

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANDERSON of California:

H. R. 3617. A bill for the relief of San Jose Manufacturers, Inc.; to the Committee on Claims.

By Mr. CURTIS:

H. R. 3618. A bill for the relief of Mrs. Van-nas H. Hicks; to the Committee on Claims.

By Mr. GROSS:

H. R. 3619. A bill for the relief of Harry D. Koons; to the Committee on Claims.

H. R. 3620. A bill for the relief of Leslie A. Fry; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 3621. A bill for the relief of the J. M. Jones Lumber Co.; to the Committee on Claims.

By Mr. PHILLIPS:

H. R. 3622. A bill for the relief of Mrs. Hazel M. Skaggs; to the Committee on Claims.

H. R. 3623. A bill for the relief of William A. Pixley; to the Committee on Claims.

By Mr. ROGERS of New York:

H. R. 3624. A bill to authorize the cancellation of deportation proceedings in the case of Apostolos Vasilis Perkas; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

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

1022. By Mr. COCHRAN: Petition of C. E. Hildebrand and 325 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

1023. Also, petition of Spencer Salisbury and 297 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

1024. By Mr. GEELAN: Petition submitted by Thomas J. Reardon of Hartford, Conn., urging the enactment of legislation concerning the extension and maintenance of credit for the purchase and carrying of securities; to the Committee on Banking and Currency.

1025. Also, petition of Thomas J. Reardon, of Hartford, Conn., urging the enactment of legislation to prohibit the United States from joining with other nations of the world for the purpose of political and economic co-operation unless and until the proposition is submitted to the citizens of the United States for a vote thereon and that affirmative action must be by a two-thirds vote by the voters of the United States; to the Committee on the Judiciary.

1026. Also, resolution submitted by Lawrence P. Spellacy, secretary of Meriden Aerie, No. 720, F. O. E., Meriden, Conn., June 26, 1945, memorializing Congress to designate the birthday of the late President Franklin Delano Roosevelt as a national holiday; to the Committee on the Judiciary.

1027. Also, resolution passed by the General Assembly of the State of Connecticut on June 6, 1945, submitted by Charles J. Prestia, secretary of state, memorializing Congress in favor of the passage of the Bretton Woods bill with the stabilization included; to the Committee on Foreign Affairs.

1028. By Mr. GOODWIN: Petition of Albert S. Conrad and sundry other residents of the Eighth Massachusetts Congressional District, favoring the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

1029. By Mr. HOLMES of Washington: Resolution of eastern Washington public utility district, urging Congress to authorize construction of Foster Creek Dam and hydro-electric plant on the Columbia River; to the Committee on Flood Control.

1030. By Mr. THOMAS of New Jersey: Petition signed by approximately 67 owners of automobile repair shops in Sussex County, N. J., protesting RMPR 165, OPA regulations, and recommending that RMPR 165, amendment No. 49, be abolished for the reasons outlined in the petition; to the Committee on Banking and Currency.

1031. By the SPEAKER: Petition of the secretary, Hudson County Republican Committee, petitioning consideration of their resolution with reference to calling public attention to various laws enacted in the State of New Jersey; to the Committee on Ways and Means.

1032. Also, petition of Vergil D. McMillan, petitioning consideration of his resolution with reference to redress of grievance; to the Committee on the Judiciary.

SENATE

FRIDAY, JUNE 29, 1945

(Legislative day of Monday, June 25, 1945)

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:

O God, from whom all holy desires, all good counsels and all just works do proceed, as the torch of a new day lights afresh the path of duty, we bow before Thee in humility and hope. We thank Thee for public servants who, in the darkened valleys of these tragic times, have failed not to lift unto the hills of help the eyes of this stricken generation, messengers of good will who from mountaintops of vision are now heralding a dawning day.

So guide by Thy wisdom the deliberations of this body, entrusted with vast power that awes and solemnizes our hearts, that here, in the fires of a great passion for healing peace, the sacrifices for freedom may be sanctified. Dedicate us anew to the yet unfinished task that we may win the peace for which brave men have died: And Thine shall be the kingdom and the power and the glory forever. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, June 28, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

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

H. R. 511. An act to amend the Nationality Act of 1940;

H. R. 3238. An act readjusting the rates of postage on catalogs and similar printed advertising and other matter of fourth-class mail, and for other purposes;

H. R. 3579. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years

ending June 30, 1945, and June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1946, and for other purposes; and

H. J. Res. 215. Joint resolution authorizing the production of petroleum for the national defense from Naval Petroleum Reserve No. 1.

ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled joint resolution (S. J. Res. 65) to transfer to the Reconstruction Finance Corporation the functions, powers, duties, and records of certain corporations, and it was signed by the President pro tempore.

ADDRESS BY THE PRESIDENT AT THE FINAL SESSION OF THE SAN FRANCISCO CONFERENCE

Mr. BARKLEY. Mr. President, I intended yesterday to ask that the address delivered by the President at San Francisco on Tuesday be printed in the body of the CONGRESSIONAL RECORD. Other things intervened, and the request was not made. I now make that request.

The PRESIDENT pro tempore. Without objection, the address delivered by the President will be printed in the RECORD.

The address is as follows:

Mr. Chairman and delegates to the United Nations Conference on International Organization, oh, what a great day this can be in history.

I deeply regret that the press of circumstances when this Conference opened made it impossible for me to be here to greet you in person. I have asked for the privilege of coming today to express on behalf of the people of the United States our thanks for what you have done here and to wish you Godspeed on your journeys home.

Somewhere in this broad country, every one of you can find some of our citizens who are sons and daughters, or descendants in some degree, of your own native land. All our people are glad and proud that this historic meeting and its accomplishments have taken place in our country. And that includes the millions of loyal and patriotic Americans who stem from the countries not represented at this Conference.

We are grateful for your coming. We hope you have enjoyed your stay and that you will come again.

You assembled in San Francisco almost 9 weeks ago with the high hope and confidence of peace-loving people the world over.

Their confidence in you has been justified. Their hopes for your success have been fulfilled.

CALLS CHARTER A VICTORY

The Charter of the United Nations which you are now signing is a solid structure upon which we can build for a better world. History will honor you for it. Between the victory in Europe and the final victory in Japan, in this most destructive of all wars, you have won a victory against war itself.

It was the hope of such a charter that helped sustain the courage of stricken peoples through the darkest days of the war. For it is a declaration of great faith by the nations of the earth—faith that war is not inevitable, faith that peace can be maintained.

If we had had this charter a few years ago—and, above all, the will to use it—millions now dead would be alive. If we should falter in the future in our will to use it, millions now living will surely die.

