,267.98. The payment of such sum shall be in full settlement of all claims of the said Yellow Cab Transit Co. against the United States for property damages sustained by it when its tractor, No. 387, and its semitrailer, No. 338, were destroyed by fire as the result of a collision with a United States Army truck on United States Highway No. 66, near Hazelgreen, Mo., on August 10, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, after the period, strike out down to and including the figures "1941", on page 2, line 4, and insert "and to Equitable Fire and Marine Insurance Co. of Oklahoma City, Okla., the sum of $7,901.83. Payment of such sums shall be in full settlement of all claims against the United States for the loss of tractor No. 387, semitrailer No. 338, and cargo carried therein resulting from a collision with a United States Army truck on United States Highway No. 66, near Hazelgreen, Mo., on August 10, 1941."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "An act for relief of Yellow Cab Transit Co. and Equitable Fire & Marine Insurance Co."

HENRY STOVALL

The Clerk called the next bill, H. R. 1772, for the relief of Henry Stovall.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry Stovall, of Hattiesburg, Miss., the sum of $500 in full and final settlement of any and all claims against the United States for injuries sustained when he was shot by an Army guard on Mobile Street in Hattiesburg, Miss., on August 16, 1942: *Provided*, That no part of the amount appropriated by this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLARENCE G. DOELLING AND DORIS J. (McNEIL) DOELLING

The Clerk called the next bill, H. R. 3279, for the relief of Clarence G. Doelling and Doris J. (McNeil) Doelling.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clarence G. Doelling, of Valparaiso, Ind., the sum of $3,000, and to Doris J. (McNeil) Doelling, his wife, the sum of $1,000, in full settlement of all claims against the United States for personal injuries, and medical and hospital expenses incurred by them as the result of an accident in which the automobile in which they were riding was struck by a United States Army Air Corps Autocar truck at the intersection of United States Highway No. 6 and Indiana State Highway No. 49, about 6 miles north of Valparaiso, Ind., on June 27, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. WILLIAM M. WATSON

The Clerk called the next bill, H. R. 3323, for the relief of Mrs. William M. Watson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. William M. Watson, Ocoee, Tenn., the sum of $10,500. The payment of such sum shall be in full settlement of all claims of the said Mrs. William M. Watson against the United States on account of (1) the death of her husband, William M. Watson, and (2) personal injuries sustained by her minor son, Frank Watson. The said William M. Watson died as the result of personal injuries sustained on November 20, 1942, when a bridge, which had been allowed to remain in an unsafe condition, in the Cherokee National Forest, Polk County, Tenn., collapsed under a truck in which he was riding.

With the following committee amendments:

Page 1, line 6, strike out "$10,500" and insert "$5,000."

Page 1, line 9, strike out "and."

Page 1, line 10, strike out the word "The" and all of line 1 on page 2, and insert, ", and (3) to pay the sum of $440 to R. H. Price, of Ocoee, Tenn., in full settlement of all claims against the United States for property damage sustained on November 20."

Page 2, line 8, strike out "he was" and insert "they were" and after the word "riding", insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Page 2, line 16, after the period strike out the balance of the line and all of line 17.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Mrs. William M. Watson and R. H. Price."

LAVERNE WHIPPLE

The Clerk called the next bill, H. R. 3400, for the relief of LaVerne Whipple.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to LaVerne Whipple, Olympia, Wash., the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said LaVerne Whipple against the United States for personal injuries, and for damage to his automobile, sustained on May 3, 1941, when such auto-

mobile was struck by a United States Army vehicle on the Pacific Highway approximately 1 mile south of Tumwater, Wash.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$4,500." At the end of the bill insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLOYD E. AND LENA MAE DRUMMOND

The Clerk called the next bill, H. R. 3678, for the relief of Floyd E. and Lena Mae Drummond.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lena Mae Drummond, the sum of $5,000, in full settlement of all claims against the Government of the United States arising out of the accident caused by the negligent operation of an automobile driven by Ensign Singleton, attached to the United States Department of Agriculture, Forest Service, Civilian Conservation Corps of the State of Ohio, while acting within the scope of his employment, on the Narrows Road, Ross County, Ohio, about 1 mile south of the Marietta Pike, on March 24, 1941; and to Floyd E. Drummond, the sum of $2,500, in full settlement of all claims against the United States for personal injuries sustained by him as the result of the above accident: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after "appropriated," strike out the rest of page 1 and on page 2 down to "accident," in line 7, and insert "the sum of $2,500 to Lena Mae Drummond; and to pay the sum of $3,500 to Floyd E. Drummond, both of Ross County, Ohio, in full settlement of all claims against the United States for personal injuries, hospital and medical expenses, and property damage sustained as the result of a collision between the car in which they were riding and a Civilian Conservation Corps truck on the Narrows Road, Ross County, Ohio, about 1 mile south of the Marietta Pike, on March 24, 1941."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRA CANNON

The Clerk called the next bill, H. R. 4105, for the relief of Ira Cannon.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $10,000, to Ira Cannon, of Greenville, S. C., in full settlement of all claims against the United States for personal injuries sustained as a result of being hit by a bullet fired by a soldier on guard at the Greenville, C. S., Army air base, on June 12, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$10,000" and insert "$5,000."

Line 8, after "injuries," insert "medical and hospital expenses."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KELLY HOBBS

The Clerk called the next bill, H. R. 4125, for the relief of Kelly Hobbs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,701.47, to Kelly Hobbs, of Meridian, Miss., in full settlement of all claims against the United States for property damage and personal injuries sustained as a result of a collision between the automobile in which he was riding and a United States Army truck, at the intersection of Twelfth Street and Twenty-second Avenue, Meridian, Miss., on August 19, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$5,701.47" and insert "$3,634.19."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS CINIGLIO

The Clerk called the next bill, H. R. 4248, for the relief of the legal guardian of Louis Ciniglio.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian of Louis Ciniglio, a minor, of 227 East Ruby Avenue, Palisades Park, N. J., the sum of $3,500, in full settlement of all claims against the United States for injuries, medical and hospital expenses sustained as the result of being struck by a United States Army Ford sedan No. 115702, on June 19, 1943, on State Highway Route No. 6 in Palisades Park, N. J.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. FLOYD M. ADAIR, EVELYN LOUISE ADAIR, CORA ANN ADAIR, BETTY FLOYD ADAIR, AND ERNEST DEAN ADAIR

The Clerk called the next bill, H. R. 4322, for the relief of Mrs. Floyd M. Adair, Evelyn Louise Adair, Cora Ann Adair, Betty Floyd Adair, and Ernest Dean Adair.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Floyd M. Adair, of Villa Rica, Ga., unremarried widow of Floyd M. Adair, deceased, the sum of $10,000; and to Mrs. Floyd M. Adair, of Villa Rica, Ga., as legal guardian of Evelyn Louise Adair, minor child of Floyd M. Adair, deceased, the sum of $2,500, and to Mrs. Floyd M. Adair, of Villa Rica, Ga., as legal guardian of Cora Ann Adair, minor child of Floyd M. Adair, deceased, the sum of $2,500; and to Mrs. Floyd M. Adair, of Villa Rica, Ga., as legal guardian of Betty Floyd Adair, minor child of Floyd M. Adair, deceased, the sum of $2,500; and to Mrs. Floyd M. Adair, of Villa Rica, Ga., as legal guardian of Ernest Dean Adair, minor child of Floyd M. Adair, deceased, the sum of $2,500, in full satisfaction of all claims against the United States arising out of the homicide of the said Floyd M. Adair who was killed when the truck trailer in which he was driving was involved in a collision with a United States Army truck near Austell, Ga., on or about June 10, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, after "to", strike out down to and including "1943" in line 13 on page 2, and insert "the estate of Floyd M. Adair, deceased, of Villa Rica, Ga., the sum of $5,429.25, in full settlement of all claims against the United States on account of the death

of the said Floyd M. Adair resulting from a collision involving a United States Army truck, which accident occurred on United States Highway No. 78, about 7 miles east of Austell, Ga., on June 10, 1943."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Floyd M. Adair, deceased."

OLLIE BRASHEAR HEARLDSON

The Clerk called the next bill, H. R. 4363, for the relief of Ollie Brashear Hearldson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ollie Brashear Hearldson, Bowling Green, Ky., the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Ollie Brashear Hearldson against the United States on account of the death of her husband, Charles Hearldson, as a result of injuries sustained in a collision, on January 19, 1943, at the intersection of Indiana Avenue and Eighteenth Street, Camp Campbell, Ky., between the vehicle in which the said Charles Hearldson was riding and a vehicle in the service of the Army of the United States.

With the following committee amendment:

At the end of the bill insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN McLAUGHLIN, SR., AND JOHN McLAUGHLIN, JR.

The Clerk called the next bill, H. R. 4451, for the relief of John McLaughlin, Sr., and John McLaughlin, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $250 to John McLaughlin, Sr., and to pay the sum of $1,000 to John McLaughlin, Jr., both of 519 East Thirty-second Street, Paterson, N. J., in full settlement for all claims against the United States for personal injuries, medical and hospital expenses, and property damage sustained as the result of the car which John McLaughlin, Jr., was driving being struck by a United States Army truck in Paterson, N. J., on November 17, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$250" and insert "$75."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SANDY C. BROWN

The Clerk called the next bill, H. R. 4549, for the relief of Sandy C. Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sandy C. Brown the sum of $1,000 for injuries he received when an Army truck ran over him while walking on the shoulder of the State highway in South Carolina.

With the following committee amendments:

Page 1, line 6, after "$1,000", insert "in full settlement of all claims against the United States."

Line 9, after "highway", insert "No. 501", and after "Carolina", insert "on October 8, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT L. WHIDDON

The Clerk called the next bill, H. R. 4588, for the relief of Robert L. Whiddon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert L. Whiddon, of near Merryville, La., the sum of $10,000, in full settlement of all claims against the United States for compensation for personal injuries sustained, and reimbursement of expenses incurred, as the result of being struck by a United States Public Health Service automobile, at the time being driven in the service of the United States Public Health Service and operated by a unit of the United States Public Health Service, on April 21, 1943, on Highway No. 190 between De Ridder and Merryville, La.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$3,935."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF ANNIE BROWN

The Clerk called the next bill, H. R. 4703, for the relief of the estate of Annie Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Annie Brown, deceased, the sum of $2,545.50, because of death incurred as a result of being struck by a vehicle operated by the United States Army, in behalf of the Post Office Department, at the intersection of Fremont Avenue and Briscoe Street, Baltimore, Md., on December 23, 1943, at 6:30 p. m.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, after "$2,545.50", insert "in full settlement of all claims against the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. H. L. KLOTZ

The Clerk called the next bill, H. R. 4736, for the relief of Dr. H. L. Klotz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. H. L. Klotz, Austin, Tex., the sum of $130. The payment of such sum shall be in full settlement of all claims of the said Dr. H. L. Klotz for services rendered in conducting physical examinations for appointees for civilian positions in the Government service pursuant to War Department contract No. W-359-eng-4087, dated March 18, 1942. It was determined that the United States Army Engineers Office of the War Department was without authority in law to enter into such a contract.

With the following committee amendment:

On page 1, line 6, after the word "of", strike out the balance of the page, and down to and including line 4, page 2, and insert the words "$114, in full settlement of all claims against the United States for services rendered to the Engineer Corps, United States Army, un-

der contracts Nos. W-359-eng-4087, dated March 18, 1942, and W-359-eng-4438, dated June 29, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VOLUSIA COUNTY, FLA.

The Clerk called the next bill, H. R. 4815, for the relief of the Board of County Commissioners of Volusia County, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Board of County Commissioners of Volusia County, Fla., the sum of $4,068.10. The payment of such sum shall be in full settlement of all claims against the United States on account of damage to an Adams motor road grader caused by United States Navy airplane *F4F-4*, Bureau No. 5223, on March 3, 1944, on the naval base grounds at Daytona Beach, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILFRED T. PLANT, SR.

The Clerk called the next bill, H. R. 4817, for the relief of Wilfred T. Plant, Sr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in the case of Wilfred T. Plant, Sr., of Hartford, Conn.; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission, within 1 year after the date of the enactment of this act, by or on behalf of the said Wilfred T. Plant, Jr., for compensation or other benefits under the provisions of such act of September 7, 1916, as amended, for disability due to an injury alleged to have been sustained by him in 1938, while lifting heavy rocks in the performance of his duties as a laborer on the Works Progress Administration project No. 16444 in Attleboro, Mass.: *Provided*, That no benefits hereunder shall accrue prior to the approval of this act.

With the following committee amendments:

On page 2, line 5, after the word "amended", insert the words "and as made applicable in the cases of employees receiving compensation from emergency relief appropriations"; and on page 2, line 9, insert the words "resulting in ruptured intervertebral disc left fifth lumbar interspace mediolateral, necessitating operation."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EMMA B. FLEET

The Clerk called the next bill, H. R. 4878, for the relief of the estate of Emma B. Fleet, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Charles J. Dunn, administrator of the estate of Emma B. Fleet, late of Everett, Mass., the sum of $10,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death, on July 29, 1940, of the said Emma B. Fleet as a result of injuries sustained by her when the vehicle in which she was riding was struck, on July 8, 1940, at the intersection of Elm Street and Route 2 in Concord, Mass., by a vehicle in the service of the Army of the United States.

With the following committee amendments:

On page 1, line 5, strike out the words "Charles J. Dunn, administrator of."

On page 1, line 7, strike out "$10,000" and insert "$5,759.65."

On page 2, line 4, insert the words "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCIS D. STOVALL, JR.

The Clerk called the next bill, H. R. 4927, for the relief of Francis D. Stovall, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Francis D. Stovall, Jr., of Clinton, Miss., and the Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said act his claim on account of injury and disability alleged to have been incurred on or about November 10, 1942, while an employee of and performing his duties as a rural mail carrier of the Post Office Department: *Provided*, That claim hereunder shall be filed within 6 months from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendment:

On page 2, line 3, insert the words "while changing a tire on his automobile."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCIS A. COLLINS

The Clerk called the next bill, H. R. 5034, for the relief of the estate of Francis A. Collins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $6,209.25, to the estate of Francis A. Collins, deceased, in full settlement of all claims against the United States as compensation for the death of Francis A. Collins, and medical, hospital, and burial expenses incurred as a result of the said Francis A. Collins being struck by an Army ambulance at the intersection of Canal Street and South Scott Street, in the city of New Orleans, La., on December 15, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 5, strike out "$6,209.25" and insert "$5,384.25."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. E. ARMSTRONG

The Clerk called the next bill, H. R. 5212, for the relief of E. E. Armstrong.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE and Mr. MOTT objected, and the bill was recommitted to the Committee on Claims.

VETERANS' ADMINISTRATION

The Clerk called the next bill, S. 1665, an act to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the employees responsible for the excess or erroneous payments represented by the sums herein stated

be, and they are hereby, relieved of financial liability therefor and the Comptroller General is authorized and directed to allow credit in the settlement of the accounts of Guy F. Allen, chief disbursing officer, Treasury Department, in such amounts not exceeding the sums stated herein, which have been or hereafter may be disallowed, as may be necessary to relieve such disbursing officer of financial liability therefor: *Provided*, That this act shall not be construed to bar recovery of the amounts herein specified from the persons to whom and through whom such amounts have been paid:

First: A. J. Dalton, certifying officer at Veterans' Administration, Baltimore (now Fort Howard), Md., in the sum of $4.50, which amount was expended March 31, 1941, under symbol 11559.

Second: D. D. Campbell, certifying officer at Veterans' Administration facility, Perry Point, Md., in the sum of $7, which amount was expended in February 1941, under symbol 11559.

Third: C. F. Sargent, certifying officer at Veterans' Administration facility, Batavia, N. Y., in the sum of $420, which amount was expended from December 1, 1938, through February 28, 1939, under symbol 11564.

Fourth: John A. Hadley, certifying officer at Veterans' Administration facility, Bath, N. Y., in the sum of $12.66, which amount was expended from August 1 through September 26, 1939, under symbol 11564.

Fifth: Malcolm L. Stoddard, certifying officer at Veterans' Administration facility, Togus, Maine, in the sum of $467.50, which amount was expended from January 1 through June 30, 1939, under symbol 11565.

Sixth: D. F. Ivory, certifying officer at Veterans' Administration facility, Togus, Maine, in the sum of $42.50, which amount was expended June 30, 1939, under symbol 11565.

Seventh: F. X. McFadden, certifying officer at Veterans' Administration office, Philadelphia, Pa., in the sum of $4.20, which amount was expended July 31, 1941, under symbol 11566.

Eighth: H. H. Higginbotham, certifying officer at Veterans' Administration facility, Pittsburgh, Pa., in the sum of $5.26, which amount was expended in May 1941, under symbol 11568.

Ninth: Guy F. Palmer, certifying officer at Veterans' Administration facility, Dearborn, Mich., in the sum of $4, which amount was expended in July 1941, under symbol 11571.

Tenth: I. G. Sims, certifying officer at Veterans' Administration facility, Knoxville, Iowa, in the sum of $60, which amount was expended July 23, 1941, under symbol 11571.

Eleventh: A. B. Conley, certifying officer at Veterans' Administration facility, Wichita, Kans., in the sum of $125, which amount was expended in May 1940, under symbol 11573.

Twelfth: S. E. Malmsten, certifying officer at Veterans' Administration, Washington, D. C., in the sum of $18.55, which amount was expended July 12, 1938, under symbol 11647.

Thirteenth: A. P. Carson, certifying officer at Veterans' Administration, Washington, D. C., in the sum of $83.03, which amount was expended June 15, 1936, under symbol 99280.

Fourteenth: J. C. Dale, certifying officer at Veterans' Administration, Washington, D. C., in the sum of $182.25, which amount was expended June 30, 1936, under symbol 99280.

Fifteenth: M. Carey, certifying officer at Veterans' Administration facility, New York (Bronx), New York, in the sum of $100, which amount was expended June 15, 1936, under symbol 99282.

Sixteenth: A. Rosenthal, certifying officer at Veterans' Administration, Cleveland (now Brecksville), Ohio, in the sum of $4.71, which amount was expended July 10, 1936, under symbol 99284.

Seventeenth: C. A. Blackburn, certifying officer at Veterans' Administration, Little Rock, Ark., in the sum of $43, which amount was expended on June 15, 1936, under symbol 99288.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

OLIVER N. KNIGHT

The Clerk called the next bill, S. 1827, for the relief of Oliver N. Knight.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver N. Knight, Guilford County, N. C., the sum of $20,442.16, in full settlement of all claims against the United States for the destruction of the residence of the said Oliver N. Knight and of all the money and personal property therein contained and for the death of his wife and three children as a result of an airplane in the service of the United States Navy crashing into his residence on September 13, 1943: *Provided*, That no part of the amount appropriated in the act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 6, strike out "$20,442.16" and insert "$22,992.16."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

MARY AGNES LICHTEFELD DROPPELMAN

The Clerk called the next bill, H. R. 3645, for the relief of Mary Agnes Lichtefeld Droppelman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Agnes Lichtefeld Droppelman, of Louisville, Ky., the sum of $1,500, in full settlement of all claims against the United States for personal injuries sustained by the said Mary Agnes Lichtefeld Droppelman as a result of a collision involving a United States Army truck and an automobile of which she was the operator, on October 14, 1942, in Louisville, Ky.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, after the word "appropriated" insert "(1)."

On page 1, line 6, strike out "$1,500" and insert "$1,000."

On page 1, line 8, strike out the words "sustained by the said Mary Agnes Lichtefeld Droppelman" and insert "; (2) to pay the sum of $4,912.12 to Fred J. Lichtefeld and Josephine Lichtefeld, of Louisville, Ky., in full settlement of all claims against the United States for medical and hospital expenses for Mary Agnes Lichtefeld, and the death and burial of Ruth Marion Lichtefeld."

On page 2, line 5, strike out the words "of which she was the operator" and insert the words "in which they were riding."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD MILLER

The Clerk called the next bill, H. R. 4542, for the relief of Harold Miller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $980, to Harold Miller, of Minneapolis, Minn., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and loss of wages as a result of a collision between the car in which he was a passenger and a United States Navy ambulance No. 21890, on January 21, 1944, in San Francisco, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. JUDD. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JUDD: On page 1, line 5, strike out the figure "$980" and insert "$2,440."

Mr. JUDD. Mr. Speaker, this man, Mr. Harold Miller, was injured last January by a Navy ambulance going at an excessive rate of speed through a red light and without siren. The Navy accepts full responsibility for his injuries, which included a broken arm and injuries to his brain centers and organs of special sense, causing reduction of hearing in one ear and complete loss of smell and taste.

At the time I introduced the bill last March it was assumed the arm was healing satisfactorily and that $980 would be adequate for his hospital and medical expenses and his loss of time from work. However, later it was found that the bones had not united and it is going to require a special operation to plate the bones. That means a much greater expense and loss of time than was contemplated.

The office of the Judge Advocate General of the Navy has assured me that inasmuch as the claim was filed prematurely, it will not object to this larger amount under the circumstances, provided this explanation is placed in the RECORD.

The figure $2,400 covers the following:

Medical and hospital expenses already incurred	$524.70
Estimated surgical and hospital expenses for bone operation	500.00
Damage for loss of hearing, taste, and smell	350.00
Wages lost through unemployment	1,065.00
Total	$2,439.70

Actually if the man were to claim full damages, it would be considerably more than he is asking. He has loss of hearing on one side and complete loss of taste and smell, but he only asks $350 for that permanent damage. The case has not been in the hands of a lawyer.

I hope the House will accept this amendment.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THOMAS R. CLARK

The Clerk called the next bill, H. R. 4593, for the relief of Thomas R. Clark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thomas R. Clark, the sum of $5,000, in full settlement of all claims against the United States for injury to said Thomas R. Clark, on June 19, 1943, as a result of negligence and excessive speed in the operation of an Army vehicle in the city of Tampa, Fla.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$3,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ESTATE OF EVERETTE MAXWELL, THE ESTATE OF REDMAN P. MADDUX, ELMER MASSA, AND ESTEL MASSA

The Clerk called the next bill, H. R. 4674, for the relief of the estate of Everette Maxwell, the estate of Redman P. Maddux, Elmer Massa, and Estel Massa.

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to (1) Mrs. Lillian Maxwell, Cookeville, Tenn., as administratrix of the estate of Everette Maxwell, the sum of $10,518.79; (2) Mrs. Redith Maddux, Cookeville, Tenn., as administratrix of the estate of Redman P. Maddux, the sum of $10,442.50; (3) Elmer Massa, Baxter, Tenn., the sum of $5,000; and (4) Estel Massa, Baxter, Tenn., the sum of $228.45. The payment of such sums shall be in full settlement of all claims against the United States on account of (1) the death of the said Everette Maxwell, (2) the death of the said Redman P. Maddux, (3) personal injuries sustained by the said Elmer Massa, and (4) expenses incurred by the said Estel Massa as the result of the personal injuries sustained by his minor son, the said Elmer Massa. The said Everette Maxwell and Redman P. Maddux were instantly killed and the said Elmer Massa was severely injured on May 31, 1943 when they were struck by a United States Army truck on United States Highway No. 25, near Troy, Ohio.

With the following committee amendments:

Page 1, line 7, after "Maxwell" insert "deceased." Same line strike out the figures "$10,518.79" and insert "$5,468.79."

Page 1, line 9, after "Maddux" insert "deceased." Same line strike out the figures "$10,442.50" and insert "$5,442.50." Same line after "(3)" insert "the legal guardian of."

Page 1, line 10, after "Massa" insert "a minor."

Page 1, line 10, strike out "and (4) Estel Massa, Baxter, Tenn., the sum of $228.45 "

Page 2, line 5, strike out " and (4) expenses incurred by the said Estel Massa as the result of personal injuries sustained by his minor son, the said Elmer Massa."

Page 2, line 5, after "Massa" strike out the comma and insert a period.

At the end of bill strike out the period and insert: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read "A bill for the relief of the estate of Everette Maxwell; the estate of Redman P. Maddux; and the legal guardian of Elmer Massa, a minor."

W. A. SMOOT, INC.

The Clerk called the next bill, H. R. 4737, for the relief of W. A. Smoot, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. A. Smoot, Inc., Alexandria, Va., the sum of $2,417.19. The payment of such sum shall be in full settlement of all claims of the said W. A. Smoot, Inc., against the United States for damages caused to its lumber and millwork plant located at Cameron and Union Streets, Alexandria, Va., as the result of an explosion on March 2, 1944, in a nearby building used and occupied by the Records Division of The Adjutant General's office of the Department of War.

With the following committee amendments:

Page 1, line 6, strike out "$2,417.19" and insert "$2,397.19."

Page 2, line 3, insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. J. SIMS NORMAN

The Clerk called the next bill, H. R. 4921, for the relief of Dr. J. Sims Norman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. J. Sims Norman, of Pueblo, Colo., the sum of $432. The payment of such sum shall be in full settlement of all claims which the said Dr. J. Sims Norman has against the United States for and on account of professional services rendered during the month of May 1942, in making physical examinations of Government employees engaged in the construction of the Army air base at the Pueblo Ordnance Depot at Pueblo, Colo., which examinations were made under the orders and direction of the United States Army engineers who were in charge of said projects: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and that the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF CECILE H. BURGETT, DECEASED

The Clerk called the next bill, H. R. 5048, for the relief of Cecile H. Burgett, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Cecile H. Burgett, deceased, the sum of $10,000, in full settlement of all claims against the United States for the death of Cecile H. Burgett, October 5, 1942, as the result of being run over by a United States Postal Department vehicle on that date, which was being operated by an employee of the Post Office Department, which occurred on the intersection of Seventeenth and Davenport Streets, Omaha, Nebr.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be

deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$5,350."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HYMAN L. SCHIFFER

The Clerk called the next bill, H. R. 299, for the relief of Hyman L. Schiffer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hyman L. Schiffer, of Brooklyn, N. Y., the sum of $500, in full settlement of all claims against the United States for the refund of a bail bond posted for Frieda Schiffer, an alien, same being forfeited on March 13, 1940, when she failed to appear for deportation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY V. HEARN

The Clerk called the next bill, H. R. 3369, for the relief of Harry V. Hearn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry V. Hearn, of New York City, the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages on account of personal injuries received by Harry V. Hearn on June 5, 1940, on United States Route 17, near Yorktown, Va., when he was struck by a motor vehicle operated by a member of the enlisted personnel of the United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "$5,000", and insert in lieu thereof the figures "$2,500."

Page 1, line 8, strike out "damages on account of."

Page 1, line 8, after the word "injuries" insert ", medical and hospital expenses sustained as a result of being struck by a United States Army vehicle."

Page 1, line 9, strike out "received by Harry V. Hearn."

Page 1, line 10, after the name "Virginia" strike out "when he was."