It has already been said by many that this is only a first step to a lasting peace. That is true. The important thing is that all our

thinking and all our actions be based on the realization that it is in fact only a first step. Let us all have it firmly in mind that we start today from a good beginning, and, with our eye always on the final objective, let us march forward.

The Constitution of my own country came from a convention which—like this one—was made up of delegates with many different views. Like this charter, our Constitution came from a free and sometimes bitter exchange of conflicting opinions. When it was adopted, no one regarded it as a perfect document. But it grew and developed and expanded. And upon it there was built a bigger, a better, and a more perfect Union.

This charter, like our own Constitution, will be expanded and improved as time goes on. No one claims that it is now a final or a perfect instrument. It has not been poured into a fixed mold. Changing world conditions will require readjustments—but they will be the readjustments of peace and not of war.

That we now have this charter at all is a great wonder. It is also a cause for profound thanksgiving to Almighty God, who has brought us so far in our search for peace through world organization.

DIFFERENCES IN VIEWS RECALLED

There were many who doubted that agreement could ever be reached by these 50 countries differing so much in race and religion, in language and culture. But these differences were all forgotten in one unshakable unity of determination—to find a way to end wars.

Out of all the arguments and disputes, and different points of view, a way was found to agree. Here in the spotlight of full publicity, in the tradition of liberty-loving people, opinions were expressed openly and freely. The faith and the hope of 50 peaceful nations were laid before this world forum. Differences were overcome. This charter was not the work of any single nation or group of nations, large or small. It was the result of a spirit of give-and-take, of tolerance for the views and interests of others.

It was proof that nations, like men, can state their differences, can face them, and then can find common ground on which to stand. That is the essence of democracy; that is the essence of keeping the peace in the future. By your agreement, the way was shown toward future agreements in the years to come.

This Conference owes its success largely to the fact that you have kept your minds firmly on the main objective. You had the single job of writing a constitution—a charter for peace. And you stayed on that job.

In spite of the many differences and distractions which came to you in the form of daily problems and disputes about such matters as new boundaries, control of Germany, peace settlements, reparations, war criminals, the form of Government of some of the European countries—in spite of all these, you continued in the task of framing this document.

These problems, and scores of others which will arise, are all difficult. They are complicated. They are controversial and dangerous.

SOLUTION OF PROBLEMS IS SEEN

But with a united spirit we met and solved even the more difficult problems during the war. And with the same spirit, if we keep to our principles and never forsake our objectives, the problems we now face, and those to come will also be solved.

We have tested the principle of cooperation in this war and have found that it works. Through the pooling of resources, through joint and combined military command, through constant staff meetings, we have shown what united strength can do in war. That united strength forced Germany to sur-

render. United strength will force Japan to surrender.

The United Nations have also had experience, even while the fighting was still going on, in reaching economic agreements for times of peace. What was done on the subject of relief at Atlantic City, food at Hot Springs, finance at Bretton Woods, aviation at Chicago, was a fair test of what can be done by nations determined to live cooperatively in a world where they cannot live peacefully any other way.

What you have accomplished in San Francisco shows how well these lessons of military and economic cooperation have been learned. You have created a great instrument for peace and security and human progress in the world.

The world must now use it.

If we fail to use it, we shall betray all those who have died in order that we might meet here in freedom and safety to create it.

If we seek to use it selfishly—for the advantage of any one nation or any small group of nations—we shall be equally guilty of that betrayal.

The successful use of this instrument will require the united will and firm determination of the free peoples who have created it. The job will tax the moral strength and fiber of us all.

SPECIAL PRIVILEGES ARE OPPOSED

We all have to recognize—no matter how great our strength—that we must deny ourselves the license to do always as we please. No one nation, no regional group, can, or should expect, any special privilege which harms any other nation. If any nation would keep security for itself, it must be ready and willing to share security with all. That is the price which each nation will have to pay for world peace. Unless we are all willing to pay that price, no organization for world peace can accomplish its purpose.

And what a reasonable price that is.

Out of this conflict have come powerful military nations, now fully trained and equipped for war. But they have no right to dominate the world. It is rather the duty of these powerful nations to assume the responsibility for leadership toward a world of peace. That is why we have here resolved that power and strength shall be used not to wage war, but keep the world at peace, and free from the fear of war.

By their own example the strong nations of the world should lead the way to international justice. That principle of justice is the foundation stone of this charter. That principle is the guiding spirit by which it must be carried out—not by words alone but by continued concrete acts of good will.

The time for action is here now. Let us, therefore, each in his own nation and according to its own way, seek immediate approval of this charter—and make it a living thing.

EXPECTS SPEEDY SENATE APPROVAL

I shall send this charter to the United States Senate at once. I am sure that the overwhelming sentiment of the people of my country and of their representatives in the Senate is in favor of immediate ratification.

A just and lasting peace cannot be attained by diplomatic agreement alone, or by military cooperation alone. Experience has shown how deeply the seeds of war are planted by economic rivalry and by social injustice. The charter recognizes this fact, for it has provided for economic and social cooperation as well. It has provided for this cooperation as a part of the very heart of the entire compact.

It has set up machinery of international cooperation which men and nations of good will can use to help correct the economic and social causes for conflict.

Artificial and uneconomic trade barriers should be removed—to the end that the standard of living of as many people as possible throughout the world may be raised. For freedom from want is one of the basic "four freedoms" toward which we all strive. The large and powerful nations of the world must assume leadership in this economic field as well as in all others.

Under this document we have good reason to expect the framing of an international bill of rights, acceptable to all the nations involved. That bill of rights will be as much a part of international life as our own bill of rights is a part of our Constitution. The charter is dedicated to the achievement and observance of human rights and fundamental freedoms. Unless we can obtain those objectives for all men and women everywhere—without regard to race, language or religion—we cannot have permanent peace and security in the world.

With this charter the world can begin to look forward to the time when all worthy human beings may be permitted to live decently as free people.

The world has learned again that nations, like individuals, must know the truth if they would be free—must read and hear the truth, learn and teach the truth.

SAYS IDEAS STILL LIVE

We must set up an effective agency for constant and thorough interchange of thought and ideas. For there lies the road to a better and more tolerant understanding among nations and among peoples.

All fascism did not die with Mussolini; Hitler is finished—but the seeds spread by his disordered mind have firm root in too many fanatical brains. It is easier to remove tyrants and destroy concentration camps than it is to kill the ideas which gave them birth and strength. Victory on the battlefield was essential, but it was not enough. For a good peace, a lasting peace, the decent peoples of the earth must remain determined to strike down the evil spirit which has hung over the world for the last decade.

The forces of reaction and tyranny all over the world will try to keep the United Nations from remaining united. Even while the military machine of the Axis was being destroyed in Europe—even down to its very end—they still tried to divide us.

They failed. But they will try again.

They are trying even now. To divide and conquer was—and still is—their plan. They still try to make one ally suspect the other, hate the other, desert the other.

But I know I speak for every one of you when I say that the United Nations will remain united. They will not be divided by propaganda, either before the Japanese surrender or after.

This occasion shows again the continuity of history.

By this charter you have given reality to the ideal of that great statesman of a generation ago—Woodrow Wilson.

By this charter you have moved toward the goal for which that gallant leader in this second world struggle worked and fought and gave his life—Franklin D. Roosevelt.

By this charter you have realized the objectives of many men of vision in your own countries who have devoted their lives to the cause of world organization for peace.

Upon all of us, in all our countries, is now laid the duty of transforming into action these words which you have written. Upon our decisive action rests the hope of those who have fallen, those now living, and those yet unborn—the hope for a world of free countries—with decent standards of living—which will work and cooperate in a friendly, civilized community of nations.

This new structure of peace is rising upon strong foundations.

Let us not fail to grasp this supreme chance to establish a world-wide rule of reason—to create an enduring peace under the guidance of God.

PRINTING OF SENATOR CONNALLY'S
SPEECH ON UNITED NATIONS' CHARTER
(S. DOC. NO. 58)

Mr. BARKLEY. Mr. President, I send to the desk the following order and ask that it be agreed to.

The PRESIDENT pro tempore. The order will be read.

The Chief Clerk read as follows:

Ordered, That the remarks of Senator Tom CONNALLY, delivered in the Senate on June 28, 1945, on the charter of the United Nations, be printed as a Senate document and that 10,000 additional copies be printed for the use of the Senate document room.

The PRESIDENT pro tempore. Without objection, the order is entered.

CALL OF THE ROLL

Mr. VANDENBERG obtained the floor.
Mr. WHITE. Mr. President, will the Senator from Michigan yield?

Mr. VANDENBERG. I yield.

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

Aiken	Gerry	Murdoch
Austin	Green	Murray
Bailey	Guffey	Myers
Ball	Gurney	O'Daniel
Bankhead	Hart	O'Mahoney
Barkley	Hatch	Overton
Bilbo	Hawkes	Pepper
Brewster	Hayden	Radcliffe
Bridges	Hill	Revercomb
Brooks	Hoey	Smith
Burton	Johnson, Calif.	Stewart
Bushfield	Johnson, Colo.	Taft
Butler	Johnson, S. C.	Thomas, Okla.
Byrd	Kilgore	Thomas, Utah
Capehart	La Follette	Tunnell
Capper	Langer	Tydings
Chavez	Lucas	Vandenberg
Connally	McClellan	Wagner
Cordon	McFarland	Walsh
Donnell	McKellar	Wheeler
Downey	McMahon	Wherry
Eastland	Mead	White
Ellender	Millikin	Wiley
Ferguson	Mitchell	Willis
Fulbright	Moore	
George	Morse	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Missouri [Mr. BRIGGS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Washington [Mr. MAGNUSON], the Senator from Florida [Mr. PEPPER], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from South Carolina [Mr. MAYBANK] and the Senator from Georgia [Mr. RUSSELL] are absent in Europe visiting battlefields.

The Senator from Nevada [Mr. McCARRAN] and the Senator from Idaho [Mr. TAYLOR] are absent as members of the committee attending the funeral of the late Senator Scrugham.

Mr. WHERRY. The Senator from Iowa [Mr. HICKENLOOPER] is absent by leave of the Senate.

The Senator from Kansas [Mr. REED], the Senator from Minnesota [Mr. SHIP-

STEAD], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Iowa [Mr. WILSON] are absent on official business.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Delaware [Mr. BUCK] and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is absent on official business by direction of the President pro tempore of the Senate.

The Senator from North Dakota [Mr. YOUNG] is absent on official business of the Senate attending the funeral of the late Senator Scrugham.

The PRESIDENT pro tempore. Seventy-six Senators having answered to their names, a quorum is present.

REPORT ON UNITED NATIONS CHARTER

Mr. VANDENBERG. Mr. President, I take this immediate opportunity to make this preliminary report to the Senate upon my 2 months official absence as a member of the American delegation at the San Francisco Conference to create an international organization for peace and security. It has been a difficult and burdensome assignment. But it has had its compensations not only in its privilege of association with earnest peace-seeking pilgrims from every corner of the globe, but also in its promise of a better world. I shall not here undertake a discussion of the vast detail of considerations which must be explored in subsequent debate. I am content today to state my general conclusions and the reasons that impel them.

First, Mr. President, I wish to present my compliments to my fellow delegates and our advisers and our staff. We have labored together in good spirit and good will. We have had healthy differences of opinion; but we have ultimately acted in substantial unanimity from start to finish. We have had the generous confidence and helpful cooperation of the President of the United States. We have had the advice of former Secretary of State Cordell Hull, to whose vision and wisdom this institution will stand as an eternal monument. Particularly I wish to commend the Secretary of State, Edward R. Stettinius, Jr. He has been an able and inspiring leader. He has been equal to every emergency we faced. Not only as chairman of our delegation but also as Chairman of the Conference and its key committees, he has been as tireless as he has been efficient in driving to our goal. I am particularly happy to testify that he constantly sustained the best American tradition. He has richly earned the grateful good opinion of his country.

I want also to pay my particular tribute of affectionate appreciation to the distinguished Senator from Texas, the chairman of the Senate Foreign Relations Committee [Mr. CONNALLY]. Without the faintest hint of partisanship at any time, he made it constantly possible for each one of us, representing the minority, to play our full role in these deliberations. He carried some of the heaviest burdens of the Conference with patience, fidelity, and eminent success.

He was a tower of strength to this great undertaking in every aspect of its labors. He, too, has put the Nation greatly in his debt.

Mr. President, I have signed the San Francisco Charter. I believe it represents a great, forward step toward the international understanding and cooperation and fellowship which are indispensable to peace, progress, and security. If the spirit of its authors can become the spirit of its evolution I believe it will bless the earth. I believe it serves the intelligent self-interest of our own United States which knows, by bitter experience in the Valley of the Shadow of two wars in a quarter century, that we cannot live entirely unto ourselves alone. I believe it is our only chance to keep faith with those who have borne the heat of battle. I have signed the charter with no illusions regarding its imperfections and with no pretensions that it guarantees its own benign aims; but with no doubts that it proposes an experiment which must be bravely undertaken in behalf of peace with justice in a better, happier, and safer world.