Page 1, line 11, strike out the bill down to *"Provided."*

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WALTER LUNDMARK

The Clerk called the next bill, H. R. 3995, for the relief of Walter Lundmark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter Lundmark, Soap Lake, Wash., the sum of $2,500. The payment of such sum shall be in full settlement of all claims of the said Walter Lundmark against the United States for personal injuries sustained on January 4, 1943, when he was struck with a catsup bottle and permanently disfigured by an enlisted man from the Army Air Base, Ephrata, Wash., in front of the Bob White Cafe, Soap Lake, Wash.

With the following committee amendment:

Page 2, line 2, after the word "Washington", insert *"Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM WEBER

The Clerk called the next bill, H. R. 4200, for the relief of William Weber.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Weber, Brooklyn, N. Y., the sum of $7,500, in full settlement of all claims against the United States for injuries sustained by the said William Weber, resulting from his being struck by gunshots inflicted by a United States Navy shore patrolman on May 12, 1943, at the intersection of West Fifty-first Street and Eighth Avenue, New York City, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$7,500" and insert "$1,500."

Page 1, line 9, strike out "inflicted" and insert "fired."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERTHA LEFRANCQ

The Clerk called the bill (H. R. 4333) for the relief of Bertha LeFrancq.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bertha LaFrancq, of Milwaukie, Oreg., the sum of $10,309, in full satisfaction of her claim against the United States for compensation for the death of her son, Paul Edwin LeFrancq, who died as a result of personal injuries sustained by him when riding in a jeep owned by the United States Army and operated by Sgt. Ivan McElwaine, Cannon Company, Two Hundred and Seventy-sixth Infantry, Camp Adair, Oreg., which overturned on the Falls City-Dallas Highway on December 22, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out the word "LaFrancq" and insert "LeFrancq."

Page 1, line 6, strike out "10,309" and insert "$3,805."

Page 1, line 7, strike out "her claim" and insert "all claims."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALBERT B. WEAVER

The Clerk called the bill (H. R. 4442) for the relief of Albert B. Weaver.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert B. Weaver, of Corvallis, Oreg., the sum of $8,600, in full satisfaction of his claim against the United States for personal injuries sustained by him on December 23, 1941, when the automobile which he was operating collided with a Chevrolet cargo truck, United States Army-W326663, driven by Pvt. Russell A. Bennett, of Battery A-121 C. A. (A. A.), of Burbank, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$8,600" and insert "$4,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM H. CROMPTON

The Clerk called the bill (H. R. 4481) for the relief of William H. Crompton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to William H. Crompton, of 1427 Southwest Third Street, Miami, Fla., the sum of $7,500, in full settlement of all claims against the United States for injuries received when he was struck by a stray bullet fired from a Navy plane near Hollywood, Fla., on February 7, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$7,500" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUDWIG WOLF

The Clerk called the bill (H. R. 4629) for the relief of Ludwig Wolf.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider, when filed, the claim of Ludwig Wolf for disability resulting from hernia alleged to have been sustained by him while in the performance of duty during employment on April 15, 1942, as a laborer in the custodial service of the Post Office Department at Juneau, Alaska, and to determine said claim upon its merits under the remaining provisions of said act: *Provided*, That claim for benefits shall be filed with such Commission within 90 days from the date of the approval of this act: *And provided further*, That no benefit shall accrue under this act prior to the date of approval thereof.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. JAMES H. CLARK AND ELEANOR CLARK

The Clerk called the bill (H. R. 4929) for the relief of Lt. James H. Clark and Eleanor Clark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lt. James H. Clark, Carmel, Calif., the sum of $330, in full settlement of all claims of the said James H. Clark against the United States on account of funeral and burial expenses of his mother, Mrs. Esther Compton Clark, paid by him; and to Eleanor Clark, Carmel, Calif., the minor child of the said Esther Compton Clark, the sum of $4,000 in full settlement of all claims of the said Eleanor Clark against the United States on account of loss of support occasioned by the death of her mother, Esther Compton Clark, when the said Esther Compton Clark was run down and killed by a Navy truck on Ocean Avenue near Casanova Street, Carmel, Calif., on April 7, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, after the figures "$330", insert "and to pay the sum of $4,000 to Eleanor Clark, of Carmel, Calif."

Page 1, line 7, strike out "of the said James H. Clark."

Page 1, line 8, strike out "funeral" and insert in lieu thereof "the death."

Page 1, line 8, strike out "his" and insert in lieu thereof "their."

Page 1, line 9, after the name "Compton Clark", strike out the bill down to the word "killed" in line 4, page 2, and insert in lieu thereof "when she was."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSIE SPRINGSTEEN AND JOHN SPRINGSTEEN

The Clerk called the bill (H. R. 4962) for the relief of Jessie Springsteen and John Springsteen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,003.30 to Jessie Springsteen, of Eatontown, N. J.; to pay the sum of $582 to John Springsteen, of Eatontown, N. J. The payment of such sums shall be in full settlement of all claims against the United States on account of personal injuries, medical expenses, and property damage sustained when Miss Springsteen's car was involved in a collision with a United States Army truck in Shrewsbury Township, Monmouth County, N. J., on October 28, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "$5,003.30" and insert "$1,870.30."

Page 1, line 7, strike out "$582" and insert "$182."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUGET SOUND BRIDGE & DREDGING CO.

The Clerk called the bill (H. R. 449) for the relief of the Puget Sound Bridge & Dredging Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, instructed to pay, out of any money in the Treasury not otherwise appropriated, to the Puget Sound Bridge & Dredging Co., of Seattle, Wash., the sum of $595, representing liquidated damages accessed against that company as subcontractor of Semple & Kenny, a partnership of Juneau, Alaska, to whom was awarded contract No. W-1090-eng-28, dated February 6, 1931, for dredging and removal of rock at Port Alexander, Alaska: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, strike out the word "Kenny" and insert the word "Keeny."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

G. F. ODOM

The Clerk called the bill (H. R. 545) for the relief of G. F. Odom.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to G. F. Odom, Starke, Fla., the sum of $5,000. The payment of such sum shall be in full settlement

of all claims of the said G. F. Odom against the United States on account of personal injuries sustained on October 9, 1941, when the truck in which he was riding was in collision with a United States Army truck on State Highway No. 5A, near Fort White, Fla.

With the following committee amendments:

Line 6, strike out the figures "$5,000" and insert in lieu thereof the figures "$527.70."

At the end of bill strike out the period and insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LINDSEY HARCROW

The Clerk called the bill (H. R. 763) for the relief of Lindsey Harcrow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lindsey Harcrow, of Anniston, Ala., the sum of $500. The payment of such sum shall be in full settlement of all claims against the Government of the United States for personal injuries sustained by the said Lindsey Harcrow, when he was struck February 10, 1941, by a truck in the service of the War Department.

With the following committee amendment:

Page 1, line 11, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. AGNES WOLTERS

The Clerk called the bill (H. R. 2213) for the relief of Mrs. Agnes Wolters.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Agnes Wolters, of East St. Louis, Ill., the sum of $608.90. The payment of such sum shall be in full settlement of all claims of the said Mrs. Agnes Wolters against the United States on account of personal injuries sustained by her as the result of being struck by a United States Army truck at Edgemont Station, Belleville, Ill., on April 29, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSE B. LUZAR

The Clerk called the next bill, H. R. 2300, for the relief of Rose B. Luzar.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rose B. Luzar, of Jeannette, Pa., the sum of $10,000, in full settlement of all claims against the United States for personal injuries sustained on July 10, 1941, when she was struck by a mail truck in the city of Jeannette: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$923.34."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. NELLE JONES

The Clerk called the next bill, H. R. 2543, for the relief of Mrs. Nelle Jones.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Nelle Jones, Los Angeles, Calif., the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Nelle Jones against the United States for the death of her husband, Samuel N. Jones, and for personal injuries sustained by her, as the result of an accident on July 3, 1942, when the automobile in which they were riding on United States Highway No. 99, near Chowchilla, Calif., was overtaken and struck by a United States Army truck.

With the following committee amendments:

Page 1, line 9, strike out "and" and after the word "injuries", insert "and property damage."

Page 2, line 2, strike out "was overtaken and struck by" and insert "collided with."

Page 2, line 3, after the word "truck", insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUBERT McMAHON AND BARBARA McMAHON

The Clerk called the next bill, H. R. 3017, for the relief of Hubert McMahon and Barbara McMahon, a minor.

There being no objection, the Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hubert McMahon, of Harrisville, Lewis County, N. Y., the sum of $13,233 and to Hubert McMahon and Dorothy McMahon, legal general guardians of Barbara McMahon, a minor, of Harrisville, Lewis County, N. Y., the sum of $1,198.35 in full settlement of all claims against the United States for personal injuries sustained as a result of being struck by a 2½-ton Army truck on Main Street of the village of Harrisville, Lewis County, N. Y., on September 5, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$13,233 and" and all of lines 7 to 10, inclusive, and on page 2, strike out lines 1 to 3, inclusive, and insert "$5,000 for property damage, personal injuries, and permanent disability to himself, and medical and hospital expenses incurred for himself and his minor daughter, Barbara McMahon; and the sum of $1,000 to the legal guardian of Barbara McMahon, a minor, for personal injuries, as a result of an accident involving an Army truck which occurred on September 5, 1942, in Harrisville, Lewis County, N. Y. Payment of said sums shall be in full settlement of all claims against the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Hubert McMahon and the legal guardian of Barbara McMahon."

DEWEY H. DAVIS

The Clerk called the next bill, H. R. 3373, for the relief of Dewey H. Davis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to

pay, out of any money in the Treasury not otherwise appropriated, to Dewey H. Davis, of Macon, Ga., the sum of $10,000, in full satisfaction of his claim against the United States for compensation for personal injuries, sustained by him as the result of an accident which occurred when the passenger bus in which he was riding was struck by a United States Army truck near Robins Field, Ga., on July 7, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$5,000", and strike out the words "his claim" and insert "all claims."

Page 1, line 8, after the word "injuries", insert "medical and hospital expenses incident thereto."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWARD C. ROBBINS

The Clerk called the next bill, H. R. 3414, for the relief of Edward C. Robbins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward C. Robbins, Pineola, N. C., the sum of $4,273.75. The payment of this sum shall be in full settlement of his claim against the United States for permanent personal injuries suffered December 30, 1940, while employed by J. R. Eakin, superintendent, Great Smoky Mountain National Park, National Park Service, Gatlinburg, Tenn., as an expert appraiser and witness in the United States condemnation proceedings of the W. O. Whittle properties near Gatlinburg, Tenn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "his claim" and insert "all claims."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ANNA CHANDLER

The Clerk called the next bill, H. R. 3881, for the relief of Mrs. Anna Chandler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Anna Chandler, Lakeside, Calif., the sum of $500. The payment of such sum shall be in full settlement of all claims of the said Mrs. Anna Chandler against the United States for losses sustained as the result of an accident on June 14, 1942, in which a United States Army truck struck a building in Lakeside, Calif., in which a cafe operated by the said Mrs. Anna Chandler was located.

With the following committee amendments:

Page 1, line 6, strike out "$500" and insert "$200."

Page 1, line 8, strike out "losses" and insert "property damage and loss of business."

Page 2, line 1, after the word "located", insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES LEROY EDEN

The Clerk called the next bill, H. R. 3928, for the relief of James LeRoy Eden.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to James LeRoy Eden, of 2180 Northwest Fifty-fifth Street, Miami, Fla., the sum of $2,500, in full settlement of all claims against the United States for the personal injuries sustained by him by the collision of a United States Navy station wagon with an automobile driven by John Andrew Godwin at the intersection of Northwest Seventy-eighth Street and Twenty-seventh Avenue, at Miami, Fla., on March 18, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN CASEY AND MARIE CASEY

The Clerk called the next bill, H. R. 4016, for the relief of John Casey and Marie Casey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John Casey and Marie Casey, of Quincy, Mass., the sum of $5,000, in full settlement of all claims against the United States for personal injuries, sustained as a result of being struck by a United States Army truck, on Hancock Street, Quincy, Mass., on March 20, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert "$2,874.10."

Page 1, line 8, after the word "injuries" insert "medical and hospital expenses."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT ROWE AND MARY ROWE

The Clerk called the next bill, H. R. 4212, for the relief of Robert Rowe and Mary Rowe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert Rowe and Mary Rowe, Norfolk, Va., the sum of $3,700. The payment of such sum shall be in full settlement of all claims of the said Robert Rowe and Mary Rowe against the United States on account of the destruction of their house, at 620 Hughart Street, Norfolk, Va., on August 15, 1943, by a United States Navy airplane.

With the following committee amendments:

Page 1, line 6, strike out "$3,700" and insert in lieu thereof "$2,700."

Page 1, line 11, after the word "airplane", insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KARL LUNGSTRAS

The Clerk called the next bill, H. R. 4213, for the relief of Karl Lungstras.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Karl Lungstras, Portsmouth, Va., the sum of $759.95. The

payment of such sum shall be in full settlement of all claims of the said Karl Lungstras against the United States on account of damage to his automobile resulting from a collision, on March 1, 1943, on High Street, Norfolk, Va., between such automobile and a vehicle in the service of the Army of the United States.

With the following committee amendments:

Page 1, line 10, strike out "Norfolk" and insert in lieu thereof "Portsmouth."

Page 2, line 1, after the word "States", insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSA LEE FOREMAN

The Clerk called the next bill, H. R. 4309, for the relief of Rosa Lee Foreman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Rosa Lee Foreman, of Winter Garden, Fla., the sum of $10,000, in full satisfaction of her claims against the United States for the death of Reuben D. Foreman, the husband of Rosa Lee Foreman, the said Reuben D. Foreman having been killed on June 5, 1943, when an Army airplane failed to leave the ground on a take-off, crashed through a wire fence, and crossed the highway: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike "$10,000" and insert "$5,585."

Page 1, line 7, strike out "her" and insert "all."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. JULIA TOLER

The Clerk called the next bill, H. R. 4367, for the relief of Mrs. Julia Toler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Julia Toler, Lynnhaven, Va., the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Julia Toler against the United States on account of the loss of her minor daughter, Julia Frances Toler, who was instantly killed on February 24, 1942, when she was struck by a United States Army truck while crossing the Shore Drive, near Ocean Park, Princess Anne County, Va.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$3,000."

Page 1, line 8, strike out "loss" and insert "death."

Page 2, line 2, after the colon, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANK LORE

The Clerk called the next bill, H. R. 4652, for the relief of Frank Lore.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Claims.

CAPTOLIA COLVIN

The Clerk called the next bill, H. R. 4855, for the relief of Captolia Colvin.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1905), be considered in lieu of the bill H. R. 4855.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Walney A. Colvin, deceased, of Phoenix, Ariz., the sum of $5,000, in full satisfaction of all claims of the said estate for property damage and for the death of Walney A. Colvin, which occurred as the result of an accident involving an Army airplane on April 22, 1944, in Phoenix, Ariz.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 4855, was laid on the table.

CLYDE H. PALMER

The Clerk called the next bill, H. R. 5060, for the relief of Clyde H. Palmer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clyde H. Palmer, of Coalinga, Calif., the sum of $6,322.50. The payment of such sum shall be in full settlement of all claims of the said Clyde H. Palmer on account of the death of his wife, Lolo J. Palmer, who died as a result of an accident on November 29, 1944, when the automobile in which she was riding on United States Highway No. 99, at or near Tulare, Calif., was struck by a United States Army truck.

With the following committee amendment:

Page 1, line 6, after the words "the sum of" strike out the remainder of the page and down to and including the word "truck," on page 2, line 1, and insert "$762 for property damage and personal injuries sustained by him; to the estate of Lola J. Palmer, deceased, the sum of $5,572 for the death of the said Lola J. Palmer and for medical, hospital, and burial expenses incurred in connection with her injury and death; and the sum of $212.50 to the legal guardian of Margie Joan Palmer, a minor, for medical expenses and personal injuries of the said Margie Joan Palmer, all of which shall be in full settlement of all claims against the United States, as the result of an accident involving an Army truck on November 25, 1943, on United States Highway No. 99, at a point 5 miles north of Tulare, Calif.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Clyde H. Palmer; estate of Lola J. Palmer; legal guardian of Margie Joan Palmer, a minor."

HERMAN WEINERT, JR.

The Clerk called the next bill, H. R. 3639, for the relief of Herman Weinert, Jr., M. D.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALE and Mr. MOTT objected, and, under the rule, the bill was recommitted to the Committee on Claims.

A. D. GIBSON

The Clerk called the next bill, H. R. 3931, for the relief of A. D. Gibson, M. D.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. D. Gibson, M. D., of Port Lavaca, Tex., the sum of $278, in full settlement of all claims against the United States for services rendered to the Corps of Engineers, United

States Army, from April 1, 1942, to September 30, 1942, inclusive.

With the following committee amendments:

Page 1, line 5, after the word "to", insert "the estate of."

At the end of the bill insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Dr. A. D. Gibson."

C. C. THORNTON

The Clerk called the next bill, S. 1766, for the relief of C. C. Thornton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to C. C. Thornton, of Walnut, Miss. the sum of $2,000, in full satisfaction of his claims against the United States for compensation for personal injuries and property damage sustained by him when the wagon in which he was riding was struck by a Civilian Conservation Corps truck on September 20, 1941, near Walnut, Miss.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. AMY McKNIGHT

The Clerk called the next bill, S. 1959, for the relief of Mrs. Amy McKnight.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MOTT and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

CARL M. FRASURE

The Clerk called the next bill, S. 1477, for the relief of Carl M. Frasure.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl M. Frasure, formerly an employee of the Office of Price Administration, the sum of $506.91, in full satisfaction of his claim against the United States for compensation for accrued annual leave, the payment of which was prevented by the provisions of the eighth proviso in the paragraph under the caption "Office of Price Administration" contained in the National War Agencies Appropriation Act, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IRMA S. SHERIDAN

The Clerk called the next bill, S. 2069, for the relief of Irma S. Sheridan, postmaster at Rockville, Oreg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the General Accounting Office is hereby authorized and directed to credit the account of Irma S. Sheridan, postmaster at Rockville, Oreg., in the sum of $150, representing the amount in which the postmaster's account was disallowed because, through a misunderstanding, the postmaster was authorized to employ the assistant postmaster upon a mail-messenger route at the rate of $450 per annum although the Act of June 3, 1924 (43 Stat. 356; 39 U. S. C. 579), limits the compensation which may be paid to postmasters, assistant postmasters, and clerks of post offices of the third and fourth classes to $300 in any one year for contract mail-messenger service, it being established that the route is a very difficult one upon which the services of a mail-messenger have been exceedingly hard to obtain.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LUM JACOBS

The Clerk called the next bill, S. 2007, for the relief of Lum Jacobs.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lum Jacobs, of Wills Point, Tex., the sum of $1,030, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, and for loss of wages because of such injuries, as a result of an accident which occurred when the wagon in which he was riding was struck by an Army vehicle near Wills Point, Tex., on October 2, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CITY NATIONAL BANK BUILDING CO.

Mr. SPPRINGER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1453) for the relief of the City National Bank Building Co., which was objected to on the call of the Private Calendar.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Internal Revenue is authorized and directed to consider and act upon the claim filed on or about September 27, 1940, by the City National Bank Building Co., of Omaha, Nebr., for a refund of deficiencies in income tax and interest paid by the said company on or about September 16, 1937, with respect to the fiscal years ended October 31, 1933, to October 31, 1936, inclusive, and to make any refund found due the said company, in the same manner and to the same extent as if such claim had been filed within 2 years from the time such income tax and interest were paid and had not heretofore been disallowed; the Supreme Court of the United States having rendered a decision on December 4, 1939, in the case of *Helvering* v. *F. and R. Lazarus & Co.*, which, in effect, overruled the conclusions upon the basis of which such deficiencies were assessed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

IDA M. RUTHERFORD

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill (H. R. 2827) for the relief of Ida M. Rutherford was passed be vacated, and that the bill be considered at this time, in order that I may offer an amendment.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida M. Rutherford, of West Bloomfield, N. Y., the sum of $5,000, in full settlement of all claims against the United States for compensation for personal injuries sustained by her and for reimbursement of medical, hospital, and other expenses incurred by her as the result of her being struck and knocked down by Israel Zitron, an employee of the Ordnance Department of the United States, on a public sidewalk on Franklin Street, in the city of Rochester, N. Y., on December 28, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$4,000."

The committee amendment was agreed to.

Mr. BARDEN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARDEN: On page 1, line 5, after "to", insert "the estate of."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Ida M. Rutherford."

ELEANOR PARKINSON

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 3302) for the relief of Eleanor Parkinson, which was objected to on the call of the Private Calendar.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eleanor Parkinson, of Mount Carmel, Ill., the sum of $5,000, for damages to her property, which was caused by the Wabash River overflowing, due to the Brevoort levee maintained by the United States Government in the State of Indiana: *Provided*, That no part of amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$4,637.50."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

M. SENDERS & CO.

Mr. MOTT. Mr. Speaker, I ask unanimous consent to return to Calendar No. 656, H. R. 3814, for the relief of M. Senders & Co., vacate the proceedings by which the bill was passed and reconsider the same.

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

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to M. Senders & Co., of Albany, Oreg., the sum of $5,000, in full satisfaction of its claim against the United States for compensation for the loss of property and business incurred as a result of the acquisition by the United States for military purposes of certain land at Wells, Oreg., which had theretofore been leased by the said M. Senders & Co., and upon which the said M. Senders & Co. had erected and maintained a warehouse: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$3,000."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was rejected.

The SPEAKER. The Clerk will report the other committee amendment.

The Clerk read as follows:

On page 1, line 6, strike out the words "its claim" and insert the words "all claims."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, be dispensed with.

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

There was no objection.

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

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

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therewith a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

FEDERAL AID ROAD ACT

Mr. COX, from the Committee on Rules, submitted the following privileged resolution (H. Res. 654, Rept. No. 1914), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4915) to amend and supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations for the post-war construction of highways and bridges, to eliminate hazards at railroad grade crossings, to provide for the immediate preparation of plans and acquisition of rights-of-way, and for other purposes. That after debate, which shall be confined to the bill and shall continue not to exceed 3 hours, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Roads, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

FEDERAL CROP INSURANCE ACT

Mr. COX. Mr. Speaker, I call up House Resolution 605 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4911) to amend the Federal Crop Insurance Act. That after debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

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

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

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

[Roll No. 115]

Baldwin, Md.	Douglas	Jackson
Barry	Drewry	Jarman
Bates, Mass.	Eberharter	Jennings
Bender	Elmer	Johnson, Calvin D.
Bloom	Elston, Ohio	Johnson, Ind.
Bolton	Engel, Mich.	Johnson, Lyndon B.
Boren	Feighan	Jonkman
Boykin	Fellows	Kearney
Bradley, Mich.	Fernandez	Kee
Bradley, Pa.	Fish	Keefe
Buckley	Ford	Kelley
Bulwinkle	Fuller	Kennedy
Burchill, N. Y.	Fulmer	Kilburn
Burgin	Furlong	King
Busbey	Gale	Kirwan
Butler	Gallagher	Klein
Byrne	Gamble	Knutson
Camp	Gavin	LaFollette
Cannon, Fla.	Gibson	Lambertson
Capozzoli	Gilchrist	Landis
Carlson, Kans.	Gillie	Lea
Celler	Granger	LeCompte
Chapman	Grant, Ala.	Lesinski
Chenoweth	Grant, Ind.	Ludlow
Clark	Green	Lynch
Coffee	Hall, Leonard W.	McGregor
Cravens	Hare	McKenzie
Crosser	Hartley	McLean
Cunningham	Heffernan	Magnuson
Curley	Heidinger	Maloney
Curtis	Hendricks	Mansfield, Mont.
Daughton, Va.	Hinshaw	Marcantonio
Dawson	Hoeven	May
Delaney	Hollifield	Monroney
Dickstein	Holmes, Mass.	Morrison, N. C.
Dies	Holmes, Wash.	
Dirksen	Howell	
Domengeaux		

Mruk	Sabath	Treadway
Mundt	Satterfield	Vincent, Ky.
Murdock	Scanlon	Voorhis, Calif.
Murray, Tenn.	Schiffler	Vorys, Ohio
Myers	Scott	Ward
O'Brien, Ill.	Sheridan	Weaver
O'Connor	Short	Weiss
O'Konski	Slaughter	Wene
O'Neal	Snyder	Whelchel, Ga.
Pfeifer	Somers, N. Y.	White
Pracht,	Stanley	Wickersham
C. Frederick	Stearns, N. H.	Winter
Price	Stewart	Wolverton, N. J.
Rees, Kans.	Stigler	Woodrum, Va.
Rizley	Sumner, Ill.	
Rolph	Tolan	
Rowan	Towe	

The SPEAKER. On this roll call, 269 Members have answered to their names, a quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

FEDERAL CROP INSURANCE

Mr. COX. Mr. Speaker, this is an open rule on House Resolution 4911, commonly known as the crop insurance bill. As I say, it is an open rule which the Committee on Rules respectfully submits for the consideration of the House. If adopted, consideration of the bill will be under the general rules of the House. The time fixed for general debate is 2 hours. Mr. Speaker, it is not my purpose to discuss the merits of the bill. I do, however, wish to make the observation that careful examination of the bill, and the report that accompanied it, convinces me that the Committee on Agriculture endeavored to cure defects of previous crop insurance legislation. They have undertaken to make the operation self-sustaining, and make farming a more stable business.

Mr. TARVER. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield to my colleague, of course.

Mr. TARVER. The rule provides for 2 hours' general debate, one-half the time to be controlled by the chairman of the committee and one-half by the ranking minority member of the committee. I am advised that both of those gentlemen are supporting the bill. Therefore, there appears to be little opportunity for those like myself, who are opposed to the bill, to have adequate time for its discussion. Would the gentleman be averse to an amendment or would he yield for the purpose of having an amendment offered which would provide an additional hour for general debate, with the understanding that that hour should be accorded the opponents of the bill?

Mr. COX. I am sorry but I could not yield to the gentleman for the purpose of offering an amendment to the rule.

Mr. TARVER. The gentleman knows, of course, that the House has been in session for a week and has done no business at all. It does seem to me that with a controversial matter like this before the House we could take an additional hour when those who are opposed to the bill want to be heard.

Mr. COX. Let me say to the gentleman that the Committee on Rules never undertakes to impose a condition upon any legislative committee with respect to the division of time. I will say, however, in all fairness, I think the committee should yield to the gentleman reasonable time to present his views, which are contrary to those of the committee sponsoring the bill. It is my experience that committees usually strive to make fair division of time.

However, if the gentleman feels any uncertainty as to whether he should be able to obtain reasonable time for the presentation of his views I will be very glad to yield to him 20 minutes on the rule, to speak to the merits of the bill.

Mr. TARVER. I may say to the gentleman that the chairman of the Committee on Agriculture has very kindly offered me some time. I understand the ranking minority member will also yield me some time. While that takes care of me, I think there are a number of other Members who desire to be heard in opposition to the bill, who will not have an opportunity to be heard.

Mr. COX. In an endeavor to accommodate the desire of those opposing the adoption of the bill, if there is any Member on the floor wishing time I will be glad to yield now 20 minutes to speak to the merits of the bill.

Mr. FISH. Mr. Speaker, will the gentleman yield to me?

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

Mr. FISH. I will be glad to join with the distinguished gentleman from Georgia, and yield from this side 15 minutes under the rule to anyone in opposition to the bill, although I am in favor of the bill, so that we will have no difficulty about the minority being heard.

Mr. TARVER. Will the gentleman yield further to me?

Mr. COX. I yield to the gentleman.

Mr. TARVER. In view of the remarks made by the gentleman from Georgia [Mr. Cox] and the gentleman from New York [Mr. FISH] I shall avail myself of the offer made and shall take my time on the rule, so as to leave the chairman of the committee and the ranking minority member more time which they may yield under general debate, to other Members who may desire time in Committee of the Whole.

Mr. COX. I take it that the gentleman is not opposed to the adoption of the rule?

Mr. TARVER. Oh! I will not undertake to oppose the adoption of the rule.

Mr. COX. I gladly yield 20 minutes to the gentleman from Georgia, to speak on the bill.

Mr. TARVER. Mr. Speaker, I had intended to address the Committee of the Whole in the time which the chairman and ranking minority member of the Committee on Agriculture had very kindly offered to yield to me for that purpose, but in view of the offer made by the gentleman from Georgia [Mr. Cox] and the gentleman from New York [Mr. FISH], I think it best to take the time which they have offered me on the consideration of the rule, in order that more time may be available to other members of the Committee of the Whole who will discuss the merits of this very controversial proposition.

It is unusual, of course, that a Member of the House who is opposed to the enactment of proposed legislation should be heard in opposition before anyone has undertaken to present the merits of the legislative proposal; yet, under the unusual circumstances presented by the immediate situation, I feel it is entirely proper that I should undertake this course.

Mr. Speaker, I regret very much my inability to support the pending bill. I believe those who are familiar with my record during my service in this body will realize that I have never failed to support legislation which in my judgment carried with it a reasonable hope of benefit to our farming population. However, I do not conceive it to be to the interest of the farmers of the United States that Congress should enact legislation which is ostensibly intended for their benefit but which from past experience will neither carry to them any substantial aid, nor, in fact, appeal to them as being likely to do so.

We had the wheat-insurance program for 5 years and the cotton-insurance program for 2 years. These programs were abandoned by this House in the Agricultural Appropriation Act of 1944 and the abandonment was continued in the Agricultural Appropriation Act of 1945. They were not abandoned without very careful and painstaking surveys upon the basis of lengthy hearings concerning the results which had been accomplished. Much as it would be desirable to have a sound crop-insurance program, the plan which was undertaken was thoroughly and irrefutably demonstrated to have been futile in character, carrying with it tremendous losses to the Government and lack of substantial benefit to the farmers themselves.

As chairman of the Subcommittee on Agricultural Appropriations, it was my duty to present to the House the agricultural appropriation bills in which the abandonment of the program was projected and continued. In doing so, I attempted to review thoroughly the facts upon which your Subcommittee on Agricultural Appropriations based its conclusions. However, it is not necessary to review these facts in detail before this House which has on a number of occasions in connection with both of these bills voted, on roll call and otherwise, by overwhelming majorities, in favor of the abandonment of the program. Since this House adopted this position, nothing has occurred which could possibly have influenced its membership in arriving at a contrary conclusion, unless the inclusion in the national party platforms of declarations in favor of Federal crop insurance could be so interpreted. The declarations in these platforms, however, were not an endorsement of this particular pending legislation, nor could they possibly be construed to have been in favor of enactment of legislation increasing the cost of the program to farmers of the United States and decreasing the benefits to be received by them under the program. That, in substance, is the gist of the pending proposal. It is inconceivable that it should be reasonably believed by any Member of the House that a program which attracted the interest of less than 10 percent of the cotton farmers of the United States

and less than one-third of the wheat farmers could be made more satisfactory to them by decreasing the benefits which they would receive from it and increasing the cost of their participation; and yet that is substantially what is here proposed.

You are all familiar with the unfortunate history of the Federal Crop Insurance Corporation with its expenditures during its brief period of active operation of $31,963,072 for administrative expenses during the course of which expenditures it carried benefits to the farmers of the United States, over and above the premiums paid by them, of $31,149,974. The program, therefore, cost the Government for the brief period $63,113,046 in carrying benefits to the farmers of the United States of substantially less than one-half of that amount. It is to be noted with interest that those in charge of the administration of the program received more from the Federal Treasury than did the farmers. It is, I think, but fair to say that they have far more interest in the continuance of this program, and in the continuance of their jobs, than the farmers of the country have in the continuance of the crop insurance program as originally projected; certainly more than they would have in the continuance of a modified program increasing the costs and decreasing the benefits.

It has, however, been apparent during the course of the history of the pending bill that those interested in the maintenance of the existing administrative machinery, and jobs, have been willing to accept almost any suggested amendments rather than to have the program discontinued. In other words, it does not now seem to be substantially a question as to what is best for American agriculture, but rather a question of what it is necessary to have in the bill in order to secure congressional approval of the maintenance of the existing administrative machinery and of the employment of those who have been engaged in carrying on this work. This is perhaps a harsh thing to say. I say it reluctantly because I have the kindest feelings for those who are in charge of the administration of Federal crop insurance, and yet when I examine the pending bill and see how restrictions are proposed therein which can only curtail the benefits of those participating in the program and at the same time maintain and perhaps enlarge the administrative machinery, I can arrive at no other conclusion.

It is noted that in the bill it is proposed first to limit the amount of the insurance coverage, not only to 75 percent of the crop, which had been the previous restriction, but to the amount invested in the crop based on the cost of "preparing the land, or labor; seed; planting, cultivation; disease or insect control; harvesting; ginning, hauling to market; fertilizing; irrigation; use of land, and other applicable costs as determined by the board." There is, so far as I know, and can be secured, no reliable data upon the effect of such a restriction, or as to whether it would, upon the average, result in reduction in losses which might otherwise be approved for 75 percent of the crop to less than that percent. However, it is manifestly intended to bring about a reduction in benefits to farmers.

Further, it is proposed that the "insurance shall not cover losses due to neglect or malfeasance of the producer or of the failure of the producer to reseed with the same crop in areas and under circumstances where it is customary to so reseed or of the failure of the producer to follow established good farming practices." This opens a wide field of administrative discretion as to what constitutes neglect or malfeasance, failure to follow customary practices as to reseeding same crop, or to follow established good farming practices. It is such a broad field for the exercise of administrative discretion that innumerable controversies might logically be expected to result from this provision. Here, too, it is sought to further restrict benefits which in their original form were not sufficiently attractive to the wheat and cotton farmers to cause any excepting minorities of them to participate in the program. Still further it is provided that if the total amount of approved claims exceeds the total amount of premiums, such claims shall be paid on a pro rata reduced basis, "but for the first 3 crop years with respect to which insurance has been in effect on any crop after the enactment of this act, the payment shall be reduced by not more than 15 percent of the amount of the approved claim."

This provision faces in two directions.

First. It encourages the Members of Congress who believe in protecting the Federal Treasury to believe the program is self-sustaining.

Second. It assures the farmer that it will not have to be self-sustaining, but that in any event he will receive insurance aggregating 63.75 percent of an average crop. Here again the program is made less attractive to the farmer and at the same time no real assurance is given that the program would be self-sustaining, since the past history of the program demonstrates clearly that 63.75 percent of the average crop cannot be paid from the premiums charged and collected.

It is insisted, of course, that administrative expense will be reduced because provision is made that the program will not be installed in any county unless written applications therefor are filed "covering at least 100 farms, or one-third of the farms normally producing the agricultural commodities authorized to be insured." This might carry with it some hope of reduction in administrative expenses except for the evident purpose on the part of the administrative agency to save the jobs of those employed in the program, which is manifestly the major objective, and which objective, I think, we may rest assured will be carried out if this bill is passed, and except for two further facts. These facts are:

First. The exception "that insurance may be provided for producers on farms situated in a local producing area bordering on a county with the crop-insurance program."

The effect of this exception seems to me to be that if county A has a program, county B, which adjoins it, where the required number of applications have not been submitted, may also have a program, and county C, which adjoins county B, may then have a program also, and so on, ad infinitum. Perhaps this is not a reasonable construction, but it is at least one which could be made, and I do not expect any construction by the administrative authorities which would restrict the geographical area covered by the program.

Second. The provision authorizing the institution of insurance programs with respect to any agricultural commodity in 20 representative counties in the United States will undoubtedly vastly increase administrative costs. Besides this objection, I do not believe that producers of the various agricultural products will be satisfied to have only 20 counties picked out in which to carry on the program for their particular commodity for a period of 3 years if crop insurance for them is a good thing, and if it is not a good thing the wasteful expenditure of public funds, which may be anticipated without benefit to the farmers involved, is almost unlimited.

These are some of the objections which I have had to the pending bill. I was one of those who voted for the initiation of the crop-insurance program without much faith as to its soundness but with the feeling that a sound crop-insurance program would be of tremendous benefit to the agriculture of the country and that an effort should be made to work out such a program. In actual administration it has been thoroughly proven to be unsound, not to be attractive to the vast majority of farmers concerned, and it is now proposed to remedy the situation by increasing costs to the farmers and decreasing benefits, in which event it is only reasonable to suppose that participation will be smaller than ever before and proportionate administrative cost to the Government will vastly increase. I cannot be a party to handing this sort of lemon to the American farmer. In my judgment, those who do will not find 2 years from now that he has been grateful for the attempt to hoodwink him for political purposes. The proof of the pudding is in the eating. Go ahead and give this particular pudding you have cooked up to the American farmer and you will find out in 2 years whether he likes its taste. And remember in doing it that you are voting to reestablish a program which you have by your votes in this House several times disapproved as unsound without any basis for your change in position except declarations of general nature inserted in party platforms which had no reference to this particular bill. Certainly, if these platforms had declared in favor of a crop-insurance program which would reduce benefits and increase costs they would not have attracted many farmer votes. If you do this thing, you will have reversed without adequate reason your previous positions on numerous votes taken in this House. The Seventy-eighth Congress, which abolished the crop-insurance program as unsound, will have reestablished it in a less attractive form.

The King of France with twice 10,000 men
Marched up the hill and then marched down
again.

Surely, if we have meant anything by our pledges to the American people of economy in the administration of the civil affairs of the Government, against the maintenance of useless bureaus, and in favor of reducing to the greatest extent possible the tax burden of the American people we will not now recreate this useless bureau for further Government extravagance without compensatory benefits to the farmers of the country whom it is ostensibly proposed to help. There may be some areas in the United States where droughts and floods frequently totally destroy crops, where frosts frequently destroy the vegetable and citrus crops, in which live farmers who would like to be protected from these dangers even to the extent of 63.75 percent of an average crop upon the payment of comparatively small premiums to the Government; but other farmers living in areas where less than 63.75 percent of a crop is an exception which occurs at only widely separated intervals will not in my judgment be willing to join in this program and help pay the losses of those who farm in less favorable areas. Certainly, they have not been willing to do so during the 5 years in which this program was in effect and I have no reason to believe that their participation in the program will be increased by decreasing its benefits and increasing its costs. I think, therefore, that the title of this bill should be amended so as to read:

A bill for the relief of the Federal Crop Insurance Corporation and its numerous employees and to impress the farmers of the United States with the idea that their Representatives in Congress have done something for them when in fact they have not, and for other purposes.

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

Mr. TARVER. I yield to the gentleman from Georgia.

Mr. COX. I wonder if it is the view of the gentleman that no kind of crop insurance can be made sound and desirable.

Mr. TARVER. I hesitate to go to the extent of so stating. I should like very much to see a sound crop insurance program worked out, but I am convinced of one thing, that neither the program we have had nor the one which is provided for in the pending bill is sound. Time—and I think sufficient time has elapsed to justify this statement—has shown that the program as carried out under existing law is unsound. The effect of this amendment is to evolve a far worse program from the standpoint of the farmer, in whose welfare I am primarily interested, than is provided under the existing law. If the Congress desires to reinstitute the crop-insurance program, it would do far better to make an appropriation for that purpose under the existing law, which it has so many times declined to do, rather than to amend the law and decrease the benefits to the farmer and increase the cost to the farmer, and then expect him to go into the program, when heretofore he has refused to do so.

Mr. COX. Is the gentleman opposed to the Government's continuing in the field of crop insurance?

The SPEAKER pro tempore. The time of the gentleman from Georgia has expired.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from the time allotted to me.

Mr. TARVER. I thank the gentleman.

If a sound plan could be worked out under which a crop-insurance program could be carried on in a way to be of benefit to the agriculture of the country, and which would appeal to the farmers of the country as sound, I would be in favor of it. I voted for this program in its initiation. But I am not in favor of handing to the farmers of the country something which will be admittedly less beneficial to them than the program we have carried on heretofore. That was not only found to be a failure costing the Government possibly as much as the benefits received by the farmers, but it did not appeal to the farmers themselves, since less than 10 percent of the cotton farmers went into it and less than one-third of the wheat farmers, and the number of wheat farmers going into it was steadily decreasing at the time it was abandoned.

Mr. COX. By that does the gentleman advocate an increase in premium rates?

Mr. TARVER. No. That is provided for in this bill. It is provided in this bill that there shall not be benefits paid in excess of the premiums collected. There is the restraint that for 3 years benefits shall not be reduced on this account more than 15 percent.

Mr. COX. How would the gentleman then hope to make any kind of a crop insurance scheme sound and self sustaining?

Mr. TARVER. I have not been able, may I say to my colleague, to envision any plan by which a sound method might be formulated.

In saying to him that I would favor the enactment of such a plan, if it could be devised, I do not mean to say that I, myself, entertained the belief that it may be possible to devise it.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. Did the gentleman state for the RECORD the amount of money paid out by the Government under the old plan, in excess of the premiums it received?

Mr. TARVER. I did state the amount in the course of my remarks. It was approximately $82,000,000 paid out in benefits as against approximately $51,000,000 plus, paid in in premiums. The loss in this respect to the Government was almost $32,000,000. The Government's expenses or losses of about $63,000,000, including administrative expenses, were about twice as much as the benefits above premiums received by the farmers of the country. In other words, it cost $2 to the Government to carry $1 of benefits to the farmer.

Mr. SUMNERS of Texas. That is what I thought.

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

Mr. TARVER. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. The gentleman believes, does he not, during this troubled period of this country's history, this Congress should open up the Treasury and hand this out as a gratuity for the relief of the farmers who have suffered the disasters we are trying to protect against?

Mr. TARVER. If the gentleman is advocating this program, as one for the relief of the farmers, then he ought not to be including here any provisions to cut down benefits to the farmers, which they will receive as the result of payment of their premiums and to increase their costs. If all you want to do is to distribute money from the Treasury of the United States among the farm population of the country, then you ought to provide for a decrease in the premiums and an increase in benefits and then perhaps the farmers will go into it, as they have not done in the past, and will not do in the future, in my judgment, under the provisions of this bill.

Mr. ZIMMERMAN. The gentleman is not willing to concede that is what we are trying to do in this bill. But I asked him a plain question. Did you participate or are you in favor of opening up the Treasury to the disaster-stricken farmers of our country, to help them in time of emergency such as they experienced in the Missouri Valley last year and the year before? Is the gentleman a party to that?

Mr. TARVER. I certainly would be in favor of extension of aid to the drought- and flood-stricken farmers. I have voted for that time and time again. I do not know that that is any reason why we should attempt to saddle the entire agricultural population of this country with a program of crop insurance which it has been demonstrated by 5 years of experience is fundamentally unsound.

Mr. FISH. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield.

Mr. FISH. Mr. Speaker, I ask this question of the gentleman for a point of information. Can the gentleman estimate how much it costs the Government a year for crop insurance?

Mr. TARVER. For 5 years it cost the Government approximately $63,000,000. The gentleman can draw his own conclusions.

Mr. FISH. Will the gentleman say it cost at least $10,000,000 a year?

Mr. TARVER. More than that.

I fully realize that from the standpoint of preventing the passage of this bill I am, to use the words of a colloquialism, "barking on a cold trail."

The cards are stacked in favor of the bill. Everybody who wanted an amendment has gotten it. The form of the bill has not particularly mattered, but the maintenance of the Federal crop-insurance organization has apparently been the main objective. Even the gentleman from Missouri [Mr. CANNON] and the gentleman from Illinois [Mr. DIRKSEN], who were instrumental in having crop insurance abandoned, have now reached the conclusion for reasons sufficient unto themselves that they ought to support this bill. I shall appeal from

the judgment of the House, which will doubtless be rendered here today, to the judgment of the future years when it shall be attempted to administer this program in the full confidence that no Member here present will have cause to remember with pride having voted to establish it.

I am strengthened in this position by the fact that I have expressed similar views at farmers' meetings and to many farmers individually in my district, and I do not at the moment recall that any one of them has ever taken issue with me on this question or has communicated with me by letter or otherwise urging the reestablishment of the crop-insurance program.

Now I want to say to our city Members that when you vote for this bill, under the impression that you are doing something for the agricultural population of this country, you will certainly be badly mistaken. This is not a bill, which in my judgment, is of any particular interest to the American farmer except perhaps in some greatly restricted areas where under drought and flood conditions relief of this kind might be appreciated and the farmers might be willing to participate in such a program.

But in the greater areas of the country, aside from the drought- and flood-stricken areas, or those which are likely to be drought or flood stricken, the great majority of the farmers have now and will have no interest in this program if you pass the pending bill. You are simply providing for additional raids on the Treasury for the benefit of a useless Federal bureau. In view of the fact that so many of my Republican colleagues have continually complained about useless Federal bureaus, I hope they will not vote to reestablish this one.

The SPEAKER pro tempore (Mr. McGEHEE). The time of the gentleman from Georgia [Mr. TARVER] has expired.

Mr. FISH. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, this bill for crop insurance is primarily in the interest of the western and southern farmers. It does not help the eastern farmers, dairymen, or poultrymen at all. In fact, it may increase the cost of the feed that they buy for their cattle and poultry. But the principle of the bill was contained in both party platforms during the last campaign, and has almost the unanimous support of the Committee on Agriculture and of the Rules Committee. Perhaps the next Congress could work out a form of insurance not only for hay on the same basis as wheat, corn, and flax but for dairy-cattle insurance. Abiding by their judgment and my own party platform I expect to support the bill, knowing full well that it does almost nothing at all for the eastern farmers. I hope later on that they will have their day in court. I hope our dairymen and poultrymen in the East will be taken care of in the future and be assured of fair prices for what they produce. I think that will be a necessity in the conversion from wartime production to peacetime. Something has to be done for them or we will face the same disastrous condition with which we were confronted after World War No. 1 when many hundreds of thousands of farmers were driven from their own homes and farms. As a ranking member of the Subcommittee on Agriculture of the Post-war Economic and Planning Committee I hope every constructive effort will be made by the next Congress to maintain fair farm prices with or without farm subsidies. This is a difficult problem and is one which we have not dealt with as yet but which we cannot evade much longer. The new Congress should start right off in the most careful consideration of what action should be taken to prevent a repetition of the ruinous times after the last World War when the bottom fell out of farm prices and farm foreclosures were the order of the day. Mr. Speaker, I ask unanimous consent to speak out of order for the balance of my time on noncontroversial subjects.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I expect later on in the session, probably within 10 days or 2 weeks, to ask the indulgence of the House to speak at length on the recent campaign and upon national and international issues, and somewhat upon my own defeat for reelection to Congress. I have for a number of years collected material for a book on the causes and responsibility for World War No. 2 which I anticipate writing, let the chips fall where they may, in defense of 100,000,000 American noninterventionists before Pearl Harbor whose predictions have been verified by time and history. At this time I want to refer to two bills which I introduced, which I do not anticipate will be passed due to the short time left of this Congress, but I hope some Member of the new Congress will at least carry on the fight and try to have them enacted into law or something of similar nature.

I asked the gentleman from Georgia [Mr. TARVER] a few minutes ago how much this crop insurance would cost the Government. He estimated it would cost in excess of $10,000,000 a year.

The bill I introduced yesterday, to which I want to now refer, would also require an authorization annually of $10,000,000 for research, prevention of the spread of cancer, and for the cure of that dread disease in the United States.

Yesterday the President of the United States stated in a public message that we were spending $250,000,000 a day in this war, naturally, for destructive purposes. It seems to me it would be little enough if we increased the annual appropriation from $700,000 to $10,000,000 to the National Cancer Institute at the end of the war with Germany to try to find, through intensive and further research into the causes, control, and relief of cancer something that would either cure or prevent the spread and ravages of cancer in this country, which has been increasing 2 percent a year since 1900. Not many years ago cancer was sixth on the list of mortalities. Today it is only second to heart disease, and is taking more lives each year in America than we are losing in the war. Due to the war much of the research work formerly carried on by the National Cancer Institute, for which the Government appropriates $700,000 annually, has been curtailed since our doctors were needed in the war effort, but as soon as hostilities with Germany cease these doctors will become available and should be provided with every necessary facility and means to continue and increase their research efforts in the fight against cancer which is taking an increasing toll of the American people every year.

If this disease proceeds to increase at the rate of 2 percent annually, certainly it will soon be one of the major problems with which America will be confronted. In urging this bill, I hope some Member of the new Congress may have the same idea and carry on the same thought and introduce similar legislation in the next Congress to aid our own people in their fight against this dread and malignant disease, which is not only taking the lives of so many of our people but doing so in the midst of untold agonies. My proposal is not one of war and destruction of lives but deals with the preservation of life as a permanent policy and for the security, health, and happiness of American people. Compared to one battleship which costs $100,000,000, I am sure that we can well afford at least $10,000,000 annually to take care of and safeguard our own people in America from the scourge of cancer.

The other resolution I am introducing is one that is very close to my heart. I doubt whether it is necessary at all, because I believe it reflects the opinion of every Member of Congress, Republican and Democrat alike. This resolution is to have the Congress, due to the misunderstanding that arose during the campaign, to go on record in favor of bringing our servicemen who were inducted into the armed forces back to America as soon as the war has been won against Germany and Japan. Due to the campaign speeches, and otherwise, the American people were led to believe that their sons would be kept abroad, kept in the armed forces in a kind of militarized glorified W. P. A. all over the world. That, of course, is not the desire of the men in the service or of the American people. I have therefore introduced the following resolution and released a statement which is self-explanatory. I hope Congress will adopt a definite and concrete declaration of policy and stop the unnecessary worry and fear that exists in the minds of millions of American parents and wives that their sons and husbands will be kept in the armed forces after the termination of the war.

So much was said during the campaign about keeping our sons in the armed forces after the war instead of bringing them home immediately afterward that I believe the Congress should make its position clear to the public by passing legislation providing for the release of the enlisted and officer personnel, who were inducted into our armed forces under the provisions of the Selective Training and Service Act of 1940, from active service on the termination of the war with Germany and Japan.

It would be preposterous to keep our war veterans in the service after the war

has been won. Some of them have already been in our armed forces for 4 years. The Congress should take the lead in making a definite declaration of policy in favor of demobilizing our war veterans as rapidly as possible and stop the idea prevailing in some parts of the Nation that it is the intent of the administration to keep our sons under some kind of militarized W. P. A. all over the world.

With this in view, I have today introduced the following bill:

A bill providing for the release of enlisted and officer personnel from active service in the armed forces after the termination of hostilities

Be it enacted, etc., That the Secretary of War and the Secretary of the Navy shall at the earliest possible date after termination of hostilities with Germany and Japan return to the United States and release from active training and service all persons who have heretofore been inducted into the armed forces of the United States under the provisions of the Selective Training and Service Act of 1940, who request such release through his or her commanding officer.

SEC. 2. Persons in the armed forces, affected by section 1 of this act, are not precluded herein from volunteering freely and without coercion or undue influence, for continued overseas service.

SEC. 3. As used in this act, the term "armed forces of the United States" includes the Women's Army Corps, the Women's Reserve of the Navy, the Women's Reserve of the Coast Guard, and the Women's Reserve of the Marine Corps.

I found in the recent campaign there was a great deal of alarm and fear amongst the American people that once the war was won their sons would be held overseas. As a former veteran of the last war let me say that the one thing uppermost in the minds of 90 percent of our servicemen is to get back home as soon as possible after the war has been won. They have a right after having won the war to come back home and get started again on their jobs and professions and to participate in shaping the destiny of this country and in helping to write the peace terms and in determining what action we shall take in entering into any world security organization. I do not think it would be fair for us or any one man, or even Congress without the cooperation of the war veterans who after all will have won the war, to enter into any foreign commitments that might involve us in another war without placing all the facts before the American people and the 11,000,000 returning veterans. I am 100 percent in favor of a world security organization and international cooperation to promote and preserve world peace; but I want the facts presented to the American people and to the servicemen themselves for final determination, for unless it is a fair and just peace it will not be lasting and then this war will have been fought in vain and our sons' lives sacrificed in vain. I know of no sacrifice that would be too great to preserve world peace, but I believe the American people have the right to know all the facts and to pass judgment upon any permanent commitments that might involve us in foreign wars. We certainly do not want to enter into any agreement or commitment that will enforce by the lives of American soldiers communism on the nations of Europe.

Mr. COX. Mr. Speaker, I yield myself the remaining time on this side.

Mr. Speaker, I have been tremendously impressed by the fact that there has not been in this House up to the present time any boasting or any complaining over the recent election. That is an attitude which I think is most becoming and I hope that from that position there will be no departure.

A winner should always be humble and a loser silent. Humility is a velvet cloak to all other virtues. Without it they are poorly clad.

I look upon the election as a magnificent personal tribute to the President. The people have said that they want him and certainly the whole world salutes him as its first citizen. There can be no bitterness in the heart of his fallen adversary, for any man who receives 47 percent of the total vote in a contest with this master statesman-politician is himself a notable figure and has much for which to be thankful.

We need to continue united on the war and on the peace that will follow. We need to establish and maintain harmonious relations with the executive branch of the Government. That can be done by the exercise of tolerance on both sides, by trust and confidence. We all love the same flag, our problems are identical and our obligations the same.

So let us catch step and with hands clasped hand in hand, and shoulder firm to shoulder, go forward toward that noble destiny appointed by an All-Wise Providence for this glorious land of ours, for this, our beautiful America.