I shall support the ratification of this charter with all the resources at my command. I shall do this in the deep conviction that the alternative is physical and moral chaos in many weary places of the earth. I shall do it because there must be no default in our oft-pledged purpose to outlaw aggression so far as lies within our human power. I shall do it because this plan, regardless of infirmities, holds great promise that the United Nations may collaborate for peace as effectively as they have made common cause for war. I shall do it because peace must not be cheated out of its only collective chance.

I think, Mr. President, that I now know rather intimately what was in Benjamin Franklin's soul when, at the end of the American Constitutional Convention in 1787, he put his signature to that immortal document and said:

I consent, sir, to this Constitution because I expect no better and because I am not sure it is not the best. The opinions I have had of its errors I sacrifice to the public good. On the whole, sir, I cannot help expressing a wish that every member of the Convention who may still have objections to it would, with me, on this occasion doubt a little of his own infallibility and, to make manifest our unity, put his name to this instrument . . . and turn our future thoughts and endeavors to the means of having it well administered.

Franklin never had cause to regret his act of faith. I pretend no authentic parallel in the present instance. But in kindred faith I am prepared to proceed with this great adventure. I see no other way. In the event of its unexpected failure, I should prefer to have been associated with its hopeful trial than with a refusal to permit it to prove its expected success.

I revert briefly to Franklin. He also said:

I doubt whether any other convention we can obtain may be able to make a better Constitution; for, when you assemble a number of men, to have the advantage of their joint wisdom, you inevitably assemble with those men all their prejudices, their

passions, their errors of opinion, their local interests, and their selfish views. From such an assembly can a perfect production be expected? It therefore astonishes me, Sir, to find this system approaching so near to perfection as it does.

Mr. President, if that was true in a limited area among our relatively close-knit colonial States, how much more true is it when we contemplate the San Francisco Conference, where 50 nations, gathered from the opposite poles and from the seven seas, separated from each other by race, language, and tradition, representing 85 percent of the world's population, and dealing with a problem which spans the globe, sought a meeting of minds and found a common denominator to express their common purpose. Only those who have engaged in such a universal Congress—veritably the parliament of man—can wholly understand the complications and the difficulties. But they must be obvious to any thinking mind. It is no wonder we had many a troublesome day and many a critical night. It is no wonder that none of us can say that he wholly approves the net result. The wonder is that we can all approve so much.

Within the framework of the charter, through its refinement in the light of experience, the future can overtake our errors. But there will be no future for it unless we make this start. I doubt if there could ever be another or a better start. I commend this over-all consideration to all of my colleagues who have any interest in collective security as an instrument of collective peace. I commend it to all who are listening to the prayers for peace which rise from the hearthstones of our land.

You cannot plant an acorn, Mr. President, and expect an oak from it the morning following, but you will never have an oak unless you plant the acorn. In the San Francisco Charter we undertake to plant the roots of peace. No one can say with finality how they will flower, but this I know: Without roots there will be no flowers. I prefer the chance rather than no chance at all.

My own view regarding collective security is well known. I have repeatedly stated it upon this floor. While I want a powerful Army and an invincible Navy to make our national defense as impregnable as possible, pending the time when mutual arms limitations can be made dependably effective, I believe that no nation can hereafter immunize itself by its own exclusive action. I say again, as I said on January 10, that since Pearl Harbor, World War II has put the cruel science of mass murder into new and sinister perspective. I say again that the oceans have ceased to be moats which automatically protect our ramparts. I say again that flesh and blood now compete unequally with winged steel. War has become an all-consuming juggernaut. I say again that if World War III ever unhappily arrives, it will open new laboratories of death too horrible to contemplate. I say again that I propose to do everything within my power to keep those laboratories closed for keeps; and, Mr. President, they must be kept closed all around the earth because neither time nor space any longer promises to shield

the victims of treacherous attack. We must have collective security to stop the next war, if possible, before it starts; and we must have collective action to crush it swiftly if it starts in spite of our organized precautions.

That vital aspiration, Mr. President, is the object of the San Francisco Charter. The charter is not content merely with this latter sanguinary assignment to meet force with force when there is nothing left to do but fight. It seeks, above all else, to cure the underlying causes of wars; to correct the frictions which lead to wars; to resolve disputes by peaceful means before they take on the suicidal magnitudes of war; in a familiar metaphor, to "lock the barn before the horse is stolen."

You may tell me that I speak of the millennium. I reply, in the words of Holy Writ: "Where there is no vision the people perish." We dare not fail to try. We dare not fail to strive in this direction no matter how far we fall short of the goal.

Here, Mr. President, are 50 sovereign nations each one of which is under the most solemn pledge that can be made under God among the peoples of the earth—under pledge to do what? Listen:

To maintain international peace and security; and to that end to take collective measures for the prevention and removal of threats to the peace and the suppression of acts of aggression or other breaches of the peace, and to bring about by peaceful means, and in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which may lead to a breach of the peace.

Under pledge to do what else?

To develop friendly relations among nations based on respect for the principles of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace.

Under pledge to do what else?

To achieve international cooperation in the solution of international problems of an economic, social, cultural or humanitarian character and promotion and encouragement of respect for human rights and fundamental freedoms for all without distinction as to race, language, religion, or sex.

You may tell me that I have but to scan the present world with realistic eyes in order to see these fine phrases often contemptuously reduced to a contemporary shambles. You may tell me that some of the signatories to this charter practice the precise opposite of what they preach even as they sign. You may tell me that the aftermath of this war seems to threaten the utter disintegration of these ideals at the very moment they are born. I reply that the nearer right you may be in any such gloomy indictment, the greater is the need for the new pattern which promises at least to try to stem these evil tides. The nearer right you are, the greater becomes the importance of this new self-denying ordinance which promises a chastened view in 50 capitals of this earth. The nearer right you are, the greater is the urgency for invoking the emancipations which the San Francisco Charter contemplates. If the effort fails, we can

at least face the consequence with clean hands.

Now, Mr. President, I briefly sketch the charter's working structure. It will function through four major instruments: First, a general assembly in which each signatory nation has one vote—tomorrow's "town meeting of the world"; second, a security council—the executive agency for action—in which Britain, Russia, America, France, and China have permanent seats, together with six other nations chosen periodically by the assembly; third, an international court of justice where all nations will have the option of seeking juridical decisions; fourth, a social and economic council, consisting of 18 nations chosen periodically by the assembly, which will explore those social and economic dislocations, in the family of nations, that too often breed the wars which might otherwise be avoided through voluntary readjustments.

The security council will have at its ultimate potential disposal, when all other recourses have failed to maintain peace and security, an armed force to which the signatory states will be prepared to contribute upon call and in such proportions as shall be determined by collateral agreements made between the Security Council and these states. These agreements will not be negotiated until the new organization is in being. Their detail is not involved in the discussion of this primary treaty. But this treaty guarantees that these agreements shall be "subject to ratification by the signatory states in accordance with their constitutional processes." Hence the Senate need have no fear that this separate obligation will not subsequently be available to its full scrutiny and consent.

There are those, Mr. President, who look upon this final availability of force to keep the peace as the real value of this enterprise. They argue that the aggressor of tomorrow, like the brutal aggressors of yesterday and today, will understand no language except guns and ships and planes. They may be right. Certainly I do not disagree that the United Nations must possess the potential power to fight to keep the peace which they have won by kindred means. I agree that we must "keep our powder dry" and be prepared to "pass the ammunition." But I would not agree that force is the real genius of this new institution. On the contrary, it is my conviction that the great hope which is here held out to humankind stems largely from the solemn formula which the San Francisco Charter creates for the pacific settlement of disputes before they ever reach a fighting stage. It is my profound belief that the pacific contacts and consultations which will constantly be maintained by the powers—and particularly by the great powers—plus the pacific routines which every dispute must hereafter exhaust before it is subject to any sort of sanctions, can and will resolve most, if not all, of the controversies which otherwise might lead once more to war. Mind you, Mr. President, these routines must be consulted, under the solemn pledge of these nations; and I venture the assertion and the hope and the prophecy that they

will be consulted, in view of the nature, character, and extent of this new obligation, which stands in a degree of sacred trust which has never heretofore been approached by an international obligation in the history of humankind. What are these pacific routines to which resort must be made by the large as well as by the small powers before there can be any consideration, thought, or suggestion of resort to force? First, solution by negotiation; second, solution by inquiry; third, solution by mediation; fourth, solution by conciliation; fifth, solution by arbitration; sixth, solution by judicial settlement; seventh, solution by resort to regional arrangements; eighth, other peaceful means chosen by the disputants themselves; ninth, appropriate procedures or methods of adjustment recommended by the Security Council.

This procedure, among other things, will be a "cooling off" process. It will temper and discourage impetuous wrath which too often flames out of sudden national hysteria. It allows time for rules of reason to reendow our sanities. It promises justice as a substitute for force. And all the time it invokes the moral pressures of the organized conscience of the world, functioning through this organization, upon any nation, big or little, which ignores this pacific routine and draws its ruthless sword. You have heard much about a big-power veto to which I shall presently refer. There is no veto—no self-administered immunity bath—which can void this primary obligation which every member of the United Nations takes when it signs the San Francisco Charter. There will be no doubt about the record. The self-confessed criminal of tomorrow will stand condemned. I admit that the Security Council itself cannot go as far against one of the five big powers as it can against the middle and lesser powers. I shall discuss that in a moment. But I assert that there is no escape for any power, however great, from the clear responsibility which it will unavoidably assume before an outraged world if it takes to the warpath before it has exhausted these paths of peace. In my view, the spiritual forces of this earth—when once thus universally aroused and organized and given a mighty oracle for militant expression—will prevail against all enemies. In my view, this is the San Francisco Charter's rendezvous with destiny.

I should like further to illuminate this point, Mr. President. The other day, in a radio quiz, I was asked the following question:

Will you trace the steps of procedure in the event of a problem? Taking the most unlikely case I can think of, supposing we and Canada were to become involved in a boundary dispute?

This certainly would be "the most unlikely case," because the unfortified 3,000 miles of Canadian-American boundary has been an area of total peace for more than a century. I wish that were all we and the world have to worry about. Nevertheless, let me answer the question. Canada and America have their own treaties, plus a permanent Boundary Commission, to settle such disputes.

This would continue to be the first recourse. If it failed, Canada and America would be further obligated under the United Nations Charter to seek a settlement by (1) negotiation, (2) inquiry, (3) mediation, (4) conciliation, (5) judicial settlement, (6) other means either on their own initiative or on the suggestion of the Security Council. It is inconceivable that this routine would not succeed. But if it failed, the Security Council would call on the other United Nations to use sanctions against the designated offender—such sanctions as complete or partial interruption of economic relations and of rail, sea, air, postal, telegraph, radio, and other means of communication, and the severance of diplomatic relations. If, finally, even this procedure should fail, the Security Council could call upon the United Nations for armed force against the aggressor. It is, of course, unthinkable that any possible dispute between Canada and the United States could reach such an extreme. Further, considerations of the famous "veto" also enter this particular equation. But it nonetheless illustrates the general routine. You can apply the same routine to any other dispute. In my opinion, it is a routine which will stop almost every dispute short of the necessity for the consideration either of sanctions or of force. Here, I repeat, in my opinion, is the great practical value of the formula which we propose.

As a result of the San Francisco Conference, Dumbarton Oaks has been given a new soul. As originally drawn, it avoided any reference to justice—without which there can be no stable peace. San Francisco's Charter fills that void. The charter names justice as the prime criterion of peace. It repeatedly dedicates itself to human rights and fundamental freedoms. It declines to accept a static world in which yesterday's inequities are frozen in a strait-jacket. It tells the general assembly that it is empowered—and I beg of you, Senators, to listen to these words. Here is the heart and core of humanity's hope for tomorrow. The general assembly is empowered—to recommend measures for the peaceful adjustment of any situations, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, and of situations resulting from a violation of the purposes and principles set forth in this charter.

Mr. President, this can be a new emancipation proclamation for the world. You may tell me that it is calculated to "keep the word of promise to the ear and break it to the hope." I reply that I know no better hope. I reply that it certainly will be broken if you insist upon denying it a chance, or if you cripple it at birth.

I have had great sympathy, Mr. President, with those among my colleagues who have earnestly argued that we should know the pattern of the final peace before we undertake to create the mechanism that shall sustain it. As the Dumbarton Oaks proposal was originally drawn, this viewpoint was particularly persuasive because the proposal failed to envision any subsequent possibility of peaceful change to overtake error or injustice, in the vast and ramifying deci-

sions and settlements affecting our allies and our friends, which may creep into the liquidation of this war. But I submit that the San Francisco Charter completely alters this conception. I speak with great feeling on this phase of the subject because it is one to which, if I may be allowed to say so, I devoted my persistent efforts. Frankly, I am one of those who look with anxiety upon many of these settlements and decisions, past, present, and prospective. But my anxiety, Mr. President, will be less acute, if I know that the United Nations, meeting periodically in a free and untrammelled general assembly can "recommend measures for the peaceful adjustment of any situations, regardless of origin, which it deems likely to impair the general welfare."