Mr. FISH. Mr. Speaker, I yield the balance of the time on this side to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Speaker, in keeping with the spirit of our colleague from Georgia, the Honorable EUGENE COX, I think maybe this would be a pretty good time to check up and see just exactly what this bill has to do with winning the war. During the campaign which we all went through I noticed that my opponent used the fact that I voted against crop insurance as one of the many political sins I committed since I have been here in your midst.

In the first place, I never voted against crop insurance because we never had a bill before the Congress for crop insurance, nor have we one here today. We have a bill, as has been explained very thoroughly by our colleague the gentleman from Georgia [Mr. TARVER], that does provide for cotton and wheat insurance, and I am glad that wheat is in there because I will not be held partisan in the few remarks I may make. This year flax has been added. I do not know whether flax has been added in here to smooth the way for our colleague the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] or whether they want to get more flaxseed in order to manufacture more oleomargarine. If we are going to talk about a crop-insurance program we should think of it in connection with the war and I would like to yield to anybody who will tell me why this bill should be brought here as a war measure and why we should be insuring two crops that have evidently embarrassing surpluses.

I often wonder how many of us realize the exact situation. We are supposed to have a war food program. We have nothing to insure the crops that are going to produce the crops we are short of. We are getting short of pork. Even corn is not insured. We do not have anything in this bill that is going to furnish a spread for your bread, but we do have insurance provided cotton and wheat and flax.

Let us analyze those two. Let us take wheat. I will leave cotton alone, because they are in enough trouble without my adding on to it. All during this campaign we heard about the Smoot-Hawley Tariff Act and how bad it was, how all these Republicans were bad when they put it in, but they did not say that it has been on the statute books for the past 12 years and nobody has taken it off. If it was bad then, it is surely bad now. They did not tell you during the campaign that the present administration has implemented the Smoot-Hawley Tariff Act as far as wheat is concerned and that we now have a near embargo on wheat. You can only bring in 200,000 bushels of wheat four times a year.

I am not opposed to crop insurance. I am not opposed to the agricultural program, but during this war it just does seem to me that maybe sometime we can arrive at the point where we can do something not only in the name of the farmer but do it in the name of the people and in the name of the war. I am going to confine this to wheat. In the papers I read that they want you to appropriate $28,000,000 to get rid of 70,000,000 bushels of wheat; that we have so much wheat we do not know what to do with it. I realize as well as anybody else that wheat is the staff of life, but I do not know any reason why we should be subsidizing the production of wheat, subsidizing the importation of wheat, and subsidizing the exportation of wheat all during the war. If there is any reason for that, I would be glad to have someone sometime tell me, because I have not been able to figure out that this makes just ordinary, common, horse sense. So I say today, if you want to have an insurance program, let us insure the crops that are necessary in order to win the war. No one has said anything about insuring these crops. You go out and ask people to raise crops that they never raised before. If there is any crop that should be insured, it is peanuts. Why? Because thousands of farmers have gone out to raise peanuts that never raised them before. They raised them for patriotic reasons. Some had good luck; some had bad luck. The same is true of soybeans.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Of course, the cotton acreage was cut down, as the gentleman knows, and they had to use the land for something, and they used it for peanuts.

Mr. MURRAY of Wisconsin. I do not think there is any doubt but that the peanut acreage was increased due to a patriotic desire to produce peanut butter and also the oils that are so vitally needed.

Soybeans is another crop that has spread its acreage very rapidly. I might say that the Congress has recognized that fact within the last 2 years when it passed those nonrecourse loans under the R. A. C. C. That is a form of insurance. Those nonrecourse loans had the endorsement right here on this floor, and production was increased by making these nonrecourse loans. They may or may not have worked out very satisfactorily.

So I say that I cannot see where this bill at this time should have the preference of having only wheat and cotton and flax included. I think that if there is going to be any insurance at all, we should insure the crops that you want in connection with winning this war.

Mr. COX. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. FLANNAGAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4911) to amend the Federal Crop Insurance Act.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4911, with Mr. SPARKMAN in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. FLANNAGAN. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, I am indeed sorry that the former chairman of the House Committee on Agriculture, the gentleman from South Carolina, Mr. Fulmer, who had given so much time and thought to this piece of legislation, is not with us today to present it to the House. The gentleman from South Carolina, Mr. Fulmer, was deeply interested in every phase of agriculture, was an ardent supporter of crop insurance, and we miss his presence today.

In my opinion, this is not only an important piece of legislation, it is more, it is a great piece of legislation, and one that should have demanded the attention of the American Congress years ago. Over the years practically every group in America has been able to obtain insurance of one kind or another, with the single exception of the farmer. We who represent agricultural districts know that the farmer has never been able to go into the market place and buy an insurance policy covering farm products.

In 1938 the Congress after much study passed what was known as the Federal Crop Insurance Act. Under the provisions of that law wheat alone was included. In 1941 the law was amended to include cotton. For 5 years, from 1939 to 1943, we had crop insurance covering wheat, and in 1942 and 1943 we had crop insurance covering cotton.

I am frank to admit that the picture during the short trial period does not look too good. Remember, however, we were entering a new field. We were pioneering. We were trying to extend insurance protection to a new class—the farmers of America—and we had to start from scratch; but I venture to say that the record the Federal Crop Insurance program has made is comparable to the record made by any life-insurance company or fire-insurance company for the first 5 years of its existence.

We suffered losses; of course, we suffered losses. We went into it expecting to suffer losses. But do not forget we brought blessings, many blessings, to a stricken class here in America, and blazed the trail, I hope, for greater future blessings.

Now, the picture is not quite as bad as has been painted. Here is the picture as of June 30, 1944, figured on a monetary basis. Premiums collected on wheat amounted to $38,735,000 plus. Indemnities paid to the wheat farmers amounted to $71,593,000 plus. The loss on wheat amounted to $26,200,000 plus. On cotton, we collected in premiums, $13,155,000 plus and paid out in indemnities $24,260,000 plus. The over-all picture is this: We collected in premiums $51,890,000 plus and paid out in indemnities $95,854,000 plus, leaving a deficit of $37,227,043. I submit to the House, considering the fact that we were pioneering and had to start from scratch that that is not a bad record. During that short experience we have learned many things, which things we have tried to write into the bill before us today. When the Committee on Appropriations failed to include an appropriation in the last bill, to carry on crop insurance, our former colleague, the gentleman from South Carolina, Mr. Fulmer, called the Committee on Agriculture together and we made a further study, a pretty thorough study. We called before us farmers from the New England section, and from the great farming sections of the Midwest and the West and the South. With one voice, those farmers were in favor of continuing crop insurance. Men who live upon the soil and make a living by tilling it came, men who had carried crop insurance came. Men who had not carried crop insurance came. Yes, they came from all sections, and they all demanded that we continue the crop insurance program. As I say, we learned many things from our short experience. These men, deeply interested in the program, told us how, in their opinion, the program could be improved. And so we tried to improve the bill so as to make it more workable and, if possible, to lower the premium and make it more attractive, and at the same time, place the program, as far as possible, upon an actuarially sound and safe basis.

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

Mr. FLANNAGAN. I yield.

Mr. ROWE. Referring to the figures quoted a moment ago, as to the deficit does that also include administration costs?

Mr. FLANNAGAN. We have made a great improvement in the administrative end of the program. When we started this program, as I said, we had to start from scratch. We had to collect the data upon which to build our program and it was not an easy matter. It took work, a great deal of work, to collect sufficient data to start out on. At first, you know it only applied to wheat. In 1939 it cost $26.89 to service a policy. Now, that is unreasonable. I admit that. But by 1943 we reduced that to $11.49. It will be further reduced as the policy holders increase in number. Another thing, the war has been going on most of this time. We did not have the opportunity to put on a sales campaign. You have got to sell crop insurance to the farmers, just like the old line companies sell fire insurance or life insurance, to make it a success.

You have got to bring as many farmers under coverage as possible to make the program a success. The more you can bring in the more you will be able to reduce the overhead or administrative expenses. Along with that I think you will be able to reduce the premium rate.

Mr. ROWE. Mr. Chairman, will the gentleman yield, if I may pursue the question further?

Mr. FLANNAGAN. I yield.

Mr. ROWE. The deficit to which you referred includes all administrative costs, does it?

Mr. FLANNAGAN. I have before me a statement furnished by the Department of Crop Insurance dated June 30, 1944. I do not think it includes administrative costs. I think it includes only premiums collected and indemnities paid.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield.

Mr. SUMNERS of Texas. Can the gentleman tell us how many premiums there were? We can figure it out then ourselves.

Mr. FLANNAGAN. How many there were participating in the program?

Mr. SUMNERS of Texas. Yes.

Mr. FLANNAGAN. At what time?

Mr. SUMNERS of Texas. The $11.40 year.

Mr. FLANNAGAN. In that year we had 357,333 wheat policies in force. We had 164,998 cotton policies in force.

Now this matter has been given a great deal of thought by our great farm organizations.

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

Mr. FLANNAGAN. Mr. Chairman, I yield myself 5 additional minutes.

As I said, our farm leaders have given a great deal of thought to the program. The program has the endorsement of our great farm organizations and has the endorsement of the Farm Bureau. It has the endorsement of the Farmers' Union. It has the endorsement of the Grange. It has the endorsement of War Food Administrator Marvin Jones, who for years was the efficient chairman of the Committee on Agriculture in the House of Representatives. I say that any measure that comes before this body with the recommendation of those great farm organizations, plus the recommendation of Marvin Jones, is worthy of our very careful consideration. I ask permission to insert at the conclusion of my remarks letters and telegrams from Marvin Jones, War Food Administrator, the National Grange, the Farm Bureau, and the National Farmers' Union.

Now, I am not perfectly satisfied with this bill. No one is going to be perfectly satisfied with it. We will have to change and modify this bill from year to year as we learn from experience what it takes to put crop insurance upon a sound actuarial basis. One thing, I would like to see a change made in the 3-year period that is contained in the present bill. For the first 3 years we pay an indemnity of 75 percent on the average yield, or the actual cost of the planting and seeding and so forth. Now, we are in a war. It is hard to put this program over in the right way, and it cannot be put over in the right way, in my opinion, unless we can write a long-term contract. When you write a short-term contract this is what will happen: You will go to farmer A. He knows we have had plenty of moisture, and in all probability we are going to have a good crop year. Farmer A will say, "No; I do not believe I will take it this year." But, next year when we have had a dry season and there is very little moisture in the ground, he will be running after you to take it.

I want to be in a position to give him a 4- or 5-year policy so that the losses and benefits will distribute over a period of years. I believe if we can offer a longer term policy, we can bring under coverage the greater part of the wheat growers and the cotton growers.

Mr. ROWE. Is that policy which you have announced to establish security and to eliminate speculation?

Mr. FLANNAGAN. That is right. It is to eliminate the selection. If the farmers have prospects of a good season they will not want to take insurance; if the prospects are for a bad season they will take insurance. For this reason I should like to see it spread over a longer period of time so we could get a better average.

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

Mr. FLANNAGAN. I yield.

Mr. GIFFORD. Do I understand correctly that the Administration has expressly instructed that the premium will only cover losses and create a small reserve, but that no part of the premium will be charged for administration?

Mr. FLANNAGAN. That is right.

Mr. GIFFORD. And the administration of an act like this where the premiums are paid in the commodity itself, as has already been shown, is very expensive.

Mr. FLANNAGAN. I may say to the gentleman from Massachusetts that I believe it has been rather expensive and that it will be rather expensive until we secure sufficient data so we will know more or less to a certainty what losses we may expect.

Mr. GIFFORD. We want to have our eyes open and realize that we are not attempting through premiums to pay for administration.

THE NATIONAL GRANGE,
Washington, D. C., November 21, 1944.

Hon. JOHN W. FLANNAGAN, Jr.,
House Committee on Agriculture,
House Office Building,
Washington, D. C.

DEAR MR. FLANNAGAN: We note that H. R. 4911, amending the Federal Crop Insurance Act, is scheduled to come up for consideration in the House this week.

The National Grange has long regarded a sound and workable plan for crop insurance as a necessary part of a well-rounded program to promote agricultural stability and to protect farmers against the hazards of the weather and other conditions beyond their control.

One of the reasons advanced for suspending the Federal program for crop insurance was to effect that the Government should not compete with private enterprise. Those who believe in our system of free enterprise will readily agree with that proposition. However, aside from hail and tornado insurance, which is available in some sections of the country, private agencies have never attempted to give the farmer crop insurance on any extensive scale.

Exaggerated statements were likewise made regarding the losses sustained by the Federal Crop Insurance Corporation, with the result that no funds were appropriated for the insurance of crops planted subsequent to July 31, 1943. As a consequence, no crops produced for harvest in 1944 were insured.

We note that the bill reported by the committee authorizes insurance on wheat, cotton, and flax. It provides that the insurance coverage shall not be in excess of 75 percent of the average yield for the insured farm, but with the restriction that the coverage will also not be greater than the investment in the crop.

We are glad that the bill authorizes trial insurance on other crops beside wheat, cotton, and flax, providing certain conditions are complied with.

Believing that his measure is in accord with sound public policy, and trusting that it may be enacted, we are,

Sincerely yours,
THE NATIONAL GRANGE,
FRED BRENCKMAN,
Washington Representative.

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., November 21, 1944

Hon. JOHN W. FLANNAGAN, Jr.,
House of Representatives,
Washington, D. C.

MY DEAR CONGRESSMAN FLANNAGAN: In response to a request for the position of the American Farm Bureau Federation relative to the crop-insurance bill, H. R. 4911, I wish to advise that the Federation has consistently advocated continuation of crop insurance on wheat and cotton on an actuarially sound basis.

At the hearings on this proposed legislation, representatives of the Federation appeared and presented a number of specific recommendations. These recommendations, in the main, have been embodied in the pending bill.

Representatives of the Federation have advised against extending crop insurance to other commodities at this time, because it is believed essential to improve and protect crop insurance for these commodities before branching out into other fields.

We particularly commend the inclusion in this bill of the objectives of H. R. 3785, by Congressman CLARENCE CANNON, of Missouri, which is intended to assure that the program will establish adequate reserves and be placed on an actuarially sound basis.

The American Farm Bureau Federation therefore favors the enactment of this legislation, on a basis that will be in line with the recommendations presented by the Federation.

Sincerely yours,
W. R. OGG,
Director, Washington Office.

WAR FOOD ADMINISTRATION,
WASHINGTON, *November 21, 1944.*

Hon. JOHN W. FLANNAGAN, Jr.,
House of Representatives.

DEAR MR. FLANNAGAN: This is in reply to your request for information as to the length of time necessary to place into operation a program of crop insurance on each of the crops named in the Fulmer bill, H. R. 4911. The following comments are based on the assumption that legislation and the appropriation would be passed before January 1, 1945.

We believe it would be possible administratively to offer insurance on spring wheat for 1945. Consideration should be given by Congress, however, to the advisability in the case of wheat of using 1 of the 3 years with the 15-percent limitation on prorationing for spring wheat alone, thus leaving only 2 such years for winter wheat.

We believe it would also be administratively possible to insure the 1945 cotton crops. With the short time available a program could not be put in operation as effectively as we would like but we will be glad to follow the wishes of Congress in this matter.

Likewise we believe it would be possible to insure 1945 flax crops in the principal producing areas.

With respect to the crops for trial insurance it appears that a start might be made in 1945 on corn, tobacco, and possibly peanuts and sugar beets. Yield records for individual farms have been kept over a period of years on these crops. Perhaps insurance might be possible in 1945 on some of the other crops but considerable actuarial work and study will be necessary before a program is launched.

We would like to call to your attention particularly the situation in insuring winter wheat for 1946. It has been our practice to start writing winter wheat insurance by the first of July preceding the planting of the crop to avoid adverse selection of risks. In the past we have had a considerable amount of the work in preparation for the program under way by January 1. Six months' time would not be more than adequate to carefully prepare a revised program for new 3-year wheat contracts.

What we have stated above is our present thinking relative to the time required to put insurance into force on different crops. We assure you, however, that we will make every effort to develop carefully and put into effect as quickly as possible insurance on any crops that may be designated.

Sincerely yours,
MARVIN JONES,
War Food Administrator.

AUGUST 28, 1944.

Representative J. T. MARTIN,
The Capitol, Washington, D. C.

CLIFFORD HOPE,
House Office Building,
Washington, D. C.

L. C. ARENDS,
House Office Building,
Washington, D. C.

Speaker SAM RAYBURN,
House Office Building,
Washington, D. C.

Representative JOHN W. MCCORMACK,
House Office Building,
Washington, D. C.

Representative HAMPTON P. FULMER,
House Office Building,
Washington, D. C.

The National Farmers Union urges that you use your influence toward immediate consideration and adoption of H. R. 4911, authorizing a crop-insurance program. Adoption of the bill at this time would have a most beneficial effect among farmers. They have worked hard for the war effort in the face of great obstacles, and with peace now in sight in Europe many of them are frankly worried about prospects. Addition of crop insurance to the guaranties of the Steagall amendment would give many of them a new feeling of security for the future that would be reflected in greater production for the remainder of the war and greater eagerness for compliance with governmental programs after the war. As the November election approaches farmers are waiting fulfillment of the pledges

made by both parties in platforms endorsing crop insurance. They feel that now is the time to meet those commitments so that they may have this added measure of security available to them in the next crop year.

RUSSELL SMITH,
Legislative Secretary,
National Farmers Union.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I am one of those who opposed crop insurance as it existed through the experimental stage. I have, on the other hand, always favored the establishment of a sound over-all crop-insurance program that would take care of all growing crops; and I am, therefore, supporting this bill with the hope that before it is finally enacted into law we can make necessary changes so as to cover all crops and also make it a sound and self-sustaining insurance program.

I intend to offer an amendment which will take in additional important crops in our agricultural economy, which amendment, I believe, should be agreed to. It will cover barley, rye, and oats.

This program was begun as an experiment. I opposed it at that time because I felt that the premiums were not high enough to pay out indemnities or losses sustained. Now the Government has undertaken to pay the overhead expense, but no insurance company or no insurance program can operate unless the premiums are large enough to take care of the cost of administration as well as the average cost over a period of time in paying indemnities or losses.

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

Mr. AUGUST H. ANDRESEN. I yield.

Mr. ROWE. Is it the intent or purpose of the Administration to keep administrative costs separate and apart from the set-up under this bill?

Mr. AUGUST H. ANDRESEN. That is not my intent; it may be the intent of the Administration, because the administrative costs up to this time have been a large share of the premiums that have been collected; but, of course, the program has gone through the experimental stage and it is sought now to write a sound crop-insurance law which eventually will be on a proven and adequate basis, a self-sustaining basis, so it may be continued and be of some value to the American farmers.

Mr. ZIMMERMAN. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Missouri.

Mr. ZIMMERMAN. If we include barley, rye, and oats in this program as the gentleman suggests, and we include cotton—and we tried that out for 2 years—we have some data on cotton and we have data on wheat—how can we place a premium that would not be exorbitant upon the farmer to take care of the operating expenses as well as the indemnities in case of losses?

Mr. AUGUST H. ANDRESEN. I may say to the gentleman I intend to place that in part of the bill so that statistical figures may be worked up to determine what the premium should be. This will not be in the first part of the bill. I hope that answers the gentleman's question.

Mr. ZIMMERMAN. The gentleman agrees that the Government must bear the administrative costs during the time that we are getting the necessary data which will enable the administrator to fix a reasonable premium in order to take care of the indemnities as well as the administrative costs.

Mr. AUGUST H. ANDRESEN. That data on production has been assembled under the A. A. A. for the last 12 years and it should not be very difficult for them to get it together and accumulate it in order to determine the figures.

Mr. CRAWFORD. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. What would be the necessity, if any, to begin insurance on a crop before you have that data? In other words, if it is justifiable to begin insurance on cotton and wheat before you have the data, why would we not be justified in putting some of the other crops in?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOPE. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I admit they must have the data, but I am including these other crops.

Mr. CRAWFORD. I agree with the gentleman and I intend to support his amendments because I have had a chance to see the amendments to be offered. But I want to answer the argument of the gentleman from Missouri, because if we can proceed to insure wheat and cotton, with the Government carrying the losses, before the data is established, is there any reasonable argument against proceeding to take on some other crops too?

Mr. AUGUST H. ANDRESEN. That is right.

Mr. CRAWFORD. I think we might as well get that in.

Mr. MURRAY of Wisconsin. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Wisconsin.

Mr. MURRAY of Wisconsin. The gentleman lives in a corn country, and I would like to ask the gentleman what crop he thinks is more important at the present time than corn?

Mr. AUGUST H. ANDRESEN. I agree that corn is the most important crop in the country, but the gentleman will remember that 3 or 4 years ago the majority in this House refused to permit our farmers to plant corn enough to fill their silos. I live in a dairy country, just as the gentleman does.

Mr. MURRAY of Wisconsin. Looking at it purely from an insurance standpoint, it is pretty nearly necessary to produce all the corn we need in our own country. You can import wheat if you need it. We do not need it but we could import wheat. However, it is pretty difficult to import corn because the sources of corn are very limited.

Mr. ARUGUST H. ANDRESEN. That is right.

Mr. MURRAY of Wisconsin. If any crop is a war crop today in comparison with national significance, it is corn, is that not right?

Mr. AUGUST H. ANDRESEN. If we were to have their measure just as a war measure there would be no necessity for it because we hope that the war will terminate within a relatively few months; but this is an effort that is being made by the Congress to set up a sound, permanent program for agriculture where the farmers may have some assurance that they will receive at least operating costs in the event of a crop failure.

Mr. MURRAY of Wisconsin. What is the object of insuring crops that we have too much of, if insurance increases production? Otherwise it will not be put in operation.

Mr. AUGUST H. ANDRESEN. The gentleman knows that we have had three of the most wonderful crop years in the history of our country and it is a good thing that we had it that way.

Mr. EDWIN ARTHUR HALL. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. I would like to call the gentleman's attention to page 3, line 16, the twenty representative counties selected by the board. How does the gentleman feel with reference to fairness, and so forth? Are they all coming from the South or from the West or from some other section?

Mr. AUGUST H. ANDRESEN. I cannot say, but, of course, that is the experimental program where they are trying to determine rates and production in order to arrive at some actuarial figures which must be had.

Mr. EDWIN ARTHUR HALL. Does the gentleman feel that that can be carried out fairly and equitably?

Mr. AUGUST H. ANDRESEN. We hope the administration gets up into the State of New York to cover some of the hay that the gentleman has up there, because they often have crop figures in hay.

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

Mr. AUGUST H. ANDRESEN. I yield.

Mr. ARENDS. I discussed with the gentleman from Minnesota a while ago the question that if a county is insured only on a percentage basis, say 75 percent must take out the insurance, will we find the Government in a position of going out and forcing the other farmers to take out this insurance also?

Mr. AUGUST H. ANDRESEN. There is nothing compulsory in this bill, and if there was anything compulsory in the program, I would not be for it. I recognize that under dictatorship countries, where they force everybody to do just exactly what the dictator wants done, why they would go out and force all of the farmers into the program as a mandatory proposition. They tried that out in the State of North Dakota a number of years ago on crop insurance and hail insurance, where every farmer had the

premium put on his tax roll, but the farmers of North Dakota got disgusted with that and then the law was repealed. A thing like that will not work in the United States.

Mr. ARENDS. There is no possibility of that taking place under the consideration of this bill?

Mr. AUGUST H. ANDRESEN. There is no possibility of that taking place, and I think the Congress would be the first to repeal such a law if it was put into operation.

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

Mr. AUGUST H. ANDRESEN. I yield.

Mr. STEFAN. How many crops does the gentleman's amendment include? Does it include corn?

Mr. AUGUST H. ANDRESEN. Corn is included in the bill, but I am adding some of the other basic crops. There is included in the bill wheat, cotton, flax, corn, tobacco, rice, peanuts, soybeans, sugarbeets, citrus fruits, and tame hay. I am adding barley, oats, and rye.

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

Mr. HOPE. Mr. Chairman, I yield the gentleman 5 additional minutes.

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

Mr. AUGUST H. ANDRESEN. I yield.

Mr. DONDERO. In reading the report I notice, so far as it affects wheat, that it only applies to the commercial wheat area. Do I understand from that that wheat crops in Michigan or Ohio or Pennsylvania should not be insured?

Mr. AUGUST H. ANDRESEN. It is my understanding that the whole country is a commercial wheat area. The only differentiation in the set-up between a commercial and noncommercial area is on corn.

May I call attention to another matter which I think should be corrected in this bill, and upon which I propose to offer an amendment, and that is with reference to administrative costs. The gentleman from Georgia [Mr. TARVER] has brought out very clearly the large amount of money that has been spent as overhead expenses. I have an amendment that may not be right, but I am going to offer it, anyway, where it will limit the cost to a sum which is equivalent to 25 percent of the premium collected in any one year. That may be too high or too low.

I am hoping that with that amendment, if it is adopted in the House, we will have something to go to the Senate with, as well as in conference, where we can make the adjustment, because we want the farmers who stand the losses and pay the premiums to get the most benefit out of it.

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

Mr. AUGUST H. ANDRESEN. I yield.

Mr. ROWE. I am glad to know that the gentleman is contemplating that sort of an amendment, because it has been running through my mind that that is a subject that should be incorporated in the bill, to prevent exorbitant administration costs against the men involved so far as insurance is concerned.

Mr. AUGUST H. ANDRESEN. Another thing that I think should be done by the conference committee, if it is not done in the Senate, and that is to put additional safeguards in the bill that will assure a sound program. We knocked out the crop insurance before because it was not sound, and that is why I want to urge the conferees and the Members of the Senate, if they do not adopt it, to go ahead and incorporate provisions in the bill that will make over-all crop insurance a sound and lasting program. No insurance program will stand the test of time unless it is founded upon sound policies.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. Chairman, the great and important Committee on Agriculture was organized, as I recall, about 1820. In the intervening 124 years only one Virginian has served as chairman of that committee. We, of course, mourn the passing of the great chairman who recently died, but since it was God's will to call him to his final reward we, in Virginia, are proud that a Virginian, Mr. FLANNAGAN, has been called to leadership of that committee. We predict that he will fully measure up to the high standard that has been set in the past.

Mr. Chairman, I am supporting the pending bill, first, because I feel that farmers are entitled to crop insurance; and secondly, because no private insurance company will write that type of insurance. I voted against the crop-insurance bill in 1938 because I did not think that the program should be limited to wheat and cotton only, and likewise because I did not think that the program was based upon a sound actuarial basis. The best proof of the latter point is that the Government lost about $26,000,000 on the wheat insurance and about $11,000,000 on the cotton insurance. Those inherent difficulties have been corrected in the present bill. My personal feeling is that a 5-year experiment in Government crop insurance would be better than the 3 years provided for in the pending bill, and I would support an amendment to that effect. And I likewise think that other crops besides wheat, cotton, and flax should be included although those who know more than I about the subject prefer to test out the feasibility of including other crops under the experimental provisions of the pending bill.

The national farm organizations have been very helpful to Members of Congress during the past 12 years and helpful to the cause of agriculture through their sponsorship of much sound legislation, yet I have noted a tendency among some of the leaders of national farm organizations to be a bit intolerant of those who failed to support every specific measure 100 percent as advocated by the particular organization. My colleagues in the House will bear witness to the fact that no Member of this distinguished body has been more interested than I in the cause of agriculture, representing as I do the Shenandoah Valley of Virginia and some fine counties east of the Blue Ridge Mountains than which there is no better agricultural section in the United States.

During the past 12 years I have supported every major bill in behalf of agriculture with the exception of the crop-insurance bill and the compulsory wheat-allotment bill. The National Grange, of which I have long been a member, was opposed to the compulsory wheat-allotment bill and I think properly so. I voted against that bill because the district I represent normally produces from one-fourth to one-third of all the wheat produced in the State of Virginia. There is only one State in the Union, namely, Pennsylvania, which has more flour mills than Virginia. The wheat produced in Virginia has never been adequate to meet our needs and when our Virginia millers import each year millions of bushels of wheat from the West the transportation charges on that wheat add from 10 to 15 cents per bushel to its cost to the local millers and ultimately to the local consumers. Of all the 48 States in the Union, there are only 9 which produce more wheat than the amount locally consumed, and, therefore, I took the position that if there was to be a compulsory curtailment of wheat produced, the curtailment should be on wheat as on corn—limited to those States which produced an exportable surplus. The American Farm Bureau Federation actively supported the compulsory wheat-allotment bill, and was very critical of me for my failure to do likewise.

In 1942 the American Farm Bureau Federation supported the Brown amendment to the pending price-control bill, which required the cost of labor to be included in figuring the parity prices of farm products. The President said that if that amendment were adopted, he would be unable to hold the line against further wage increases in industry, and spokesmen for the White House predicted a Presidential veto. The ranking minority member of the Committee on Banking and Currency, the gentleman from Michigan [Mr. WOLCOTT], offered a substitute for the Brown amendment which I thought was better than the Brown amendment. Consequently I voted against the Brown amendment and for the Wolcott substitute. When the Wolcott substitute was defeated and the Brown amendment adopted I voted for the bill that included the Brown amendment. When the bill went to the Senate a compromise was reached between the language of the Wolcott amendment and the language of the Brown amendment which was entirely satisfactory to both of them and satisfactory to the national farm organizations, as indicated by a joint statement signed by them and included in the remarks of the chairman of the House Committee on Banking and Currency during the debate in the House on the conference report. See page 7740 of the CONGRESSIONAL RECORD of October 2, 1942.

I voted for the conference report which instructed the President to weigh the cost of farm labor in determining ceiling prices for farm products. Notwithstanding the fact that on two separate occasions I had cast the votes mentioned

above, in the spring of 1944 the president of the American Farm Bureau Federation, Mr. Edward A. O'Neal, sent to the Virginia State president of the American Farm Bureau Federation a statement purporting to be my record on farm legislation for the past 12 years. That statement omitted many important bills which I had supported, but condemned me for my failure to support the Brown amendment. When I learned of that situation I submitted to the national president of the American Farm Bureau Federation and to the Virginia State president of the American Farm Bureau Federation a complete, detailed, and accurate statement of my votes on all farm legislation of the past 12 years with the request that the National president inform the Virginia State president that the record sent him in the spring of 1944 was inaccurate. In the meantime, the Virginia State president had written me a letter complaining, among other things, of my failure to support the Brown amendment and sent a copy of it to my Republican opponent.

In spite of my most urgent plea to the National president of the Farm Bureau Federation and to the Virginia State president of the Farm Bureau Federation to correct the injustice that had been done me both refused to do so. As a result, day after day over the radio, in the press, and through printed literature, my Republican opponent appealed to the farmers of the Seventh Virginia Congressional District to vote against me on the ground that I had been their enemy and not their friend, and he even went so far as to charge that the elimination of the Brown amendment had resulted in a financial loss to the wheat growers of my district of from 25 to 30 cents per bushel. The facts are that a provision similar to all intent and purposes to the Brown amendment was written into the law and I voted for it.

The further facts are that we had a billion-bushel wheat crop in 1944, plus a 300,000,000-bushel carry-over, with a current domestic demand, exclusive of lend-lease, of approximately 600,000,000 bushels, and but for Commodity Credit Corporation loans to support the prices the law of supply and demand would have operated and the price of wheat in Virginia and throughout the Nation would have been less than it actually was. I am satisfied that many wheat farmers in my district believed the reports concerning my voting record circulated by the American Farm Bureau Federation and my Republican opponent, and as a result I lost on November 7, 1944, the largest wheat-producing county in my district by the largest majority it has ever returned against me.

I harbor no ill feelings against my Republican opponent for his misrepresentation of my voting record in the recent election and I harbor no ill feelings against anyone in the district who voted against me in that election. I repeat what I stated at the outset, that the American Farm Bureau Federation has during the 12 years I have been a Member of the House rendered outstanding service to the cause of agriculture and to the farmers of America. My only purpose in making this reference to what occurred in the recent campaign is the hope that in the trying years that lie ahead of us, when our farm problems may become as acute as they were in the depression years of 1932 and 1934, those who do their dead level best to advance the interests of agriculture but who may not see eye to eye with some national farm leader on some minor phase of the program will not be subjected to the treatment that I received in the last election at the hands of the American Farm Bureau Federation.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, I am for this bill, but realize that it is only a beginning. It is only a toehold. The ultimate solution of the farm problem will be and must be cost of production, and sooner or later we will have the intelligence to give that to the farmer. The farmer can no more continue to feed the Nation for less than it costs him to produce than a businessman can stay in business for less than it costs him to do business.

When cost of production finally comes, it must be 100-percent parity, not 75-percent parity, and it must be on 43 principal agricultural commodities, and not only 75-percent parity on only 5 agricultural commodities.

Sooner or later agriculture is going to come into its own. Sooner or later the farmer will know that the kind of legislation that has been handed to him means absolutely nothing. The farmer will again be made the shock absorber when this war is over, unless he gets cost of production. I want to say that the farmers in this Nation are universally and practically 100 percent for cost of production—100-percent parity on 43 agricultural products.

For some strange reason, some of their farm leaders have not yet awakened to the situation that in order to save agriculture, and that the only way that it can be saved, is by giving the farmer the cost of production, 100 percent—parity.

I realize that there are many people who think that the farmers are prosperous. I know that some politicians claim credit for great prosperity for agriculture. That is a deception and a fool's paradise, because the farmer during the last 4 years has been raising 20 bushels per acre of wheat on an average where 10 years prior, he raised only 8 bushels per acre. In other words, on an average he has been raising 20 bushels per acre for the last 4 years where for the previous 10 he has been raising only 8.

If the North Dakota farmer had gotten only the number of bushels per acre in the last 4 years that he got in the previous 10 years, he would have to be still filing under the Frazier-Lemke Farm Mortgage Moratorium Act in order to protect his home.

Again, if the farmer were getting only the 1937 price for his wheat, then he would be getting about one-half of what it cost to produce. Consequently, this crop-insurance plan that is coming up here, is the first step, I hope, a toehold, toward the cost of production for the farmers of this Nation, on 43 principal agricultural commodities, and not 75-percent parity on only 5.

I would like to know how any Member of Congress would like to do business with me, if whenever he trades with me, I take a dollar from him and give him back 75 cents. That is exactly what the hypocritical triple A program has been doing with the farmer, prior to this abnormal crop production which is due to climatic conditions and not to politicians and due in part to higher prices, because of the war. I hope we do not have to buy farm prosperity in the future by the shedding of the blood and the giving of the limbs of our sons.

Mr. FLANNAGAN. Mr. Chairman, I yield 5 minutes to the gentleman from Oklahoma [Mr. JOHNSON].

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am in favor of the pending compromise crop-insurance legislation. It is of course a matter of record that I support the crop insurance act when it was originally passed by this House and again when the law was amended and broadened to include cotton. We from Oklahoma are particularly conscious of the dangers of crop failure. While we usually produce good crops there, we are occasionally stricken by drought, hail, floods, excessive moisture, insects, and plant diseases. In my judgment the principle of crop insurance is sound and practical. It is not fantastic or visionary.

It is also well known that I also opposed the discontinuance of crop insurance in the summer of 1943 when as a result of legislation improperly added on an appropriation bill, this important program was discontinued. It will be recalled that the Appropriations Committee provided $3,500,000 for so-called crop insurance with a very unusual qualification; let me read it to you:

> *Provided*, That no part of this appropriation shall be used for or in connection with the insurance of wheat and cotton crops planted subsequent to July 31, 1943, or for any other purpose except in connection with the liquidation of insurance contracts on the wheat and cotton crops planted prior to July 31, 1943.

That was like saying that the little daughter might go for a swim, but with the proviso, "Hang your clothes on a hickory limb and do not go near the water." It was the kiss of death to crop insurance.

I opposed the discontinuance of the crop-insurance program, not only because the action taken by the great appropriation committee of which I am a member, was strictly a legislative matter, but also because I felt that a program as important as this to American farmers should be given a reasonable opportunity to prove that it could be a success.

The crop-insurance item was dropped because some money had been lost during the years of its development period, and because a lot of propaganda was spread against it. In my opinion it will take longer than a short period of 3, 4, or 5 years to develop a successful and widely applicable crop-insurance program. I would not be surprised if it would take 10 years or longer before we develop a type of crop insurance entirely acceptable to Congress and to the

American farmer. When Government crop insurance was first established, I doubt if any Member of this House considered that the act as passed was the final or perfect form. It got off to a rather bad start. Its premiums were too low and its benefits too high to be economically sound; but through experiment, there is being developed a more satisfactory system. Frankly, I am of the opinion the pending bill is far from being perfect. It is by no means the final form. It may be that the premiums under this legislation are too high and the benefits too low to be practical. That remains to be seen. But as I stated in the outset this pending measure is a compromise and undoubtedly is an improvement over the original crop-insurance law.

This bill provides that after 3 years the losses paid each year cannot exceed the premiums collected. That seems to be a wise safeguard. That provision makes certain that for at least 3 years the claims for loss would not be reduced more than 15 percent by the process of proration. The provision that this insurance should be limited to the investment in the crop is sound. It makes certain that we would not guarantee farmers profit but guarantee him that he gets his investment back in case of loss. This bill is, of course, far more conservative than the original crop-insurance law. It is at least a forward, progressive move in the right direction.

The rank and file of the real dirt farmers in Oklahoma are for crop insurance. Of course, I realize full well that there are some big-shot farmers, who "farm" the farmers, who still oppose it. While crops were generally good this year in my State, yet our farmers never know what will happen next year. Oklahoma farmers have carried this insurance since the program was originally started. They have carried insurance on wheat for 5 years and insurance on cotton for 2 years. Only today I got the following figures from the Department of Agriculture. During the last 5-year period 95,000 wheat crops have been insured and 17,000 cotton crops have been insured; indemnities have been paid for losses on 39,000 wheat crops and some 7,000 cotton crops; altogether over 4,000,000 acres of crops have been insured. During that period wheat farmers who lost their crops have received indemnities amounting to $5,500,000, and cotton farmers to $1,500,000. These figures speak for themselves.

It will be recalled that in 1939 and 1940 wheat farmers in Oklahoma suffered heavy losses from drought. In 1941 a wet harvest season caused severe losses; in 1942 and 1943 greenbugs destroyed a large part of the crops. In some counties during those years practically no wheat was produced. In 1943 floods also took a heavy toll of crops in both wheat and cotton. Cotton farmers of Oklahoma have not so soon forgotten that drought and boll weevil caused heavy cotton losses in the years of 1942 and 1943. So there is abundant evidence why Oklahoma farmers are deeply interested in this pending bill.

In conclusion, permit me to merely add that both political parties have endorsed Government crop insurance in their recent platforms. I believe there are many people in both political parties who want to make that promise good. I am convinced that the farmers of America expect that promise be kept. The American farmers, or, at least, some of them, are beginning to wonder if the pledges of both political parties on this subject were mere empty campaign promises, to be forgotten after the election is over. This is not, or, at least, should not be, a partisan political matter. The farmer, irrespective of political affiliation, is producing foods for war. He is working overtime without sufficient help with mighty little complaint. He is not letting down our loved ones who are in the armed forces. This Congress must not let the farmers down by refusing to restore this important agricultural program.

Mr. FLANNAGAN. Mr. Chairman, I yield to the gentleman from Missouri [Mr. ZIMMERMAN] such time as he may desire.

Mr. ZIMMERMAN. Mr. Chairman, I rise in support of the bill. I think one of the greatest mistakes this House ever made was when it followed the recommendation of the Committee on Appropriations and said no part of this appropriation shall be used for or in connection with the insurance of wheat and cotton crops planted subsequent to July 31, 1943, or for any other purpose except in connection with the liquidation of insurance contracts on wheat and cotton crops planted prior to July 31, 1943.

Last year in the Missouri River Valley we had probably the greatest flood in all history. We had a disastrous flood in the Missouri Valley in 1943, but fortunately for the people, they had crop insurance. They did not have any crop insurance in 1944. Those farmers were wiped out—left with nothing. The same thing happens when drought covers our country as it has in the past, as well as insect infestations.

I do not think friends of mine like the distinguished gentleman from Georgia, Judge TARVER, really appreciate what it means to have an entire crop completely eradicated and the farmer left with absolutely nothing. That was the reason that crop insurance came into existence. As has been said today, you cannot buy insurance on your crops. Companies refuse to engage in such business, and if they did, the premiums would be so exorbitant that the farmers could not afford to pay them. This is a way that the Committee on Agriculture fell upon to enable the farmers of the country to carry their own insurance and to inveigh against the results of flood, drought, insect infestations, storms, and other things that destroy the farmer's crops, all that he has to rely upon. I do not think we tried the experiment long enough. The fatal blunder this House made was when we followed the recommendation of the Committee on Appropriations last year and struck crop insurance to the ground. It was a fatal blow to agriculture and to the future of agriculture. The farmers of this country have risen up against the action of this House in destroying the fruits of a great committee, that earnestly tried to do something to solve this problem of agriculture.

Since Members have come back here I think they have heard from the people. At least the people in the Missouri Valley do not want another experience like that in January of 1943 and 1944 when not even their chickens were saved.

This bill is a reasonable bill. It proposes to reimburse the farmer at least for not more than 75 percent of the average yield of his farm or at least for the amount of money he spent for seed, for preparing his ground, for rent, and so forth, all outlays made by the farmer. When a disastrous flood comes, all that he has is gone. His loss comes out of his pocket and he has not anything left. I believe this bill is a good beginning; and I am not so much opposed to including corn and some other commodities in its provisions, but let me say that no insurance company ever started off doing business at a profit. It took years of putting money and work into that business before it began to yield some profit. The trouble with us is that we tried to make an exception of agriculture and we stopped the experiment before we had gone far enough to see what should be done to make it a success. That was our fatal blunder.

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

Mr. ZIMMERMAN. I yield.

Mr. CRAWFORD. Referring to the bill, page 2, lines 16 and 17, I ask this question: This language reads:

> Such insurance shall not cover loss due to neglect or malfeasance of the producer.

Suppose a crop has matured and it is utterly impossible for the farmer to obtain the labor necessary to harvest the crop and the crop is lost by reason of not being harvested; would this insurance cover it?

Mr. ZIMMERMAN. I am pretty sure the provisions of the bill would cover it because it is up to the Administrator to determine whether or not he has been guilty of misfeasance or whether he is not cultivating his land in the manner of a good husbandman. Similar language was carried in the original bill. There has never been any difficulty about that.

Mr. CRAWFORD. The point I am raising now is the case where a crop has matured, all the work of maturing the crop has been performed satisfactorily to anybody; it is there in the field, but due to the absence of labor it cannot be harvested and remaining in the field it becomes an utter loss.

Mr. ZIMMERMAN. I believe the language is broad enough to cover that situation; that is my conclusion at any rate.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. ZIMMERMAN. I yield.

Mr. SUMNERS of Texas. River bottom land is very rich and in good years produces very heavy crops. Under the provisions of this bill would the hill man

who is not able to raise a good crop have to pay for the loss in the years when there is overflow in the river bottoms?

Mr. ZIMMERMAN. No.

Mr. SUMNERS of Texas. Why not? The taxpayers pay.

Mr. ZIMMERMAN. The program is based on the average yield of the land.

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

Mr. ZIMMERMAN. I yield.

Mr. COOLEY. It occurs to me that the proper answer to the gentleman from Michigan would be that if failure to harvest is due to a shortage of labor the policy would cover it; but the landlord, the land owner could recover only the amount of money actually invested in the crop up to that point.

Mr. ZIMMERMAN. That is right, of course.

Mr. CRAWFORD. I think that is fair.

Mr. ZIMMERMAN. That is what I understood, because we do not cover more than 75 percent of the crop or the amount of money spent not to exceed 75 percent of money spent in preparing the land for crop buying seed, fertilizer, and for harvesting the crop.

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

Mr. ZIMMERMAN. I yield.

Mr. STEFAN. I believe my colleague from Michigan in inquiring about the matured crop that could not be harvested because of lack of labor refers, for instance, to the corn crop. We in Nebraska now are harvesting the largest corn crop in the history of our State. A lot of that corn cannot be picked because the farmers cannot get help, cannot get corn-picking machines. Most of it has to be picked by hand. His kids have no work clothes. He is handicapped. His boys of draft age have gone to war. A lot of that corn never will be harvested. Will this bill cover that case, for instance?

Mr. ZIMMERMAN. It is my opinion that the bill will fully cover such a situation.

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

Mr. ZIMMERMAN. I yield.

Mr. CRAWFORD. The gentleman from Nebraska has outlined the case perfectly so far as he goes, but I would not restrict it to corn only, because I know what the situation is in the cotton fields. I have seen many a crop of cotton lost because it was utterly impossible to get labor to pick it before the weather had beaten it into the earth literally until it was practically covered with dirt.

With our labor situation as it is, I simply wanted to know.

Mr. ZIMMERMAN. I am giving you my interpretation of the bill as I understand it.

Mr. WASIELEWSKI. Will the gentleman yield?

Mr. ZIMMERMAN. I yield to the gentleman from Wisconsin.

Mr. WASIELEWSKI. I want to get the gentleman's opinion on this crop-insurance-coverage situation. We had a situation in our district where tomatoes were so abundant they were bringing a price as low as 50 cents a bushel and the farmers did not deem it economically wise to pick them. Would that be covered?

Mr. ZIMMERMAN. No; I do not think it would. That is an economic situation and not within the contemplation of the bill. In other words, this is to protect the farmer against things that he cannot guard against, things that are unavoidable.

Mr. BURDICK. Will the gentleman yield?

Mr. ZIMMERMAN. I yield to the gentleman from North Dakota.

Mr. BURDICK. I think the gentleman's interpretation of the bill is correct. On page 2, in defining the causes for which insurance is granted, these words appear: "and such other unavoidable causes as may be determined by the board."

Mr. ZIMMERMAN. That is right, and I think that answers the whole question.

Mr. Chairman, I have consumed more time than I intended to consume. I do not think this House can afford to let the farmers of America down by failing to pass this bill and in making an honest effort to work out a sane crop-insurance program which will protect the farmers of this country just like all forms of business are able to protect themselves by means of insurance that they can buy at a reasonable rate. As I said before, the farmers cannot do this for themselves and in that respect they stand in a very unique position. It is our duty to give the farmers of this country a chance to carry their own insurance, which is all they have ever asked for. If we will give this program a chance to operate for a sufficient length of time and if we do not get the jitters like we got when we struck it down before it had a chance to operate, we can guard against the hazards that agriculture has suffered all these years.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, I want to call attention to the situation of crop insurance in North Dakota. When this House failed to provide an appropriation for that purpose there was on hand one and one-quarter million bushels of wheat as a surplus and all losses had been paid. We had that much left and under the terms of the old law the insurance for this year would be greatly reduced in that section of the country.

We are starting out again and the first question I want to ask the chairman of the committee on the majority side is, What has become of our one and one-quarter million bushels that we held in reserve? If we start out again, what assurance can we give the farmers that when we build up a reserve in North Dakota you will not come along and take it away a second time? What incentive can you hold out to these farmers to take this insurance after the action of this House in turning down an appropriation? I want to ask the chairman, what has become of our million and a quarter bushels that we had?

Mr. FLANNAGAN. The million and a quarter bushels of wheat that we still own?

Mr. BURDICK. The surplus.

Mr. FLANNAGAN. I imagine that the Government still owns it. They have been liquidated as fast as possible. They had 470 employees and it has been reduced to, I understand, 50 or 60. In accordance with the direction of the Congress they have been liquidated.

Mr. BURDICK. What assurance can you give the farmers next year that we are not going to take their surplus again when they build it up by the failure of the Congress to pass an appropriation?

Mr. FLANNAGAN. If we enact this law, it is up to the gentleman and the other Members of the House to stand between the farmer and the destruction of this legislation in future years.

Mr. BURDICK. I want to say to the chairman that it was no failure of mine that that appropriation did not pass because I spoke on that very subject.

Mr. FLANNAGAN. I appreciate that. I understand further that the gentleman from Missouri [Mr. CANNON] and the gentleman from Illinois [Mr. DIRKSEN], two of the chief opponents of the legislation, are now both in favor of it.

Mr. BURDICK. I am glad they have had a change of heart. It seems to me that we depend too much in this Congress, although I should not say so much about it, because I do not expect to participate in this body much longer—but it seems to me that we let the Committee on Appropriations dictate the legislation in this Congress in altogether too large a fashion. After Congress has authorized an action, then for the Committee on Appropriations to come along and curtail it and cut it out entirely, does not seem to me to be good legislative action.

I want the Members to understand that I am for this legislation. I was for it from the beginning. We have to start all over in North Dakota, but even if we do, I would like to see the thing started. The provision in this bill to try out other commodities, for instance, peanuts and what have you, by selecting 20 counties in the Union that raise peanuts, will give you a pretty good idea of what you can do. Then you can pick out 20 counties raising other crops, and from that experience the data that will be assembled by this Congress will indicate finally the proper kind of an insurance bill. But this is a start, Mr. Chairman, and I am for it.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, it is hard for me to conceive how it is possible for those Members of the House who have been inveighing against unnecessary Government expenditures and bureaucracy to vote for the pending measure. It provides for an unnecessary expenditure and the creation or continuation of a goodly sized Federal bureau.

The gentleman from Georgia [Mr. TARVER] stated accurately the case against the crop-insurance program that is provided for in H. R. 4911. He pointed out what is common knowledge to all of us how completely Federal crop insurance has failed in the past. He showed that the loss to the Government in that venture was in excess of $63,000,000. He showed that the cost of administering

the program was nearly $32,000,000. He also pointed out that the pending measure would decrease the benefits and increase the cost to the farmers as compared with the benefits and costs to them that were involved in the crop-insurance program which has been in operation. Accordingly, it is reasonable to assume that this program of crop insurance would be less attractive to farmers than the previous one and from an administrative point of view comparatively more costly.

However, I wish to discuss another angle of this proposed crop-insurance program. It should be borne in mind that this bill specifically provides for the payment of losses by the Federal Government. That provision is found in section 2 (c) of this bill.

What is the source from which the funds are to come to pay for the losses that are likely to be produced by this program, if it should be adopted? In great measure, if not entirely, the losses that would be sustained would be charged to our children and their descendants.

The money that has been borrowed to pay for crop-insurance losses becomes a part of the permanent public-debt structure. The interest on it is obtained largely, if not entirely, by borrowing from future generations. At the going Federal rate of interest, which is about 2 percent, the principal will double itself in 35 years.

The Treasury statement of November 18, 1944, shows the Federal debt to be more than $212,000,000,000. According to Federal Reserve figures furnished me, of this amount more than $87,000,000,000 represents Government-printed bank money. The commercial banks and the Federal Reserve banks together hold more than $87,000,000,000 of direct and guaranteed Government securities. Financing Government securities through the banking system is in substance the printing of bank money by the Government.

Shall we vote for this measure which will charge the losses that may and, according to past experience will, eventuate by its passage to our children and grandchildren?

The financing of Government securities through the banking system is highly inflationary. Since a part of the losses that likely would be sustained in the operation of the contemplated program of crop insurance must be met with funds so derived the scheme would be extremely inflationary.

Inflation is even now upon us.

This proposed crop-insurance plan would rest upon a most unsound financial basis. It is one more risky measure that would threaten bankruptcy of our Nation.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. As I understood from the colloquy the gentleman had with the gentleman from Missouri [Mr. ZIMMERMAN], it was agreed that if a man produced a crop of corn, a crop which had matured, good corn, and he could not get labor and so left the crop in the field, he would be reimbursed for that.

Mr. CRAWFORD. I did not agree with that. I understood from the gentleman from Missouri that was what the language of the bill meant to do.

Mr. AUGUST H. ANDRESEN. I do not see how anybody could read that into the law either for cotton or corn or any other crop.

Mr. CRAWFORD. I still question that very seriously myself.

Mr. Chairman, I have been furnished with data from the Department of Agriculture which shows that in the Eighth Congressional District of Michigan over a 5-year period there were 17,163 wheat farms insured. The number of indemnities was 3,516. The premiums paid were $111,952. Indemnities were $162,293, or a deficit of $50,341, which caused a loss ratio of 1.45. That is an illustration of what has taken place in the Eighth Congressional District of Michigan as far as wheat insurance is concerned.

As best I can analyze or determine it, we face a situation in this country wherein crop insurance is going to be adopted by this Congress and accepted by the people of the country. If I am not mistaken, I think both major political parties pledged that to the people of the United States. In other words, here is an additional cost of government, we will say, relating directly to agricultural producers, which I must assume the country is willing to accept. Therefore, I am going along with this program. We have had 2 or 3 years in which to debate it. I have opposed it strenuously all the time up to this point. If it is now to become a part of the agricultural economy of this country and the agricultural procedure, then let us go ahead and try this thing out and on as sound a basis as can possibly be worked out by intelligent and fair-minded men.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield further?

Mr. CRAWFORD. I yield.

Mr. AUGUST H. ANDRESEN. Does not the gentleman feel that the people want to have us inaugurate a sound program that will be self-sustaining, so that it will not cost the Government any money?

Mr. CRAWFORD. Yes. I do not know how long I shall be in the House as a Member, but if I find that this Congress in the coming 2 years refuses to go along on sound principles, then I simply cannot support this program when it comes to the appropriation for its continuation.

On page 3 of the bill subsection (2) reads as follows: "For the purpose of determining the most practical plan, terms, and conditions of insurance with respect to" certain crops enumerated there. I think that is a wise provision.