That is indeed a glorious assignment for tomorrow's "Town meeting of the world."

In this and other aspects, I repeat, the San Francisco Charter proposes to avoid a static world. In this and other aspects, the Dumbarton Oaks plan has been greatly liberalized by the progressive labors of this Conference. I submit that justice is thus guaranteed its hearing under the healthiest possible auspices available to this distraught and tangled world. I submit that justice is infinitely better off with such a forum than it would be if such a forum were refused. I suggest that the more one fears the nature of the final peace, speaking not of our enemies but of our friends, the warmer should be one's welcome to an institution which can promise some element of orderly correction. Under such circumstances, the quicker this institution begins to function the quicker justice may hope to find its voice and mobilize its friends.

I am definitely not saying, Mr. President, that a good league can compensate for a bad peace. I am not diluting for a single instant the dreadful responsibility which will rest upon those who chart the final peace. But I am saying that, whatever the final peace may be, the protections for human rights and fundamental freedoms inherent in the San Francisco Charter will inevitably make a better, a wiser, and a safer job of it in its ultimate impacts upon humankind. We could wish for more assurance than this charter gives, but we would desert our own ideals if we should permit our desire for the unattainable to blind us to the wisdom of embracing the boon which is at hand.

It is said, by way of assault upon this scheme of things, that the San Francisco Charter virtually delivers the world to the domination of a five-power alliance—America, Russia, Britain, France, and China—since these nations permanently exercise major authority in the Security Council which we here create. It is said that this arrangement, in stark reality, becomes a three-power military alliance between Russia, Britain, and the United States, since they will become its chief instruments of peace enforcement when the need for force arises. So far as peace enforcement is concerned, I agree that there is substance to this contention. But I hasten to assert that so far as force is

concerned, the world is at the mercy of Russia, Britain, and the United States, regardless of whether we form this league or not. Those happen to be the facts of life. But I submit that the world is even more at their mercy without the San Francisco Charter than with it. Without the charter there is no curb upon these great military powers except the rivalry between them—and military rivalry has never yet been the harbinger of peace. With the charter there is at least the restraint of a peaceful contract, for whatever that may be worth, and the grim assurance, Mr. President, that the aggressor of tomorrow who breaks this contract will stand in naked infamy before the embattled conscience of an outraged world.

I wish we might have a different plan in which there could be more decentralization of enforcement power. But that is simply equivalent to saying that I wish we might have a different kind of world. The truth of the matter is that we confront a condition, not a theory. The San Francisco Charter deals with this condition. If it did not deal with the condition it would not be worth the paper it is written on. The "condition" is that Britain, Russia, and America control the dominating force-factors of the earth, and are calculated to thus continue for the foreseeable years ahead. To ignore this realism in our peace plans would be to wander in a wishful dream. To accept this realism and then to seek to harness it—to thus make a virtue of necessity—is to embrace the only concrete hope which logic can defend. Never forget, furthermore, my thesis that the use of force is wholly secondary to the use of the pacific tools which this charter primarily provides. That is the vital point at which all the United Nations stand at par. Force is only the last resort. If needed, it obviously must be found where it exists.

You may say this will not work. I answer that I do not know; but I think it will, at least so long as this charter holds the major powers in harmony. I answer that I propose to try the only chance.

You may say that 2,000 years of history deny this military theme. I answer, Mr. President, that there was no precedent for World War II. There is no precedent for the peace-challenge we confront. We must make our own precedents in seeking to stop World War III.

The so-called Yalta voting formula is part and parcel of this same contemplation. I can understand the critic who, in ethical and moral grounds, condemns a voting system which permits each of these five Great Powers to enjoy the special privilege of a "veto" in the Security Council to protect itself against condemnation and collective restraint if it threatens aggression. I can sympathize with the critic who protests this discrimination. But I cannot understand the critic who permits his disappointment upon this one score to sweep him into total opposition to this entire enterprise and into total abandonment of all its precious values. I cannot understand it because, upon examination, we must admit; first, that this

veto formula substantially reflects the world's realities; second, that the so-called special privilege of the Great Powers is matched by its equivalent in special responsibilities; third, that there is no alternative basis upon which to launch this great adventure; and, last but far from least, Mr. President, because this veto, which we share with others and which we could not enjoy alone is a protection against American involvements which many millions of our citizens would require as the indispensable price of our adherence to this treaty.

I say this system reflects the world's realities because if these Great Powers ever face a war with each other, the world's dream of peace is shattered, regardless of any league the wit of man might devise. It will not be shattered because of the veto. It will be shattered because of the facts. It would be idle to cherish any illusions upon this score. Peace depends, in the final analysis, upon the attitudes of these Great Powers and upon their mutual relationships. But I assert, beyond any shadow of a doubt that this United Nations organization can minimize the frictions and stabilize the international friendships and channel the orderly contacts which can go infinitely far in saving all of us from any such disaster. If, in spite of everything, the disaster comes upon us, the veto will simply have been the next war's first casualty. At least, the rest of us will have the incalculable advantage of our own collective unity in moving swiftly to our own and the world's collective defense.

I said, secondly, that there is no alternative opportunity to launch this great adventure. There is no other plan available. There was no other basis available to the American delegation at San Francisco. The late President Roosevelt pledged his country to this formula at Yalta. We Americans have a habit of keeping our country's word—a habit, by the way, which needs to become contagious if any sort of world order shall survive. The late President exempted from the formula the right of a great power to veto an inquiry by the Security Council into its own dereliction; and we, at San Francisco, successfully resisted an extreme interpretation which would have permitted the use of the veto against full hearing and discussion of any other threats to peace and security. Otherwise, the Yalta formula was clear. To have denied it at San Francisco would have been to kill the Conference before it ever got under way. I doubt whether there ever would have been another Conference. The hope for organized peace would have died—what irony—at the Golden Gate. The vast advantage which the San Francisco Charter—regardless of its infirmities—holds for the hopes of humankind would have perished in the wreckage of a broken pledge. I would not have been able to square that tragedy with our promises to our fighting sons and to their mothers. And that, Mr. President, is the choice which, in my humble opinion, Congress and the country now confronts.