But I do not believe we have gone far enough yet. I understand that the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN] is going to offer some additional language. I propose to offer some additional language to that particular part of the bill and insert in there along with corn, tobacco, rice, peanuts, soybeans, sugar beets, and citrus fruits, dry beans. Dried beans are a support crop, at the present time, and have been for the last 2 or 3 years. I hope that the chairman of the committee, the gentleman from Virginia [Mr. FLANNAGAN], will accept that amendment when it is offered. That will cover all types of dried beans, I may say to the gentleman from New York. I know his district produces dry beans. I may say to the Members from California, that covers your crops out there. We should have that crop in this bill. There should be no doubt about that at all. I am going to offer the amendment when we begin to read the bill under the 5-minute rule. I hope that the States that are interested will support me in that position. I believe that the coming Congress and the other body, as this bill progresses through the Congress, can design a fairly sound basis here on which we can proceed, as to the future. And then from time to time, I hope we will have the common sense and initiative and all the other necessary elements, to make this a sound program all the way through.

Mr. FLANNAGAN. Mr. Chairman, I yield 3 minutes to the gentleman from Louisiana [Mr. LARCADE].

Mr. LARCADE. Mr. Chairman, coming from one of the greatest agricultural districts in the United States, I would be amiss in my duty, if I were not to say a few words at this time in support of this bill. It so happens I also have had considerable experience in the insurance business. I view this legislation largely from the standpoint of an insurance man. I have had the privilege of writing insurance for 30 or 40 years, acting in the capacity of a State and general agent and have had considerable experience in that line of business. I do know that with respect to the crop-insurance legislation that previously was enacted by the Congress, a fair trial was not given to the program. In the time that this program was in effect, it was not possible to assimilate enough actuarial data in order to arrive at a reasonable conclusion as to whether the program could or would be self-sustaining. Fire-insurance companies, in order to get an average experience on classes of risks, usually take a 5-year period. If I recall, the crop-insurance program, was only in effect about 2 years and it is my opinion that not only for the reasons that have been previously advanced, the principal one of which is the obligation of both sides of this House to furnish the farmers of this country some opportunity for crop-insurance protection, there are many other arguments which favor the passage of this legislation. Of course, as I said in the beginning, it is apparent, in my opinion, that a fair trial and experience has not been obtained for this legislation.

I recall during my experience where the fire-insurance companies ventured into fields where they, like the Congress, did not go along a sufficient length of time in which to obtain experience on the lines that they were writing, which were new lines. For instance, I recall one year after disastrous floods in my country the insurance companies ventured into crop flood insurance. It just happened that the year they went into the crop flood insurance business we had a devastating flood in my State and the result was that the insurance companies lost heavily.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. LARCADE. I yield.

Mr. AUGUST H. ANDRESEN. The insurance companies have tried to give over-all coverage for all farm products, but they failed the first year because there were so many losses that they could not pay.

Mr. LARCADE. As I said, the reason for that is that they did not have an average record over a period of years to ascertain whether the rates which they established were sufficient to be self-sustaining or profitable.

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

Mr. HOPE. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, is the farmer entitled to have available some agency through which he can buy insurance protection against the general hazards inherent in the growing of crops? My answer is, Certainly. It is the duty of the Congress to see that he has such a privilege.

This is a problem that has received the consideration of insurance companies, actuaries, financiers, agriculturists, the Congress, and others over a period of many years. Private insurance companies have entered the field of crop insurance to the extent of making it possible for a farmer to buy crop insurance against loss by fire, hailstorm, and possibly some other hazards. The entire field, however, is so extensive, covers so much territory, with such varied inherent conditions and risks, that private insurance has not felt warranted financially in assuming the burden of exploration. Consequently, competition by the Government with private industry is not here involved.

After extensive committee hearings, due consideration, and debate, the House in 1938 passed a law setting up a formula whereby the Government, for a premium to be paid by the farmer, assumed the risk of insuring the wheat crop against hazards beyond the control of the farmer. Wheat was selected as sort of a guinea pig to try out the experiment. Wheat was determined upon because the experts in the Department of Agriculture, as well as insurance actuaries generally, felt that if sound insurance could be provided for any crop it would be easier and more successfully applied to wheat. The Congress passed the law and provided the funds to undertake the experiment, beginning with the 1939 wheat crop. This was not too successful, but the experiment did not go far enough to give the formula a fair trial.

In 1941 the cotton growers also wanted protection and cotton was added to wheat. In my judgment this was a mistake, because wheat insurance had not yet been placed on a sound basis. There had been losses on the part of the Government and when cotton was included, of course, additional losses were inevitable. This was discouraging and gave the opponents of crop insurance the opportunity of pointing out the losses which were branded as subsidies paid by the Government to the insured wheat farmers. The facts are that wheat was insured for 5 years and cotton for 2 years. During that time approximately 2,100,000 wheat and cotton farmers were insured. This represented insurance on about 56,000,000 acres of crops with a guaranteed income of about $586,000,000. Indemnities for loss of crops were paid to about 588,000 farmers representing a total of about $80,000,000. This money was paid to farmers, not in addition to their normal income, but as a substitute for the income they had lost as a result of crop failures. Out of the $80,000,000 paid, farmers themselves contributed $52,000,000 as premiums.

At first blush some say that crop insurance by the Government has been a failure and should, therefore, be abandoned. This is not necessarily sound reasoning, because all insurance ventures must contemplate an experimental period of loss, or at least no profits, in the initial stage.

In 1944 the Congress refused to appropriate additional sums to carry on the program, largely because of the way in which it was being administered. The bill we are now considering rewrites the formula and places the law upon a more secure foundation.

Mr. Chairman, I voted for the original crop control law because I am convinced that the farmer should be provided with some agency where he can purchase his own crop insurance and pay for it. That is all he is asking here. And there is only one way to determine this matter and that it by the trial and error method. I would prefer to have private industry do this, but if it will not, then the Government should. There will be losses in the beginning, yet it heems to me that the objective is so desirable and that the policy will be so sound, if economically administered, the Congress is justified in making the effort.

This proposal insures the producers of three crops—wheat, cotton, and flax—against lags in yiel dof such crops due to unavoidable causes, including drought, flood, hail, wind, frost, winterkill, lightning, hurrisane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the board administering the law. It covers a percentage to be determined by the board not in excess of 75 percent of the recorded or appraised average yield of such commodities for a representative period. It is also provided that such insurance coverage shall not exceed the farmer's investment in the crop. Such insurance shall not cover losses due to neglect or malfeasance of the producer, or to the failure of the producer to follow established good-farming practices. The requirements of the bill safeguard the Government insofar as possible. If the bill becomes a law, the Congress, through the power of appropriation, still retains the control over its administration. The whole program can be discontinued at any time a majority of the Congress so desires.

In addition to wheat, cotton, and flax, provision is made for limited experiments covering corn, tobacco, rice, peanuts, soybeans, sugar beets, citrus fruits, tame hay, or any other agricultural commodity determined upon by the board. I am not enthusiastic about this provision. It seems to me that we should demonstrate soundness with the one most favorable crop before venturing into other fields. Again, a majority of the 435 Members feels otherwise, and, because of the limitations in the bill on the extent of experimentation with these additional crops, I shall go along.

The American people want the farmers to have some source from which they can purchase protection on crop losses over which they have no control. They do not want to pay continuous subsidies out of the Federal Treasury if a plan can be devised whereby agriculture can survive and carry its own load. A sound insurance plan must encourage the insured to obtain his income from his crop, rather than from his insurance contract, and this bill attempts to bring this about. A shiftless or unscrupulous farmer must not be allowed to make a profit out of his insurance.

The theory of crop insurance is to eliminate Government subsidies and to make it possible for the farmer to continue to furnish the food and fiber necessary for our well-being and, at the same time, operate on an independent, sound financial basis, free from Government interference, regimentation, and unnecessary regulation. This bill is intended to bring this about. While there have been losses by the Government under existing law, there is every reason to believe that those losses can be much reduced and eventually eliminated. Insurance against hailstorm is a profitable venture on the part of private insurance companies, and there is no reason why insurance against some of these other hazards should not also be made self-sustaining. In short, Mr. Chairman, it seems to me that the chance is worth the trial, and I shall support this bill.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Chairman, I want this record to show the facts. I just want to record that here we are, figuring out another scheme of distributing benefits to a small group and a small part of agriculture.

If we would only spend one-tenth as much time trying to administer the laws that are on the statute books as we do in figuring out new schemes, the farmers would be better off and the people would be better off because we would not have to keep piling bureau on top of bureau.

It has been a part of the law of this land for several months that the farmers were entitled to 90 percent of parity for the crops that were asked to be increased by the Secretary of Agriculture. Little or no attention has been paid to it. Some of the products that were asked to be increased were allowed to sell as low as 30 percent of parity. No one can dispute that statement of fact. I put the official returns in the RECORD, right from the packing house that brought the pork. We saw it on eggs last winter. Now, we figure out another grand scheme of something we are going to do for the farmers. Surely I think we should have a crop-insurance set-up. I do not think it is necessary to build up another big bureau in order to have it. I think we have established agricultural agencies now. I think there is no better one than the A. A. A. to put it into operation, where we have men in every township all over the United States.

It has not been so many months ago that we felt so badly for the farmers that we allowed their interest rates to rise, to exact another $6,000,000 out of their pockets after we had frozen what they could get for their products. So if this insurance could be put on a basis of some efficiency, some common sense, instead of going out and building up a bureau with a great many more people for the farmers to carry around on their necks, then there would be some reason to stand here and support it. But, there is no evidence presented that it will not take 50 percent of the money that is appropriated to operate another agency to conduct the experiment.

I realize who controls this House. I realize it is hard to beat both parties.

I just want it to appear in the RECORD that neither the Republican Party nor the Democratic Party ever supported the bill we have here to insure two crops that represent such a small part of agriculture. If we want to do something for agriculture I can name some other crops we should start out with.

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

Mr. MURRAY of Wisconsin. I yield.

Mr. COOLEY. What crops would the gentleman like to add to this bill?

Mr. MURRAY of Wisconsin. I would start out by insuring the crops, war crops, corn, and all deficiency crops. I would not start out by taking just wheat and cotton, two crops of which we have such surpluses.

Mr. COOLEY. But that is just a beginning as the gentleman knows.

Mr. MURRAY of Wisconsin. The other crops could be insured as well.

Mr. COOLEY. Certainly, but we start with those because we have actuarial figures available which are necessary to work with.

Mr. MURRAY of Wisconsin. The answer to that is that we have just as much information about the other crops as we have about cotton and wheat. If the benefits of the bill are to be limited to such a small part of agriculture I think we could get along without that kind of legislation. I think we should be able to divert ourselves long enough to produce the things that are necessary in order to win this war, and it seems to me that the farmers who enter into that war program should be insured in their efforts. I have nothing partisan or personal in speaking as I do but I am actuated merely by a motive of fairness. These crops should be insured just as much as wheat or cotton. I am not complaining or taking this attitude because the Vice President came out in my district and made several speeches. Do not think there is anything personal about this. This would be a good time to use some common sense.

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

Mr. FLANNAGAN. Mr. Chairman, I yield 10 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Chairman, this is the first opportunity we have had to redeem a campaign pledge. This statement goes for members of both parties. Fortunately, members of both of the major political parties agree that something should be done about crop insurance. I know that in the past those of us who have advocated crop insurance have suffered many set-backs here on the floor of the House, but those of you who have opposed crop insurance in the past need not have any misgivings about changing your position, because this bill is a new approach to the problem. I shall not undertake to defend the activities of the old Crop Insurance Corporation further than to say that the losses suffered by the Government, even as great as they were, did not amount to as much as I expected they would amount to when the original bill was enacted into law. Those of you who were here at the time the original bill was enacted will recall that the program contemplated a possible loss of $100,000,000. There was not a Member on the floor of the House at that time who did not understand clearly that the Government was to defray the entire cost of the administration. The program was not a complete success; no one was optimistic enough to believe it would be. We all knew then that we were embarking upon an experiment of great magnitude; we all knew we were dealing with a problem with which no private corporation would attempt to deal because of its magnitude.

The question before us now is whether or not today, right on the heels of the election, we are going to redeem or repudiate these platform pledges. I am not foolish enough to suggest that either the Republican Party or the Democratic Party by name approved the Fulmer bill, which is now being considered.

The principles of crop insurance were certainly and definitely approved at both of the national conventions and every Member of this House, Republican or Democrat, ran upon one of those party platforms.

If this bill is not right it may be amended. No one would suggest it is a perfect piece of legislation. I certainly do not believe it is perfect, and I happen to have been chairman of the subcommittee that drafted the bill. The original bill was not perfect and this bill is not perfect. I do not kid myself into believing that I have ever voted for a perfect bill since I have been a Member of Congress, but I do say this is a reasonable and sound approach to the solution of a great problem.

I have several objections to this bill, although I am for it and every part and parcel of it. I can certainly see some of its weaknesses. Here is one of the weaknesses: Those who have opposed crop insurance in the past have insisted that any crop-insurance program inaugurated by the Federal Government should be actuarially sound and self-supporting, and I say that is a requirement which we cannot possibly meet, because none of the experts of the Government can figure out now an actuarially sound program which embraces all-risk crop insurance.

Mr. MAY. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Kentucky.

Mr. MAY. I would like to know for my own information just what the cost of this entire program will be to the Government.

Mr. COOLEY. I regret very much I cannot tell the gentleman what the cost will be. I cannot tell the gentleman what the premiums will be because the premiums have not been fixed. The premiums will be based upon data which will hereafter be collected.

Mr. MAY. In view of the fact that the cost of the present war is running $250,000,000 a day and that victory is not yet quite in sight, if this is going to cost a fabulous sum so far as the Government is concerned, does the gentleman believe it wise to go ahead with it in view of the high prices that the farmers are getting for their products at the present time?

Mr. COOLEY. I do not think we should delay the enactment of this legislation until the end of the war.

Mr. RUSSELL. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Texas.

Mr. RUSSELL. The gentleman has stated that the premiums have not been set. Under the bill who is going to set the premiums and how will they set the premiums?

Mr. COOLEY. If the gentleman will refer to line 6, page 4, of the bill he will find that the board is authorized "to fix adequate premiums for insurance in the agricultural commodity or in cash, at such rates as the board deems sufficient to cover claims for crop losses on such insurance and to establish within a period of 3 years a reasonable reserve against unforeseen losses."

Mr. RUSSELL. Is that "Board" the present corporation?

Mr. COOLEY. That is the board which will administer this law.

Mr. RUSSELL. There is going to be set up by this bill a new independent board to administer crop insurance?

Mr. COOLEY. That is right. An objection to the old bill was lack of participation on the part of the farmers. The gentleman from Georgia [Mr. TARVER] pointed out that in one county only one farmer applied for and obtained a policy. I regret that we did not have the broad participation desired.

Mr. SCRIVNER. Will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Kansas.

Mr. SCRIVNER. Will the enactment of this bill increase the amount of red tape now binding the farmers, will it cause them to be any further harassed by governmental agencies, or will it leave them free?

Mr. COOLEY. I would not suggest that this bill will result in any farmer being harassed. There is nothing compulsory about it. No one can make him take insurance unless he wants it. I do not think the purpose of the bill is to create a bureau. I think it is a sincere effort to be of some aid to those who live upon the farm and are now faced with all of the many problems of the soil.

Mr. SCRIVNER. I thank the gentleman for that assurance.

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

Mr. COOLEY. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. The gentleman assures us that this program will not become compulsory. What about the triple A? We were assured that the triple A would not become compulsory.

Mr. COOLEY. I do not agree with the gentleman. The triple A is not compulsory in any respect. The farmer may completely ignore all of the provisions of the triple A and go ahead and manage his own business. The Government merely offered some compensation to to those conserving the topsoil of American farms.

Mr. SMITH of Ohio. What about the Supreme Court decision relating to wheat penalty?

Mr. COOLEY. I do not care to enter into a discussion with the gentleman on the merits or demerits of the triple A. That agency has its own record. The issue must be faced by the gentleman here today just as it is being faced by the rest of us. Are you or are you not going to repudiate the party platform upon which you ran for reelection?

Mr. SMITH of Ohio. Is that a personal question?

Mr. COOLEY. No; that is not a personal question. It is directed to the entire membership of the House.

Mr. SMITH of Ohio. May I answer that?

Mr. COOLEY. The gentleman may answer it in his own time if he desires. I repeat that this bill represents a sincere effort on the part of Democrats and Republicans alike. This bill was not drafted by any one member of one party. The members of the Republican Party participated in drafting this bill. No one man may claim credit for it. While it may not be perfect, and while I would not be foolish enough to say that it will be administered with perfection, I do believe that it should be enacted into law. I am sure that the experiments which will be conducted pursuant to the provisions of this bill will be well worth while, and I have no reason to believe that those who will be charged with the responsibility of administering the bill will unduly or unnecessarily increase administrative costs. Unless we continue crop insurance the many millions already invested will be a total loss and the data already collected will be worthless.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Oregon [Mr. STOCKMAN].

Mr. STOCKMAN. Mr. Chairman, I am glad to note that over the past year there has been a trend for a change of opinion in the House that has been slow, but I think quite steady, in favor of Government participation in crop insurance. This is a matter that I think is of Nation-wide importance, especially due to the fact that crops and food are major factors in winning the war.

Crop insurance to the farmers of this country is something that only the Government can make available. It is too large a thing; it is too complex and too new for private insurance companies to take up and to go into as a financial venture, and consequently it leaves only the Government itself as the one agency in this country that can make it available.

The fact that we had the crops and consequently the food with which to start out to win this war I think is due, in large measure, to the fact that we had crop insurance at the start of hostilities for several of our major crops. We will lose but very little money, if any, on the present plan that we have outlined for crop insurance.

Strong resistance made in the House a year ago last spring was the primary reason why crop insurance was discontinued, and it was made on account of the alleged large monetary loss involved. Thirty-seven million dollars for a total loss of crop insurance is a relatively small amount, and such as it was, however, is what contributed mainly to the defeat of it at that time. However, the bill as it is now set up calls for only 85 percent of the losses being paid the first 3 years, and if only that much money is available through premiums and rates adjusted after that to the losses as they then appear. That means that the Government will not lose any $37,000,000, or even any major portion thereof, and it puts it on a business-like basis, which I think we will agree is a progressive step for agriculture and the Nation. The farmers, as you all know, face everything in the world in the matter of adversity. Weather is a known uncertainty and we have no assurance that the seasons to come will be as kind to agriculture as the ones immediately past. Crop insurance is one thing we can make available to offset this natural disadvantage. It does not do a farmer any good to get a good price for his crop if he does not have anything to sell. Crop insurance and the fact that a fair price is assured the farmers are two of the big issues that I am certain are of the greatest importance to our farmers. We have something here that will help stabilize America. I hope the House continues to follow the trend in favor of crop insurance.

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE. Mr. Chairman, I should like to have the attention of the chairman of the committee to ask him a question about the operation of the bill. I should like to preface that, however, by calling attention to the fact that our experience in the Dakotas was not encouraging under crop insurance. The State of North Dakota started out in 1939 with 28,900 farms insured. The next year it went up to 30,448, but from that time on the number of wheat-insured crops dropped steadily, to 18,000 in 1941, 13,000 in 1942, and 11,000 in 1943.

In my own State of South Dakota in the first year, 1939, we had 10,644 farms insured for wheat. The next year it went up to 19,446, then it steadily went down, dropping to 12,585 in 1941, dropping further to 9,669 in 1942, and further yet to 4,888 in 1943.

In other words, the record of the Dakotas clearly shows that crop insurance as applied to wheat was going steadily out of favor. From the high in the second year it was tried it dropped to less than one-third or less than one-fourth of what it had been at the high.

As far as I could determine in talking with the farmers, the reason it was that they felt that the rate of premium was unfair and wholly out of relation to the benefits.

Now then, apparently, under this bill the Corporation will be given complete authority to fix the premiums for insurance at such rates as the Board deems sufficient to cover claims. I am wondering what hope the committee can offer to the farmers in the Dakotas, for instance, that the rates will be such that there will be any benefit for them.

Mr. FLANNAGAN. As I understand, the rates will be based upon past farm experience in that section.

Mr. CASE. That is what they told us before, and it always cost us so much more than we got out of it that the farmers just quit on it.

Mr. FLANNAGAN. Probably it was partly due to the fact that you were not offered a long-time policy. It was a policy from year to year; is that right?

Mr. CASE. I do not know as to that; I simply know that the record shows that there was a steady decline.

Mr. FLANNAGAN. During the years that the number decreased, did you have good crop conditions?

Mr. CASE. Will the program be administered locally through the triple-A program?

Mr. FLANNAGAN. Yes.

Mr. CASE. Will the triple-A offices be instructed to use any pressure or influence in securing signers for the insurance program?

Mr. FLANNAGAN. I should not think so.

Mr. CASE. It will not be related to their compliance or noncompliance with the regular triple-A program?

Mr. FLANNAGAN. It has no connection.

Mr. CASE. The gentleman thinks that offering a 3-year contract rather than a 1-year contract will offer a better chance to level out the rates in proportion to the benefits?

Mr. FLANNAGAN. I do. I am definitely of that opinion.

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

Mr. CASE. I yield to the gentleman from Georgia.

Mr. PACE. The gentleman is more familiar with the conditions in his State than I am, of course, but I am advised that one of the reasons for the decline was that you had a very favorable moisture condition during those years, that the wheat farmers can tell before planting season, even, what the prospects are for a crop, and that when the weather conditions or the amount of moisture in the soil was favorable they did not take the insurance. I understand you had a 2- or 3-year period there when it was very favorable. The last decline came about because the 3-year contract was put into effect, and there were quite a number of the farmers who were not familiar with it and did not subscribe to it.

Mr. CASE. Of course, I notice that in such States as Missouri, Illinois, and Ohio the rates were so low that there was a great increase from year to year in the number of wheat farmers insured. I would like to have some assurance that the rates will be leveled out in proportion to a true and accurate crop history of the area concerned.

Mr. FLANNAGAN. That is certainly the intention of the committee in drafting this legislation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOPE. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, I am approaching the consideration of this legislation on the theory that crop insurance is an experiment. The only way that we can find out whether it is going to work or not, is to give it a trial. I am further of the opinion that crop insurance is of so much importance to agriculture and will be such a great benefit to farmers that it is worth spending some money and taking some time to ascertain whether it can be made a success. I do not know of anything which this Government can do for agriculture or for the farmers which will be of any greater benefit than to work out a sound system of crop insurance. The farmer is the only businessman who cannot insure the risks which he takes in the normal course of his business. Yet, he takes a greater risk than the proprietor of any other kind of business. We know that if we are going to have a system of all-weather crop insurance to cover all of the hazards of farming, it must be conducted by the Federal Government, at least in the experimental stage. So I am supporting this bill, as I have previously supported the efforts which have been made to work out a system of crop insurance. Now, there are those who have offered some sound objections to the legislation which has been on the statute books. Among them has been our colleague the gentleman from Illinois [Mr. DIRKSEN], who has been a consistent opponent of the program which has been in operation. The gentleman from Illinois [Mr. DIRKSEN] was not able to be present today, but I have in my hand a letter from him. I am not going to read all of it, but the gentleman from Illinois points out in this letter that this bill meets the objections which he has heretofore had to the crop-insurance program, and he concludes the letter with this paragraph:

> This appears to me to be a sound approach, and if I am absent when the bill is taken up for consideration on the floor, you are authorized to say for me that I would support and vote for the Fulmer bill.

Now, there have been things said today, in opposition to this particular measure, on the part of those who for good reasons are still opposed to it, but I have not heard anything said today, or at any time, against the theory of crop insurance. I think that everyone admits crop insurance does offer a sound program, if we can make it work. The thing I want to bring to your attention right now is that this is probably the last chance any of us will have to vote for a crop-insurance program. By that, I mean, if this House should turn down this legislation today, which has been worked out after a great deal of thought and study on the part of the Committee on Agriculture and on the part of those of the Department who are interested in the matter and on the part of the representatives of farm organizations, if we turn down this measure, then I do not believe that the Committee on Agriculture of this present Congress, the next Congress, or any subsequent Congress would be justified in again bringing before this House a crop-insurance bill.

This bill does meet the real, substantial objections which have been made to the former program. It offers an opportunity for us to see if crop insurance can be made to work. I am sincerely hopeful that this House will approve this bill and give us a chance to work out what I believe, if successful, will be the greatest step which can possibly be taken to stabilize American agriculture.

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

Mr. HOPE. Mr. Chairman, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, the Committee on Appropriations, of which I am a member, has been criticized to some degree today because of the action of some of its members a year ago. I think that the American people expect the Committee on Appropriations to weigh all these issues and to decide whether they think it is worth the money or not. We know that the administrative cost of crop insurance has been exorbitant. We weighed that against the benefits, and many of us voted against a continuation of crop insurance last year, I being one of them.

The bill that is before us now is a great improvement over the previous bill. I can see where it would not cost nearly as much money as the former bill did cost the taxpayers. So I have been battling with my conscience today considerably, after listening to this debate.

We have had many floods over the United States in many of the large rivers, especially on the Missouri River, where we have man-made floods, because of the fact that they have attempted to make the Missouri River navigable. Consequently they have created floods to such a degree that many of the people along the Missouri River are helpless and have lost their crops. I have finally come to the conclusion that I would like to vote for this bill if the amendment which the gentleman from Minnesota [Mr. ANDRESEN] will offer is agreed to. I understand the gentleman said he would offer an amendment to limit the administrative cost to 25 percent of the benefits derived by the farmers.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. AUGUST H. ANDRESEN. The amendment that I propose to offer limits the administrative expenditures to a sum equivalent to 25 percent of the premiums collected.

Mr. JENSEN. I thank the gentleman for the correction. I hope the gentleman's amendment will be adopted, because that is certainly a fair amount to provide for administrative cost. Certainly 25 percent is sufficient. Under the previous bill we spent $1.50, or $2 for every dollar of benefits. Certainly that is not good business; so I hope that the amendment to be offered by the gentleman from Minnesota will be adopted in order that I can conscientiously support this bill. I am sure a great many other Members would feel the same way. I reserve, however, my judgment on this bill until the time to vote comes. As I say I have battled with my conscience here all day. I want to do the right thing but I am not so sure this is the right way to do it.

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

Mr. JENSEN. I yield.

Mr. CASE. I was just going to express the hope that the gentleman would work on his conscience a little more and get that 25-percent figure down somewhat. Twenty-five percent of the premium collected, strikes me as being too high a tax on the farmer to pay for administration.

Mr. JENSEN. I am satisfied it is, but it is at least six times better than the last one.

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

Mr. FLANNAGAN. Mr. Chairman, earlier in the day I sought to yield time to the gentleman from Alabama, but he was not in the Chamber. I now yield 6 minutes to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Chairman, if I may, I shall be glad to take 2 minutes, and only 2, of the time yielded me, and yield back 4.

From the beginning I have been cordially in favor of crop insurance, and am for the pending bill. I would like to discuss the merits, and answer the arguments that have been advanced contra. But I shall content myself if I may stress one fact. May I speak in behalf of the personnel of the crop-insurance program?

It seems to me that, as reflected in this debate, they are greviously misunderstood. I know them, as many of you do also. The criticism of them stems from the same old fallacious argument that a preacher should not preach the gospel if

he takes money for his services. These men believe in crop insurance. They preach it from their hearts, as well as from their heads. They are investing their lives in this service, not for money, but to help farmers help themselves by pooling their interests, so that eventually, without cost to the Government, the many may by slight reduction of their profits, offset the losses of the few.

There is not a man in that office who could not make more money in private employment than he is making by working for the Government. They are outstanding men. They "know their stuff." They have done and are doing a good job—the best possible under the circumstances.

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

Mr. HOBBS. I am glad to yield.

Mr. JENSEN. I wonder if the gentleman will not agree, however, that it is not necessary to send out a big sales force to sell something the farmer knows about already. The farmers all can read and write, or most of them. They can in my country at any rate. Instead of sending out a great sales force to prove to them that they have to take this insurance, that they should take it, it seems to me the farmers who want it will take it anyway. Understand, I am not criticizing the fine character of these salesmen, but I think there are too many of them on the Government pay roll.

Mr. HOBBS. I question the gentleman's thought that there are too many. No insurance sells itself. I may say to the gentleman from Iowa in answer to his observation that not a single insurance institution has been built without an adequate selling force of agents, that frequently seems too large. May I suggest, also, that many young life-insurance companies have found it necessary to pay agents 50 percent of the premiums collected.

If my information is correct, there has been more crop insurance written than life insurance, in the same period of time, by companies of a comparable age. I hope I make myself clear.

Mr. Chairman, 2,000,000 farmers paid $52,000,000, or its equivalent, out of their own pockets for crop insurance. That is no small volume.

Mr. CASE. Will the gentleman yield?

Mr. HOBBS. I am delighted to yield to the gentleman from South Dakota.

Mr. CASE. It seems to me that the analogy of life insurance is not comparable because when you are dealing with life insurance you are dealing with a lifetime risk. If the gentleman wants to offer a comparable figure as to percentage or cost he should deal with fire insurance or something like that where you are dealing with an annual risk. The gentleman is not contending that better than 50 percent of the premiums paid on every fire-insurance policy is commission.

Mr. HOBBS. Of course, I would not. What I am saying is that this group here has done better than life-insurance companies of the same age in their field. That is the only analogy I claim. I think it is analogous to fire insurance in that crop insurance has not the number of agents that you would expect for production of such volume in the fire-insurance field. These men in crop insurance are as hard working a group as there is in the Government.

Mr. JENSEN. I do not want to dispute the gentleman's figures.

Mr. HOBBS. I have no figures. I am shooting from the hip.

Mr. JENSEN. I am quite sure that the gentleman is shooting from the hip because certainly if the life-insurance companies or any other type of insurance company had the same kind of experience that we had in connection with this crop insurance for 4 years there would be no private insurance companies today. I am sure the gentleman knows that because they would have gone broke before they even got started.

Mr. HOBBS. I believe that just exactly the opposite is true. While many went broke, many survived. Practically all lost money during the first 5 years of their existence.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FLANNAGAN. Mr. Chairman, I yield the balance of my time to the gentleman from Georgia [Mr. PACE].

Mr. HOPE. Mr. Chairman, I yield the balance of the time on this side to the gentleman from Georgia [Mr. PACE].

The CHAIRMAN. The gentleman from Georgia [Mr. PACE] is recognized for a total of 6 minutes.

Mr. PACE. Mr. Chairman, it seems to me that what the committee has requested the House to do today is what any group of businessmen would do. We have had a crop-insurance program which was unbalanced. The premiums were too low; the benefits were too high. Under that program it sometimes insured a profit. I am sure you will agree that no insurance company could be successful in doing that. It offered in many cases an inducement to a man to abandon his crop on account of the fact he could gain more through the insurance than he could by completing the crop.

Mr. Chairman, the committee comes to you today and it strikes out that program and goes back to rock bottom. That is, it seeks to insure only the farmer's losses. That is, his investment in the crop and no more. That is exactly what a fire-insurance company does. Certainly you cannot purchase fire insurance on your home or on your barn that would pay you a profit. The most that the fire-insurance company offers is to protect your investment and oftentimes only a percentage of your investment.

My only interest in this bill, my only interest in crop insurance is to bring to the farmers of this Nation some feeling of security on the farm.

You have set up legislation that offers security to many millions of people who work in the factories of this Nation. You appropriated last year in excess of $100,000,000 to match the retirement fund of Government employees. You have done that for 20 or 30 years, and you probably have put nearly a billion dollars in your Government employees' retirement fund.

I think it is the duty of the farmers of this Nation to produce the food and the fiber to feed and clothe the people. I think, on the other hand, there is some responsibility on the part of those who live in the cities, and on the part of Government, to see that those who must work in the fields and must produce food and fiber to feed and clothe the Nation are given that same assurance of security out on the farm. The latest proposal does not even cover the farmer. Word came to us the other day that they intend to include in the social-security program only the farmer-worker and the domestic servant, and the man who must pay the bill, the man who must take the chance, who must finance the crop, the man who must buy the farm, is today without any assurance of parity prices and crop insurance and has no conception of what the harvest is going to be when he plants his crop. Yet he, and he alone, in this Nation is the only man that must go into business with no conception of how he is coming out. Those who buy your farm commodities, those who process your farm commodities, they know when they buy your corn, when they buy your wheat, when they buy your cotton, what their profit is going to be. They know how the transaction will terminate. Yet those who feed this Nation, who produce the crops, must stand by and see the storms come. They must stand by and witness the long, dry season. They must stand by and see the insects ruin their crops; yet you tell me that with their responsibility to feed the Nation there is no responsibility on the people and on the Congress to bring to them some security on the farm.

It is for them, and for that reason, that I urge and the committee urges your approval of this bill.

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

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That subsection (a) of section 508 of the Federal Crop Insurance Act, as amended, is amended to read as follows:

"(a) (1) Commencing with the wheat, cotton, and flax crops planted for harvest in 1945, to insure, upon such terms and conditions not inconsistent with the provisions of this title as it may determine, producers of wheat, cotton, and flax against loss in yield of such crops due to unavoidable causes, including drought, flood, hail, wind, frost, winter-kill, lightning, hurricane, tornado, insect infestation, plant disease, and such other unavoidable causes as may be determined by the Board. Such insurance shall cover a percentage to be determined by the Board not in excess of 75 percent of the recorded or appraised average yield of such commodities on the insured farm for a representative period subject to such adjustments as the Board may prescribe to the end that the average yields fixed for farms in the same area, which are subject to the same conditions, may be fair and just: *Provided, however*, That such insurance coverage shall not exceed the investment in the crop based on the cost, as determined by the Board, of preparing the land, or labor, seed, planting, cultivation, disease or insect control, harvesting, ginning, hauling to market, fertilizer, irrigation, use of the land, and other appli-

cable costs as determined by the Board. Such insurance shall not cover losses due to the neglect or malfeasance of the producer, or to the failure of the producer to reseed to the same crop in areas and under circumstances where it is customary to so reseed, or to the failure of the producer to follow established good farming practices. Insurance shall not be provided in any county unless written applications therefor are filed covering at least 100 farms or one-third of the farms normally producing the agricultural commodities authorized to be insured, except that insurance may be provided for producers on farms situated in a local producing area bordering on a county with a crop-insurance program. The Board may limit insurance in any county or area, or on any farm, on the basis of the insurance risk involved.

"(2) For the purpose of determining the most practical plan, terms, and conditions of insurance with respect to corn, tobacco, rice, peanuts, soybeans, sugar beets, citrus fruits, tame hay, and any other agricultural commodity, if sufficient actuarial data are available, as determined by the Board, to insure upon such terms and conditions not inconsistent with the provisions of this title, as it may determine, producers of such agricultural commodities against loss due to the unavoidable causes specified in paragraph (1) of this subsection. Insurance provided for any agricultural commodity under this paragraph shall be limited to producers in not to exceed 20 representative counties selected by the Board for a period of not more than 3 years, and shall be subject to the limitations and conditions provided in paragraph (1) of this subsection: *Provided, however,* That such insurance coverage may be the same as the insurance coverage provided in paragraph (1) of this subsection or may cover a percentage not in excess of 75 percent of the investment in the crop, determined in accordance with the provisions of paragraph (1) of this subsection. The Corporation shall report to the Congress the results of its operations as to each commodity under this paragraph."

Mr. AUGUST H. ANDRESEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. AUGUST H. ANDRESEN: On page 3, line 6, at the end of line 6 insert "oats, barley, rye."

Mr. FLANNAGAN. Mr. Chairman, the committee accepts the amendment.

The amendment was agreed to.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. EDWIN ARTHUR HALL: On page 3, line 7, after "citrus", insert "and other."

Mr. EDWIN ARTHUR HALL. Mr. Chairman, if any crop is worth insuring, it is fruit. Not just citrus fruits as the bill now reads, but all kinds of fruits.

Up-State New York is one of the greatest apple- and grape-producing sections of the country. Those who grow these fruits undergo considerable risks. Some years their crops are total failures. Other seasons they lose considerable from storms, drought, and the cold.

The country can ill afford to allow the growers of these precious foods to be put out of business. They should be considered in any crop-insurance program.

In presenting this amendment, I do not speak for my own area alone, nor am I being sectional. The raisins, figs, pears, plums of California, the West, and South will be brought into this program. I know everybody will want to protect the Nation's fruit supply and in this interest, I am glad to see my amendment looked upon so favorably.

Mr. FLANNAGAN. Mr. Chairman, the committee will accept that amendment.

The amendment was agreed to.

Mr. BROWN of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROWN of Georgia: On page 2, line 23, after "at least" strike out "one hundred" and insert "fifty."

Mr. FLANNAGAN. Mr. Chairman, the committee will accept that amendment.

The amendment was agreed to.

Mr. CRAWFORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD. On page 3, line 6, after "corn" insert "dry beans."

Mr. FLANNAGAN. Mr. Chairman, we will accept that amendment.

The amendment was agreed to.

Mr. LEMKE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEMKE: On page 1, line 9, after the word "such", insert "growing, unharvested, unthreshed, or unpacked."

Mr. FLANNAGAN. Mr. Chairman, we accept that amendment.

The amendment was agreed to.

Mr. COLE of New York. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 3, line 7, after the words "sugar beets", insert "potatoes and other vegetables."

Mr. FLANNAGAN. Mr. Chairman, while I think the bill is broad enough to cover potatoes and other vegetables, we are perfectly willing to accept the amendment.

The amendment was agreed to.

Mr. SUMNERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is a proposition to extend the Federal power and, as I see it, with reference to a matter within the governmental capacity of the States. As I understand the provisions of this bill, it is not an arrangement under which there is to be a blanket insurance where any unfavored community, climatically or otheryise, can get any advantage. The people in the Dakotas, where they have droughts, and in my section where they have floods or droughts, each community is to pay for its own insurance and the cost of administration, maybe, as I understand the proposition. The average cost of insurance in each distinctive community fixes the premium cost. It is desirable, we are told, to get all the farmers in under this thing. This is typical of what is happening in America. We are getting everybody we can in under some agency or branch of the Federal power and dependent upon the Federal Government. That is the whole drift of things. I am convinced that it is a dangerous drift, that we must change the direction if we are to preserve our democracy. That is why I am taking these minutes of your time. The indications are this bill will pass overwhelmingly, but I feel this is an appropriate time to consider these matters.

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

Mr. SUMNERS of Texas. I yield.

Mr. FLANNAGAN. I would like to challenge that statement because under the provisions of this bill, if it becomes law, after a period of 3 years, the farmer pays the premium and if the premiums are not sufficient to pay off the indemnities, then the premiums are prorated.

Mr. SUMNERS of Texas. May I ask my friend if it is not a federally administered arrangement?

Mr. FLANNAGAN. It is.

Mr. SUMNERS of Texas. That is what I am talking about.

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

Mr. SUMNERS of Texas. Let me go on a little.

Mr. Chairman, I ask unanimous consent that I may have 2½ additional minutes.

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

There was no objection.

Mr. TABER. Is it not true that when these things are set up to be carried along, self-supported after 2 or 3 years, that that 2 or 3 years gets extended for 2 or 3 more and then 2 or 3 more?

Mr. SUMNERS of Texas. I hope my friend will permit me to continue my line of thought instead of undertaking to answer questions.

I think, Mr. Chairman, this is a very serious matter. This general drift toward Federal power, the power of the Federal dollar, and the might of Federal administration. We are continually complaining about the extension of Federal power. The States could do this job. Insofar as the scheme of this bill is concerned, it is not contemplated that the people of any States in the long run will draw a single cent from the Federal Treasury except what is put there by its own people, less their split in the Federal contribution. Is that not right?

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

Mr. SUMNERS of Texas. Is my statement wrong?

Mr. POAGE. I think it is. This bill does not divide it up into 48 different funds. If the gentleman were correct, there would be 48 different funds, of which most of them would be broke.

Mr. SUMNERS of Texas. I cannot yield any further.

Mr. POAGE. The gentleman wants to know what is in the bill.

Mr. SUMNERS of Texas. I know what is in the bill. I know that you contemplate that each of these drought-stricken areas or flood-destroyed areas is to pay its own premium in that district. Is that right?

Mr. POAGE. No; that is wrong.

Mr. SUMNERS of Texas. The bill provides, beginning line 3, page 2, that such insurance shall cover a percentage to be determined by the Board, not in excess of 75 percent of the recorded or appraised average yield of such communities on the insured farm for a representative period taking in consideration average yield of

farms in the same area subject to the same conditions which, as I read it, is a matter of local adjustment, taking into consideration local susceptibility to droughts, floods, and so forth. My point is why could not the States do that if it is desirable. If the State would have to pay out more in a given year than it took in, it would recoup in other years when it took in more than it put out unless the actuary made a mistake in figuring averages.

Mr. ZIMMERMAN. Mr. Chairman, will the gentleman yield? Is this not just like a fire-insurance business? Each house has a separate rating, but each State is not put into a pool by itself.

Mr. SUMNERS of Texas. That is right. I am right in my statement, because there are communities where you have more floods and more droughts. That is true. Any community that is subject to a hazard which other communities do not have, according to the provisions of this bill as I understand it, pays a higher premium.

The point I am trying to emphasize is when are we ever going to establish States in the doing of the things within their governmental capacity unless we begin; unless we stop extending Federal power when the States have the power to do the job? When are we ever going to get away from this Federal Government? When are our States ever going to acquire the ability to govern unless as a people we put our States to the responsibility of dealing with these things that are within their own governmental capacity? Fifty years ago nobody would have offered this as a proposition that the Federal Government should deal with. There is not a single provision in the American Constitution that puts this responsibility on the Federal Government. We have gone on and on toward Federal extension of power until we no longer draw a distinction between Federal power and State duty. I do not say this in any lecturing sense. I do not deny my own responsibility, but it is getting mighty dangerous if we hope to preserve a democracy in this country.

The result is that we are taking from these States the necessity to deal with these things within their governmental capacity. The only way they can preserve that capacity is to use it. I do not want to be offensive, but we are destroying the States by relieving them from doing what they must do if they are to be and remain sovereign, respected, responsible agents of general government. There is no use complaining of the bureaucratic conduct of our bureaucracy—it is natural—or of the fact that we are becoming a bureaucracy if we concentrate power here which only a bureaucracy can exercise for the States or the habitat of our democracy. A democracy cannot function through the sort of governmental organization we are building upon the ruin of an independent States' structure. When we destroy the governmental capacities of the States, and we do it if we relieve them of the doing of those things within their capacities, then we have got to abandon the democratic system of government. This running up here to Washington for everything because the States would have to use their governmental muscles is not only destroying the efficiency of State government, but it is destroying the governmental capacity of the people. There is a great deal of difference between the sense of responsibility and the power and effort of the private citizen when a matter is in the States, than when it is moved up here.

If any States do not now have the capacity to deal with the drought problems and other hazards within their own communities, then we should hold our States to that responsibility until they develop that ability. The fact that it may be more difficult to carry out a governmental venture in a State where the people are watching than away off up here in Washington where we can cover up mistakes with borrowed money, is no argument in favor of moving the thing to Washington. If we run in ahead of State responsibilities, as we are accustomed to doing, when do we expect the States to begin to do their business, to gain strength by the effort and to assume the responsibilities of general government so that the Federal organization can be stripped down to Federal duties, and the Federal Government can then operate under laws enacted by the Congress instead of directives promulgated by an appointed personnel?

We know, as Members of Congress, that we have accumulated here in Washington a total of governmental power beyond all known capacity to comprehend. As a matter of fact, insofar as the details of Government policy are concerned, we hardly know what it is about. In all deference, I want to tell you Members of Congress we confront something more important in this bill than crop insurance. Ours is the responsibility of insuring if we can the possibility of democratic government operating in America. That is what we confront. In my view that is the big question in this proposition right here. I do not mean it would be determinative one way or the other, it is an important trend. I have not heard a single man get on this floor and say that this thing we are attempting to do is beyond the governmental capacity of the States. It may not be so easy. It may be difficult. Dealing with difficulties though is what increases capacity. That sort of thing alone is what would make our States strong and virile and capable of being our agents of general government. Like individuals States gain capacity by doing difficult things. We either make them strong and virile and sovereign and keep them that way, as they were intended to be and as they are adapted to be, or we go the way of the other democracies which chose the easy way and are no more.

That would have been required of our States in other days when, as a people, we really believed in the sovereignty of the States and in the people and their capacity to govern. We Democrats and Republicans—I do not claim a perfect score; I do not parade myself; I share in whatever blame there is, but that does not keep me from being certain we have got to change our policy if we are to preserve our democracy, and I take my full share of the blame for what we have done to this democracy. I do not say this bill is determinative, but I respectfully declare that the direction in which it moves us is determinative. We have already gone far. We do not consider now in this chamber whether or not a thing proposed is within the governmental responsibility of the Federal Government or within the capacity of the States, before we bring in a Federal law dealing with it. But as a matter of fact considering our structure of government, when we come to deal with a problem of this sort the big question, it seems to me, is whether or not we are moving more power into this great big Federal bureaucracy. There is nobody who will deny that we are proposing to create another bureau, more people on the Federal pay roll. This is what is to be determined by the Board, under this bill, the cost of preparing the land, labor, seed, planting, cultivation, disease or insect control, harvesting, ginning, hauling to market, fertilizer, irrigation, use of the land, and other applicable cost, as is shown on page 2, beginning at line 12. If we keep this up soon we will have men snooping around every farm in America and the people paying for it.

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

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

Mr. Chairman, I see there is some misapprehension as to what this bill actually contains. This bill does not set up 48 insurance agencies; this bill sets up 1 insurance agency and only 1. The bill does provide that the premiums charged shall be in proportion to the risk. This is exactly what fire-insurance companies require. The rate in each city in Texas is not the same for fire insurance because our insurance commission, and I am sure the insurance commissions of the other States would do likewise, requires that the rate shall be in proportion to the risk. The risk naturally is greater in some communities than in others, and premium based on risk is what is provided under the terms of this bill; the rate will be higher in certain communities than others; where the risk is greatest the rate is highest. But the risk is spread over all of the participating farms in the United States, and that as I understand it is the fundamental of insurance. Insurance is nothing in the world but a spreading of the risk; that is all there is to insurance. For insurance to be sound the company must take in by way of premiums as much as it pays out by way of benefits; consequently there is no profit in insurance as such. Practically all insurance companies operate for a profit and charge in addition to the necessary funds to carry the losses an amount sufficient to pay a profit either in the form of dividends to stockholders, or salaries to officers and refunds to policyholders, but the actual cost of insurance itself is merely the loss paid, plus the actual operating expenses. A man could carry his own insurance if his property were sufficiently spread and if his spread were sufficiently varied so that the losses would not be likely to occur at one time

and in one place. It is just as cheap for him to carry his own insurance under such circumstances as it would be to buy it. So it would be with individuals on the farm. The one fundamental principle of insurance is the spreading of the risks. That is exactly what this bill does. It spreads the risk to all the farms in all the 48 States and not simply to the farms of 1 State as the gentleman from Texas erroneously assumed it does.

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

Mr. POAGE. I yield.

Mr. COOLEY. Does not the bill provide for the creation of only one reserve?

Mr. POAGE. That is all, only one reserve, and all of the payments are out of that one reserve. Should every farm in New Mexico in a certain year have a total loss, the reserve would be adequate to pay it, the income would be sufficient to meet it from the rest of the United States. But if you establish this on the basis of 48 separate States some of them would be broke all the time, as we have learned from experience in the past.

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

Mr. POAGE. I yield.

Mr. HOPE. The gentleman from Texas [Mr. SUMNERS] suggested we could have this operate under 48 different State set-ups; but did we not try that with the guaranty of bank deposits? And did we not find that the spread was not sufficient under such a set-up? Is there not a comparable proposition here?

Mr. POAGE. That is right.

Those who have opposed this were not seen here opposing the bank guaranty law. The bank guaranty law did the same thing when it was before this House and the voices who oppose this bill were silent when the bank guaranty law was before us. And that bill actually took from the States an agency that many of the States were then operating and placed it in Federal hands. This, on the other hand, is a function that the States have not seen fit to undertake. They have hesitated to undertake it because of the very danger of separating it into 48 agencies; consequently you are not now taking something away from the States. On the contrary, we are doing something that the States have not seen fit to undertake.

Mr. HILL. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Colorado.

Mr. HILL. I would like to straighten out another statement that has not squared with the facts. This bill was passed out of our committee long before election.

Mr. POAGE. That is right. I believe it was reported about June 2, 1944.

Mr. HILL of Colorado. When they say that the election had something to do with this bill and that we went home to see what our constituents thought about it, that is not according to the facts, because this bill was passed out of the committee practically unanimously before election.

Mr. POAGE. That is right. This is not a death-bed confession.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for 2½ additional minutes.

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

There was no objection.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. Is it not contemplated under this scheme, for instance, that Texas on the average shall pay for the losses in Texas?

Mr. POAGE. It is hoped that the premiums collected in Texas will be sufficient to meet the losses that occur in Texas, but payments in Texas are definitely not dependent on the collection of a like sum in premiums in Texas.

Mr. SUMNERS of Texas. Why do you have these changes and variations then in premiums?

Mr. POAGE. The rate would unquestionably be different in different parts of Texas. For instance, the rate would be different on the high plains of Texas from what it would be in Dallas County, just as the fire-insurance rate is different in Lancaster from what it is in the city of Dallas.

The rate will not vary according to State line but according to climatic conditions and the possibility of loss.

Mr. SUMNERS of Texas. Is it true that Texas could not operate a crop-insurance program?

Mr. POAGE. Possibly Texas could, but the gentleman and I come from a State that is fortunately situated. It is the largest State in the Union, in area and agriculturally, and possibly we could successfully operate a crop-insurance system. There are certain life-insurance companies in Texas, one in the gentleman's own city, that operates very successfully in that State and confines its business exclusively to Texas. But there are other States that are not so fortunately located. For instance, let us take the farmers in Rhode Island, a small State. One storm might prove disastrous to every farmer in that State, and could wipe them all out. Whenever you set up an insurance system that allows one disaster to wipe out the entire reserve you have an unsound insurance system, because there is nothing to insurance except the spreading of the risk. This bill spreads the risk.

In counterdistinction to the existing law this bill takes the gamble, as far as the Government is concerned, out of crop insurance. It also ceases to be a proposition where a man can drop a quarter in and hope to hit a jackpot. He cannot make a profit out of this program; he cannot speculate on this and hope to make a profit because he can never get back out of this bill more than he has put into his crop. Insurance ought to be merely a protection rather than an opportunity to speculate in connection with some unearned profit. That is what the old bill allows and what this one denies. This bill allows a farmer to spread his risk all over the United States, but it does not let him make money off his fellow farmers or off the taxpayers by collecting more than he had lost. The present law allows speculation. This bill gives only insurance.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I ask unanimous consent to extend my own remarks in the RECORD at the point at which my amendment was agreed to.

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

There was no objection.

Mr. TARVER. Mr. Chairman, I offer a motion which I send to the Clerk's desk.

The Clerk read as follows:

Mr. TARVER moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. TARVER. Mr. Chairman, in view of the fact that the agreeable and affable chairman of the committee, the gentleman from Virginia [Mr. FLANNAGAN] has accepted every amendment which has been offered so far, I am offering this one in the hope that he may also accept it. I rise to draw the attention of the chairman of the committee to my amendment. I sincerely hope that he will not make an exception in my case but will also accept the amendment I have offered.

Mr. FLANNAGAN. Mr. Chairman, in answer to the distinguished gentleman, I might say that I have very high regard for him, but I also appreciate that he has a very keen sense of humor. I think he is trying to demonstrate to the House that he still has that sense of humor. We have accepted various amendments, it is true, but they have been in the general interest of the bill and we thought that we should accept them.

Mr. TARVER. May I inquire whether it is the gentleman's purpose to refuse to agree to any amendment which may be offered?

Mr. FLANNAGAN. We will refuse to agree to any amendment that we do not think should be accepted.

Mr. TARVER. I regret that the chairman makes an exception in my case. As far as I have observed, during the pendency of this bill both before the committee and in the House, all Members who had amendments to propose have met with a cordial reception upon the part of the gentleman from Virginia, in charge of the bill here. So far, all of these amendments have been accepted. So far as the statement of the chairman indicates, it is probably his purpose to accept all other amendments which may be offered. Therefore, I regret that an exception is to be made in the case of my own amendment, pending on the Clerk's desk. I sincerely hope the House may determine that that amendment also may be accepted.

Mr. Chairman, it is manifest from the procedure which has been had in connection with this bill that the purpose is not so much to work out a sound program of crop insurance for the benefit of the farmers, but that it is to devise some ways and means by which this useless Federal Bureau may be continued. The

language of the bill, it appears, so far as it is now before the Committee of the Whole, really does not matter. Amendments have been accepted and other amendments will undoubtedly be agreed to. The form of the matter that will be contained in the bill after its final passage in the House does not appear to be material. The only thing that is material is the continuance of this useless organization at tremendous expense to the taxpayers of this country. If gentlemen believe in the arguments which have been advanced from time to time during the last several years with regard to the abolition of useless Federal bureaus, I certainly hope in all seriousness that they will support the motion which I have just submitted and not reestablish this one.