I have also said, Mr. President, that there is a strong substantive argument to be made for this Yalta formula. In

any effective organization for peace and security in the world as it is and as it is going to be for some time to come—whether we like it or not—the Great Powers must assume special and particular responsibilities. There is no other way. To meet these special and particular responsibilities the Great Powers obviously must have special and particular authority. Without the latter, the former are impossible. This special and particular authority may be looked upon as special and particular privilege. But, in the last analysis, it is the privilege of serving the world. If it ever becomes a selfish privilege, an exploited privilege, this organization will die of cancer. For myself, I decline to write any such obituary in anticipation of a funeral which never need occur. But I do not for an instant blind myself to the overriding fact that these responsibilities, these authorities, these privileges which the Great Powers thus accept are the most sacred public trust ever created in the affairs of men. It is indispensable that this obligation be accepted in this spirit by all concerned.

If you tell me that I have no warrant in today's status of the world, for optimism upon this score, I answer that unless you develop this, or a better peace prospectus, the drums of another war may thunder in your ears as a consequence of our cynical failure at least to try to silence them.

I have also said that this veto problem invites many deeply devoted Americans to inspect our own American position before they attack this formula. Let it never for an instant be forgotten that this veto granted to the five great powers includes a veto for our own United States. It is our protection against our involvement in any use of our forces against our will. It is our defense against what I venture to believe would be bitterly condemned in many quarters as our "involuntary servitude" if our veto power did not exist. It is the complete answer to any rational fears that we may be subordinating our destiny to alien commands. It is the warrant that, though we cooperate wholeheartedly with the United Nations for peace and security, we remain the captains of our own souls. It guarantees our perpetuated independence of international dictation. If the veto is viewed by some of our citizens as a cloud upon the idealism of the San Francisco Charter, let us recognize the vivid fact that for others of our citizens the cloud has a silver lining. Indeed, for millions of our people it will be all "silver lining" and no cloud at all.

In my view, Mr. President, we sacrifice none of our essential American sovereignty and none of our essential American rights when, exercising intelligent self-interest, we join ourselves in this international enterprise to seek a peace and a security which are as essential to our welfare as the air we breathe. For example, the San Francisco Charter has found a practical way to integrate regional arrangements with the over-all authority of the United Nations League, and thus to put the international organization in gear with the great inter-American system—once symbolized by

the Monroe Doctrine and recently endowed with new vitality at Chapultepec. For 50 years this inter-American Union has been the most successful instrument for peace and security the world has ever seen. We do not surrender its mutual advantages. We build them into the new foundations of the larger system. We integrate them with the larger plan.

Another example—we preserve the right of individual and collective self-defense, inherent in every sovereign state, in the event of summary attack. Another example—we exempt all essentially domestic matters from the jurisdiction of the new international authority. Another example—commended to those who want American freedom of postwar action in respect to far Pacific island bases—we have written a trusteeship chapter in the San Francisco Charter which sets up a splendid optional program that shall lift mandates to new levels of respect for human rights and fundamental freedoms; but—and I quote from the Charter—"It would be a matter for subsequent agreement as to which territories would be brought under a trusteeship system and upon what terms." Here again that which falls short of the compulsory idealism which some of our citizens desire, is an assurance to others of our citizens that America reserves complete freedom of action to herself in this regard.

In a word, we have not created a super-state. We have not organized a "world government." We have not hauled down the stars and stripes from the dome of the Capitol. We have simply agreed to cooperate effectively with 49 other sovereign states in the mutual pursuit of peace and security. Our own American self-interest in that objective, as demonstrated by two world wars in a quarter century, is as keen and as intimate and as universal as that of any other nation on this globe. Indeed, I know of no land on earth which has a greater stake in this world peace than our own United States of America.

Mr. President, in this brief report I have touched only the rim of this tremendous subject. I have presented only a sketchy outline. It fails any sort of adequate attention to many of the useful functions which the United Nations League will serve. I particularly have in mind the enormous potentialities of the proposed Social and Economic Council which will persistently facilitate "the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, based on respect for the principle of equal rights and self-determination of peoples." This is one of the most significant and most promising improvements on the old Geneva Covenant. I also particularly have in mind the new emphasis which is put upon international law as an institution for human service, substituting orderly justice for the jungle-creed that might makes right. I also have in mind the certainty that, with this organized vigilance, which we here mobilize, no Axis Powers nor any counterpart thereof shall ever rise again.

These and many other considerations will be the appropriate subjects of full

investigation by the Senate Foreign Relations Committee and of full debate on the Senate floor. I am proud to say that I believe the San Francisco Charter can withstand such scrutiny. I have no disposition to urge precipitous haste in this consideration. I want Congress and the country to know all there is to know about this mighty enterprise. On the other hand, I should deeply regret any needless or undue delay in proceeding with reasonable expedition to register the Senate's will. None of us can be unaware of the importance which will attach to our decision, nor of the impact which our attitudes will have upon the life of the world in this moment of its greatest flux. History is writing with a rushing pen and we, Mr. President, must accommodate its pace. If America is to assume the moral leadership of a better world in which we have fought our way to glorious eminence, we can scarcely be content to be among the last who care or dare to speak when this United Nations' roll is called.

Mr. President, I was still at my Conference tasks in San Francisco when Washington had the great privilege of pouring out its tumultuous welcome to General Eisenhower a few days ago. It was a source of deep regret to me that I could not be here with you to join the grateful throng which greeted him up and down our avenues and yonder in the Chamber of the House. When I read the text of his modest, moving speech and came upon his devoted tribute to the precious memory of those brave, young martyrs who have given up the last full measure of devotion, and when I found he had said that "the blackness of the grief of those who mourn can be relieved only by the faith that all this shall not happen again," it seemed to me that the San Francisco Charter has a responsive mission which this great commander must have had in mind as he went on to say:

The soldier knows that in war the threat of separate annihilation tends to hold allies together; he hopes we can find peace—a nobler incentive to produce the same unity. He passionately believes that, with the same determination, the same optimistic resolution and the same mutual consideration among the Allies that marshalled in Europe forces capable of crushing what had been the greatest war machine of history, the problems of peace can and must be met. He sees the United Nations strong but considerate; humane and understanding leaders in the world to preserve the peace that he is winning.

That, Mr. President, is the aspiration and the dedication of the San Francisco Charter. None of its authors will certify to its perfection. But all of its authors will certify to its preponderant advantages. It is the only plan available for international cooperation in the pursuit of peace and justice. It is laden with promise and with hope. It deserves a faithful trial. America has everything to gain and nothing to lose by giving it support; everything to lose and nothing to gain by declining this continued fraternity with the United Nations in behalf of the dearest dream of humankind. I recommend the San Francisco Charter to

Congress and the country. [Prolonged applause, Senators rising.]