Mr. FLANNAGAN. Mr. Chairman, I cannot be persuaded that the gentleman from Georgia [Mr. TARVER] offers his amendment in all seriousness. This is an important piece of legislation. It has been brought before the House after full hearings and careful consideration. If the gentleman's motion carries it simply means the death of crop insurance for, to say the least, years to come. I do not believe the gentleman himself would like to see such a thing happen. I am confident that this House is not going to let such a thing happen.

It is my purpose to move that the Committee rise at the conclusion of the vote on the pending amendment, and I hope that overnight the distinguished gentleman from Georgia [Mr. TARVER] will use that great brain of his, see the error of his way, and join hands with us tomorrow in giving the farmers of America a crop-insurance program. I know that he is a friend of the farmers and I know that he wants to do the right thing. Think it over, Judge.

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

Mr. FLANNAGAN. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Is it not a fair statement that the bill under consideration presents the concrete proposition as to whether or not we shall continue under existing law or whether we shall amend the existing law to perfect the Crop Insurance Act?

Mr. FLANNAGAN. That is right.

Mr. WHITTINGTON. Furthermore, with respect to the amendments that have been agreed to by the committee on the floor, is it not fair to say that under the language of the section under consideration, for the purpose of experimental investigations, any other agricultural commodities, if sufficient actuarial data are available, are included, and the mere naming of them adds nothing whatever to the terms of the bill?

Mr. FLANNAGAN. That is absolutely true.

Mr. WHITTINGTON. For that reason, the gentleman accepted the amendments?

Mr. FLANNAGAN. That is the reason we accepted the amendments.

Mr. Chairman, I ask for a vote on the motion offered by the gentleman from Georgia [Mr. TARVER].

The CHAIRMAN. The question is on the motion offered by the gentleman from Georgia [Mr. TARVER].

The motion was rejected.

Mr. FLANNAGAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. SPARKMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 4911) to amend the Federal Crop Insurance Act pursuant to House Resolution 605, had come to no resolution thereon.

HON. JAMES DOMENGEAUX

The SPEAKER laid before the House the following communication from the Clerk of the House:

NOVEMBER 21, 1944.

The honorable the SPEAKER,
House of Representatives.

SIR: The certificate of election in due form of law of Hon. JAMES DOMENGEAUX as a Representative-elect to the Seventy-eighth Congress from the Third Congressional District of the State of Louisiana, to fill a vacancy in that district, is on file in this office.

Very truly yours,
SOUTH TRIMBLE,
Clerk of the House of Representatives.

EXTENSION OF REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Oklahoma [Mr. WICKERSHAM] be permitted to revise and extend his remarks on the pending crop-insurance bill.

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

There was no objection.

Mr. WEICHEL of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two matters.

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

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from New York [Mr. FAY] is recognized for 20 minutes.

PARTICIPATION OF THE TWENTY-SEVENTH (NEW YORK NATIONAL GUARD) ARMY DIVISION IN THE BATTLE OF SAIPAN

Mr. FAY. Mr. Speaker, at the opening of the session today, I introduced the following resolution:

Resolved, That the Committee on Military Affairs of the House is authorized and directed to conduct an investigation for the purpose of ascertaining the extent to which, and the circumstances under which, false or misleading reports have been published and circulated with respect to the character and circumstances of the participation of the Twenty-seventh (New York National Guard) Army Division in the Battle of Saipan.

The committee shall report the results of its investigation to the House at the earliest practicable date during the present Congress.

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

In the September 18 edition of Time magazine there appeared an article attributed to a man named Sherrod in which the marine version of the Battle of Saipan was narrated. In part it read as follows:

The marines believe that their forge-ahead tactics cost less in lives than trying to cut off the enemy's tail by inches. (High marine casualties are due to the fact that marines are beachhead assault troops, always given the toughest assignments.) But the relief of Ralph Smith, according to the marine version, had nothing to do with tactics. By the eighth day of the Saipan battle the Second and Fourth Marine Divisions had advanced rapidly on each side of the island. Then they had to wait, because two regiments of the Twenty-seventh Army Division—with battalions faced in three directions, unable even to form a line—were hopelessly bogged down in the center. The third regiment of the Twenty-seventh, meanwhile, had failed dismally to clean out a pocket of Japs in the southeast corner of the island. Although terrific artillery barrages were laid down in front of them, Ralph Smith's men froze in their fox holes. For days these men, who lacked confidence in their officers, were held up by handfuls of Japs in caves. When it began to look as if what had been gained might be lost, Fourth Marine Division troops even moved in front of a sector of the Twenty-seventh's line to save it. From the marine point of view, Gen. Ralph Smith's chief fault was that he had long ago failed to get tough enough to remove incompetent subordinate officers. On the ninth day Ralph Smith was relieved (technically, for disobeying an order to attack), and Maj. Gen. Sanderford Jarman, who had come along as Saipan's post-battle commander, took over the Twenty-seventh temporarily, fired several officers, including a regimental colonel. Thereafter the Twenty-seventh performed fairly well until its greenest regiment broke and let some 3,000 Japs through in a suicide charge which a marine artillery battalion finally stopped, at great cost to itself.

Between these versions one thing was clear: When field commanders hesitate to remove subordinates for fear of interservice contention, battles and lives will be needlessly lost.

These high-sounding words mean just one thing in any soldier's mind—that the intention to convey was that the division lacked courage and was yellow.

This story is an absolute untruth, and I have it from men who led battalions in this engagement and who were not reporting it miles behind the lines, but were up there in the front giving their lives and limbs to capture this very important island.

As a member of the One Hundred and Sixty-fifth Infantry—the Fighting Sixty-ninth of New York of World War No. 1—I would be remiss in my loyalty to my regiment and the traditions it holds if I did not demand the immediate publication of the reports already gathered concerning this entire engagement. The Old Sixty-ninth has more battle rings on its flagstaff than any other regiment in our land. It has been in every battle

of our country since the Civil War and has been commanded by men like General Duffy, Gen. "Wild Bill" Donovan, Gen. Alex E. Anderson, and Col. Gerard Kelley, a product of my district and a graduate of West Point, who is a fearless leader, already wounded at Saipan, where he led our regiment, having taken command when Col. Gardner Conroy was killed by a sniper's bullet in the capture of Makin.

We do not have men who freeze in fox holes, neither does the rest of the regiments from New York State which comprise the Twenty-seventh Division.

This article has brought to my personal attention the plight of fathers and mothers whose sons lost their lives in this noble victory and who now are told that their men were bogged down when in fact they wrote some of the most glorious pages of history for posterity.

Let me read you a letter from Colonel Kelley and you will readily understand how lies of this kind can affect fighting men:

HEADQUARTERS, ONE HUNDRED AND SIXTY-FIFTH INFANTRY,
Somewhere in the Pacific, October 9.

DEAR JIM: It's a great feeling getting back with my gang. My pain was negligible compared to the worry lest they evacuate me so far back that I would lose the regiment. The Lord and my superiors were good and here I am, raising hell with the troops and quite happy about it all.

I say I'm happy. That's generally true. However, when I consider the libelous publicity that recently has been permitted to be published, concerning the division in the Saipan operation, I'm downright mad.

I refer to the September 18 issue of Time, which carried an article entitled "The Generals Smith." It came to our attention about a week ago. The article is attributed to one Sherrod, a heretofore unknown reporter. He was never seen by members of the regiment during the action. His coverage of operations out this way has been notoriously inaccurate, in a not too subtle effort to belittle Army accomplishments. As the publication he represents bears a similar reputation, his stories aroused little more than a scornful comment when read by the troops who participated.

However, this recent attack cannot pass unnoticed. No one, be he protected by one or all of the freedoms we strive to preserve, can characterize the members of this regiment or this division as "yellow" and go unchallenged.

It is a sad commentary on the fairness and sportsmanship of the "American way" that we who should be the last to be distracted from our "total war effort" must turn eastward and defend and justify ourselves. We must do it now. If not for ourselves, it's our bounden duty to justify our brave dead who cannot defend themselves. Our crippled remain mute evidence that we did not "freeze in our fox holes."

The regiment was called ashore the second night because it was needed badly. We were followed by the rest of the division. Within 26 hours after we relieved a marine unit, we took Aslito Airfield. Within 3 days we had swept clear across the island. A few days later the regiment, as a part of the division, moved north and again relieved the marines against what turned out to be the toughest enemy position on the island. The marines to whom I talked, freely expressed their gratitude at being withdrawn. Our progress was slow but we were never stopped. On the contrary, the marines who had been moved to our right flank, where the going was much easier, were highly complimentary. A most cordial and mutual respect was demonstrated throughout with the marine enlisted men and the officers who were actually fighting. I mention this because the many incidents similar to these, established what I believe to be the true marine version.

The regiment was in actual contact with the enemy from the moment it landed until several days after the battle was declared ended. All this without relief. It was in the fight longer than any regiment on the island in spite of the fact that we landed on the second night. On two distinct occasions the commanding general of the landing forces, Lt. Gen. Holland M. Smith, extended his congratulations to the regiment, the first after our speedy capture of the airfield. On that occasion he sent his "well done" to the regiment through our division commander who visited my command post and delivered the message personally.

After the battle was over Gen. Holland Smith came up to the command post and directed Colonel Hart (who had assumed command after I was wounded and evacuated) to extend his congratulations to every officer and man of the regiment.

The bold lies published in the story literally amazed us. We had returned satisfied that we had done our duty in a very creditable manner. Our fatigue, the dirt, our wounds, the going without proper food, the lost companions, and many other things, that you know only too well, were minimized in our minds by the natural expectation that we had accomplished something for which our beloved country would feel grateful.

We who are older and more experienced, and who have acquired patience to await the unprejudiced verdict of history can detect the unprincipled and disgusting efforts of Time to increase circulation by inciting controversy, thereby profiting by the aroused public interest. At the same time it is our responsibility to maintain the high state of morale of the men with whose welfare we are charged. Our men being younger and not used to such treatment are not content to await the justice that is inevitable but sometimes slow.

It is this that prompts me to write you on this subject. Beyond the common fairness, which is our due, is the greater need to reassure these brave young men before they go into their next battle that our friends and loved ones, particularly those honored with the responsibility of high Government office, are prompt to right such wrongs.

A mere retraction is not enough. We have suffered before from inaccurate and scanty descriptions of our accomplishments. You and I know this regiment and this division need no gaudy publicity. However, suppression of the truth of the past will add credence to the lies of the future and the calumny of the present. We will profit by a complete study of history to date.

Please see PAT KEARNEY, of Gloversville. I understand he is quite incensed over this matter. PAT is an old friend of mine and a former regimental commander of another regiment of this division. I hope you can find it expedient to render mutual support in your efforts to correct this situation.

Please remember me to Hazel and the rest of your family. I look forward to many pleasant meetings on my return.

Sincerely,

JERRY.

My fellow Members, let me read you a speech broadcast by General MacArthur from the Phillipine Islands in 1940 to a banquet at the Waldorf-Astoria of the Sixty-ninth, now in the Pacific, and the veterans of the old Sixty-ninth who served in the Rainbow Division in France under General MacArthur:

No greater fighting regiment has ever existed than the One Hundred and Sixty-fifth Infantry of the Rainbow Division, formed from the old Sixty-ninth Regiment of New York. I cannot tell you how real and how sincere a pleasure I feel tonight in once more addressing the members of that famous unit. You need no eulogy from me or from any other man. You have written your own history and written it in red on your enemies' breast, but when I think of your patience under adversity, your courage under fire, and your modesty in victory, I am filled with an emotion of admiration I cannot express. You have carved your own statue upon the hearts of your people, you have built your own monument in the memory of your compatriots.

One of the most outstanding characteristics of the regiment was its deep sense of religious responsibility, inculcated by one of my most beloved friends—Father Duffy. He gave you a code that embraces the highest moral laws, that will stand the test of any ethics or philosophies ever promulgated for the uplift of men. Its requirements are for the things that are right and its restraints are from the things that are wrong. The soldier, above all men, is required to perform the highest act of religious teaching—sacrifice. However horrible the results of war may be, the soldier who is called upon to offer and perchance give his life for his country is the noblest development of mankind. No physical courage and no brute instincts can take the place of the divine annunciation and spiritual uplift which will alone sustain him. Father Duffy, on those bloody fields of France we all remember so well, taught the men of your regiment how to die that a Nation might live—how to die unquestioning and uncomplaining, with faith in their hearts and the hope on their lips that we might go on to victory.

Somewhere in your banquet hall tonight his noble spirit looks down to bless and guide you young soldiers on the narrow path marked with West Point's famous motto—duty, honor, country.

We all hope that war will come to us no more, but if its red stream again engulfs us, I want you to know that if my flag flies again, I shall hope to have you once more with me, once more to form the brilliant hues of what is lovingly, reverently called by men at arms, the Rainbow.

May God be with you all until we meet again.

Gentlemen, I know the citizens of New York and our country will accept the judgment of General MacArthur rather than that of an individual who would create disorder among men fighting on the field of battle. Men whose one purpose is the preservation of our beloved America.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1785. An act for the relief of Alex Wylie; to the Committee on Claims.

ADJOURNMENT

Mr. ZIMMERMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until tomorrow, Wednesday, November 22, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings on Wednesday, November 22, 1944, at 10 a. m., on public and private bills—unfinished business.

EXECUTIVE COMMUNICATIONS, ETC.

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

2021. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1945, amounting to $3,172,087.97, for the Department of State (H. Doc. No. 777); to the Committee on Appropriations and ordered to be printed.

2022. A communication from the President of the United States transmitting a supplemental estimate of appropriation for the legislative branch, United States Senate, for the fiscal year 1945, amounting to $200,000 (H. Doc. No. 778); to the Committee on Appropriations and ordered to be printed.

2023. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the legislative branch, House of Representatives, fiscal year 1944, in the amount of $6,000 (H. Doc. No. 779); to the Committee on Appropriations and ordered to be printed.

2024. A communication from the President of the United States, transmitting a supplemental estimate of contract authorization for the fiscal year 1945, in the amount of $10,000,000, for the Navy Department, and naval service (H. Doc. No. 780); to the Committee on Appropriations and ordered to be printed.

2025. A letter from the Postmaster General, transmitting a draft of a proposed bill to amend section 2 of the act of May 29, 1928, and section 3 of the act of March 29, 1944, affecting the compensation of postmasters; to the Committee on the Post Office and Post Roads.

2026. A letter from the Administrator, Federal Security Agency, transmitting a draft of a proposed bill to provide that commissioned and warrant officers placed in St. Elizabeths Hospital or certain United States Public Health Service hospitals shall be liable to pay such rate per day as may be prescribed from time to time by the President, and to authorize the heads of the several agencies to deduct such sums from their pay and to transmit it to St. Elizabeths Hospital; to the Committee on Military Affairs.

2027. A letter from the Attorney General, transmitting a request for withdrawal of the case of William Garfield Woods, alias William Martell, from the 316 cases involving suspension of deportation, referred to in his letter of December 1, 1943; to the Committee on Immigration and Naturalization.

2028. A letter from the Attorney General, transmitting a draft of a proposed bill to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138–1139; 8 U. S. C. 601); to the Committee on Immigration and Naturalization.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. DICKSTEIN: Committee on Immigration and Naturalization. House Resolution 568. Resolution requesting information as to arrival of refugees from the Attorney General; without amendment (Rept. No. 1913.) Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 654. Resolution for the consideration of H. R. 4915, a bill to amend and supplement the Federal-Aid Road Act; without amendment (Rept. No. 1914). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. S. 1373. An act to authorize the Secretary of War to convey to the people of Puerto Rico for school purpses a certain building and lot known as the Mayaguez Barracks Military Reservation now under the jurisdiction of the War Department; without amendment (Rept. No. 1915). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5408. A bill to amend the Mustering-Out Payment Act of 1944, to provide a method for accomplishing certain mustering-out payments on behalf of mentally disabled veterans, and for other purposes; without amendment (Rept. No. 1916). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5493. A bill to provide for the continuation on the active list of the Regular Army for the duration of any of the wars in which the United States is now engaged and for 6 months thereafter, of any officer on the active list of the Regular Army who has served as Chief of Staff during the wars in which the United States is now engaged; without amendment (Rept. No. 1917). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5494. A bill to amend the act entitled "An act authorizing the President to appoint an Under Secretary of War during national emergencies, fixing the compensation of the Under Secretary of War, and authorizing the Secretary of War to prescribe duties," approved December 16, 1940; without amendment (Rept. No. 1918). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1795. An act to amend that portion of the act approved June 30, 1906 (34 Stat. 697, 750), authorizing the settlement of accounts of deceased officers and enlisted men of the Army; with amendment (Rept. No. 1919). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. RANDOLPH:

H. R. 5511. A bill authorizing and directing the Commissioners of the District of Columbia to construct two four-lane bridges to replace the existing Fourteenth Street or Highway Bridge across the Potomac River, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGHTON of North Carolina:

H. R. 5512. A bill to extend certain privileges, exemptions, and immunities to the United Nations Relief and Rehabilitation Administration and to the officials and employees thereof, and for other purposes; to the Committee on Ways and Means.

By Mr. DICKSTEIN:

H. R. 5513. A bill to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138–1139; 8 U. S. C. 601); to the Committee on Immigration and Naturalization.

By Mr. FISH:

H. R. 5514. A bill providing for the release of enlisted and officer personnel from active service in the armed forces after the termination of hostilities; to the Committee on Military Affairs.

By Mr. PLUMLEY:

H. R. 5515. A bill to provide that the automatic increase in taxes imposed in connection with old-age and survivors insurance shall not apply in 1945 and to provide for a special investigation with respect to such taxes; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 5516 (by request). A bill to amend paragraph 3, part VII of Veterans Regulation No. 1 (a), as amended, so as to establish a uniform vocational rehabilitation allowance in certain cases; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 5517. A bill to authorize construction of a national war memorial stadium with necessary appurtenances in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SUMNERS of Texas:

H. R. 5518. A bill to amend section 119 of the Judicial Code; to the Committee on the Judiciary.

By Mr. BREHM:

H. Con. Res. 102. Concurrent resolution expressing the sense of the Congress that any public celebration of the cessation of hostilities with Germany would be inappropriate due to the fact that at such time all the resources and energies of the Nation must be directed toward the defeat of Japan; to the Committee on the Judiciary.

By Mr. FAY:

H. Res. 655. Resolution to investigate erroneous statements concerning the Battle of Saipan; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. JUDD:

H. R. 5519. A bill for the relief of Nellie A. Ridings; to the Committee on Claims.

By Mr. OUTLAND:

H. R. 5520. A bill for the relief of Mrs. Harriette E. Harris; to the Committee on Claims.

PETITIONS, ETC.

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

6200. By Mr. FAY: Petition of officers and members of Old Timers Post, No. 188, Jewish War Veterans of the United States, in meeting assembled at 150 West Eighty-fifth Street, Borough of Manhattan, city of New York, this eleventh day of October 1944, unanimously recommending the passage of bill H. R. 5402, introduced by Congressman FAY in the House of Representatives; to the Committee on World War Veterans' Legislation.

6201. By Mr. ANTON J. JOHNSON: Petition of Mrs. Earl Forsythe, president of Mothers of World War No. 2, Unit No. 43, Cordova, Ill., and 50 other members of this unit as signers, favoring free transportation for their sons and daughters in the service, when on furlough; to the committee on Military Affairs.

6202. By Mr. MERROW: Resolution adopted at a joint public meeting of the Portsmouth Zionist District and Portsmouth Chapter of Hadassah, expressing its conviction that the integrity of the Balfour Declaration should be respected and that the United States should use its good offices for that purpose and recommending to the Congress approval of House Resolutions Nos. 418 and 419; to the Committee on Foreign Affairs.

6203. By Mr. SMITH of Wisconsin: Petition of Mrs. H. Shannon, Edgerton, Wis., regarding House Resolution No. 632; to the Committee on Rules.

6204. By the SPEAKER: Petition of Lieutenants' Benevolent Association, Police Department, New York, resolving that the Lieutenants' Benevolent Association, Police Department, city of New York, go on record as favoring legislation which will exempt persons receiving pensions from city, State, and Federal Governments, from paying Federal income taxes on such pensions; to the Committee on Ways and Means.

SENATE

WEDNESDAY, NOVEMBER 22, 1944

(Legislative day of Tuesday, November 21, 1944)

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

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

God of all mercies, Thou hast crowned our years with Thy goodness. We gratefully rejoice that we are the heirs of that first altar of thanksgiving set upon a strange shore by "rude men, unlovely, yes, but great, who prayed about the cradle of our state." In this later era, shadowed by horror, we would surround the same shrine whose stones have never crumbled as we, too, holding the Pilgrim faith, thank their God and ours and take courage.

Let not the spirit of thankfulness die in our hearts, thankfulness for a great heritage worth living and dying for; gratitude for abiding faith that will survive all disaster and rise triumphant above the wrecks of time. With all its sacrifices and separations, with all its loss and its death, we thank Thee for a noble cause which defends and rescues the despoiled and despairing, which lifts again to life and light those by the oppressor's lash outraged in body and soul, and whose victory will bring at last justice and freedom to all mankind.

"We thank Thee that there burns in youth
The love of liberty and truth,
That man his faith in Thee retains
Even when tortured and in chains.
For all our gallant absent men
We pray, for Thy peace again,
That at Thy table, peace restored,
We sit with them and Thee, O Lord."

Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, November 21, 1944, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations 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. McLeod, one of its clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 887. An act conferring jurisdiction upon the United States District Court for the Western District of Virginia to hear, determine, and render judgment upon the claims of John Weakley and Rella Moyer;

S. 1101. An act to provide for the payment of the claim of John C. Shaw, administrator de bonis non of the estate of Sydney C. McLouth, deceased, arising out of a contract between said deceased and the United States Shipping Board Emergency Fleet Corporation, for the construction of seagoing tugs;

S. 1226. An act for the relief of Charles T. Allen;

S. 1365. An act for the relief of J. C. Drewry;

S. 1451. An act to amend the act entitled "An act for the confirmation of the title to the Saline lands in Jackson County, State of Illinois, to D. H. Brush, and others," approved March 2, 1861;

S. 1453. An act for the relief of the City National Bank Building Co.;

S. 1461. An act for the relief of Frederick G. Goebel;

S.1465. An act for the relief of Dr. A. R. Adams;

S. 1477. An act for the relief of Carl M. Frasure;

S. 1501. An act for the relief of the Rau Motor Sales Co.;

S. 1572. An act for the relief of Frank Robertson;

S. 1605. An act for the relief of Mr. and Mrs. John Borrego; Mr. and Mrs. Joe Silva; the legal guardian of Frank Borrego; the legal guardian of Rueben Silva; and the legal guardian of Rudolph Silva;

S. 1665. An act to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of Guy F. Allen, chief disbursing officer;

S. 1709. An act for the relief of Mrs. Clark Gourley, administratrix of the estate of Clark Gourley;

S. 1717. An act for the relief of Luella F. Stewart;

S. 1763. An act for the relief of the Square D Co.;

S. 1766. An act for the relief of C. C. Thornton;

S. 1776. An act for the relief of L. C. Gregory;

S. 1905. An act for the relief of the estate of Walney A. Colvin, deceased;

S. 1983. An act for the relief of Mrs. Anna Runnebaum;

S. 1995. An act for the relief of Fred A. Dimler and Gwendolyn E. Dimler, his wife;

S. 2007. An act for the relief of Lum Jacobs;

S. 2031. An act for the relief of Lt. (T) P. J. Voorhies; and

S. 2069. An act for the relief of Irma S. Sheridan, postmaster at Rockville, Oreg.

The message also announced that the House had passed the bill (S. 1278) for the relief of Yellow Cab Transit Co., with amendments, in which it requested the concurrence of the Senate.

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

S. 1471. An act for the relief of Mrs. Eugene W. Randall;

S. 1731. An act for the relief of Helen Halverson; and

S. 1827. An act for the relief of Oliver N. Knight.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 195. An act for the relief of Gladys A. Ennis as executrix of the estate of George Pearse Ennis, deceased, and Oscar H. Julius; and the Excelsior Automotive Service, Inc.;

H. R. 299. An act for the relief of Hyman L. Schiffer;

H. R. 449. An act for the relief of the Puget Sound Bridge and Dredging Co.;

H. R. 529. An act for the relief of John W. Farrell;

H. R. 545. An act for the relief of G. F. Odom;

H. R. 763. An act for the relief of Lindsey Harcrow;

H. R. 1218. An act for the relief of F. L. Riddle;

H. R. 1556. An act for the relief of Archie Barwick;

H. R. 1772. An act for the relief of Henry Stovall;

H. R. 2150. An act for the relief of Diemer Adison Coulter and Frances Andrews Coulter;

H. R. 2213. An act for the relief of Mrs. Agnes Wolters;

H. R. 2300. An act for the relief of Rose B. Luzar;

H. R. 2354. An act for the relief of the estate of Mrs. Phoebe Sherman, and for Mrs. Harriett W. Vanderhoef and Allan Vanderhoef;

H. R. 2373. An act for the relief of Pearl Saievitz Hurwitz and Ruth Levin;

H. R. 2543. An act for the relief of Mrs. Nelle Jones;

H. R. 2688. An act for the relief of Clarence H. Miles, Mrs. Mollie Miles, and Hardy Miles, a minor;

H. R. 2827. An act for the relief of the estate of Ida M. Rutherford;

H. R. 3017. An act for the relief of Hubert McMahon and the legal guardian of Barbara McMahon;

H. R. 3138. An act for the relief of Mrs. Bertha Macklin;

H. R. 3191. An act for the relief of Lillian Hill;

H. R. 3192. An act for the relief of Mrs. Bertha Grantham;

H. R. 3218. An act for the relief of Enid M. Albertson;

H. R. 3279. An act for the relief of Clarence G. Doelling and Doris J. (McNeil) Doelling;

H. R. 3285. An act for the relief of Mrs. Rose Poisson;

H. R. 3302. An act for the relief of Eleanor Parkinson;

H. R. 3323. An act for the relief of Mrs. William M. Watson and R. H. Price;

H. R. 3369. An act for the relief of Harry V. Hearn;

H. R. 3373. An act for the relief of Dewey H. Davis;

H. R. 3400. An act for the relief of La Verne Whipple;

H. R. 3414. An act for the relief of Edward C. Robbins;

H. R. 3465. An act for the relief of Archie Berberian, Kurken Berberian, and Mrs. Osgetel Berberian;

H. R. 3484. An act for the relief of Mrs. Pearl W. Peterson;

H. R. 3584. An act for the relief of Elsie Hawke;

H. R. 3630. An act for the relief of Peter Paul Bacic, Charles C. Cox, H. Forest Haugh, and Luther M. Durst;

H. R. 3645. An act for the relief of Mary Agnes Lichtefeld Droppelman;

H. R. 3678. An act for the relief of Floyd E. and Lena Mae Drummond;

H. R. 3727. An act for the relief of the legal guardian of Violet DeGroot;