ORDER FOR PRINTING OF ADDRESS BY SENATOR VANDENBERG ON UNITED NATIONS CHARTER (S. DOC. 59)

Mr. WHITE. Mr. President, I send to the desk an order and ask for its immediate consideration.

The PRESIDENT pro tempore. The clerk will read.

The Chief Clerk read as follows:

Ordered, That the remarks of Senator ARTHUR H. VANDENBERG, delivered in the Senate on June 29, 1945, on the Charter of the United Nations, be printed as a Senate document and that 10,000 additional copies be printed for the use of the Senate document room.

The PRESIDENT pro tempore. Without objection, the order is entered.

EXECUTIVE COMMUNICATIONS, ETC.

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

WESTERN STEEL PLANTS AND THE TIN PLATE INDUSTRY

A letter from the Attorney General, transmitting, pursuant to law, his fourth report dealing with western steel plants and the tin-plate industry (with an accompanying report); to the Committee on Military Affairs.

REPORT OF DIRECTOR OF WAR MOBILIZATION AND RECONVERSION—THE ROAD TO TOKYO AND BEYOND

A letter from the Director of the Office of War Mobilization and Reconversion, transmitting, pursuant to law, his quarterly report entitled "The Road to Tokyo and Beyond" (with an accompanying report); to the Committee on Finance.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the President pro tempore and referred as indicated:

Resolutions adopted by the Hudson County (N. J.) Republican Committee, commending Hon. Walter E. Edge, Governor of New Jersey, and former United States Senator, for his efforts in sponsoring legislation beneficial to veterans, liberalizing the workmen's compensation laws, reorganization of the various State departments and agencies, and postwar planning in the State of New Jersey; to the Committee on Finance.

The petition of Earl McCracken, of New York City, N. Y., praying that he be discharged from the Army; to the Committee on Military Affairs.

A letter in the nature of a petition from the chairman and several members of certain committees of the Filipino Territorial Council Delegation, and the Washington representative of the Filipino Inter-Community Organization of the Western States, Washington, D. C., praying for the enactment of legislation for the security of certain Filipino seamen during the postwar period; to the Committee on Commerce.

A resolution adopted by the interim committee of the American Jewish Conference, New York City, N. Y., favoring prompt ratification of the San Francisco Charter for Peace; to the Committee on Foreign Relations.

The petition of F. M. Eugene Blass, of Long Valley, N. J., and sundry other citizens of the United States, relating to the patent case of F. M. Eugene Blass (with accompanying papers); to the Committee on Patents.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

S. 1117. A bill to authorize the Secretary of the Navy to convey Casa Dorinda Estate in Santa Barbara County, Calif., to Robert Woods Bliss and Mildred B. Bliss; with amendments (Rept. No. 448).

By Mr. BILBO, from the Committee on the District of Columbia:

H. R. 2995. A bill to amend an act entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," approved June 19, 1878, as amended; without amendment (Rept. No. 449).

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on June 28, 1945, he presented to the President of the United States the enrolled bill (S. 937) to amend the act suspending until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws, so as to continue such suspension until June 30, 1946.

BILLS INTRODUCED

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

By Mr. BYRD:

S. 1209. A bill to amend sections 44 and 38 of the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 1210. A bill for the relief of Charles H. Craig; and

S. 1211. A bill to permit settlement of accounts of deceased officers and enlisted men of the Army without administration of estates; to the Committee on Military Affairs.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills and joint resolutions were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated:

H. R. 511. An act to amend the Nationality Act of 1940; to the Committee on Immigration.

H. R. 3238. An act readjusting the rates of postage on catalogs and similar printed advertising and other matter of fourth-class mail, and for other purposes; to the Committee on Post Offices and Post Roads.

H. R. 3579. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, to provide appropriations for the fiscal year ending June 30, 1946, and for other purposes; to the Committee on Appropriations.

H. J. Res. 215. Joint resolution authorizing the production of petroleum for the national defense from Naval Petroleum Reserve No. 1; ordered to be placed on the calendar.

ADDRESS BY SENATOR WAGNER AT TESTIMONIAL DINNER TO HON. FRANCES PERKINS

[Mr. WAGNER asked and obtained leave to have printed in the RECORD the address delivered by him at a testimonial dinner in tribute to Hon. Frances Perkins, at Washington, D. C., on June 27, 1945, which appears in the Appendix.]

POEMS BY NICK KENNY ON THE LATE PRESIDENT ROOSEVELT AND PRESIDENT TRUMAN

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD two poems by Nick Kenny, one on the late President Franklin D. Roosevelt and the other on President Truman, which appear in the Appendix.]

POLAND'S SUN FADES AGAIN—ARTICLE BY WILLIAM PHILIP SIMMS

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Poland's Sun Fades Again," written by William Philip Simms and published in the Washington Daily News of June 28, 1945, which appears in the Appendix.]

INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT

Mr. EASTLAND obtained the floor.
Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. EASTLAND. With the understanding I shall not lose the floor.

Mr. HAYDEN. I merely wish to ask for the consideration of the Interior Department appropriation conference report. I send the report to the desk and ask for its immediate consideration.

There being no objection, the Chief Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 26, 33, 35, 36, 37, 41, 51, 58½, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 104, 105, 106, 108, 131, 136, 138, 148, 149, 150, 152, 167, 168, 170, 173, 186, 188, 193, 194, 195, 197, 200, 201, 202, 212, 213, 223, 224, 225, 226, 227, 246, 249, 252, 262, 266, 269, 282, 285, 302, 307, 309, 310, 312, 314, 318, and 319.

That the House recedes from its disagreement to the amendments of the Senate numbered 7, 12, 13, 23, 30, 32, 40, 43, 44, 45, 46, 49, 53, 55, 62, 63, 112, 117, 122, 124, 127, 128, 137, 161, 166, 179, 184, 199, 208, 209, 210, 218, 254, 271, 281, 284, 292½, 299, 301, 308, 315, 316, and 317, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,079,740"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$118,980"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$86,626"; and the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,200,000"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In

lieu of the sum named in said amendment insert "\$12,500"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$208,860"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$212,500"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$3,600,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by the said amendment insert the following: "twelve"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$105,950"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Appropriations herein made for the Grazing Service for 'Salaries and expenses,' 'Range improvements,' and 'Fire fighting' shall be available for the hire, maintenance, and operation of aircraft."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$450,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreements to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "fifteen"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$354,695"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$310,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$150,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "one hundred"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$600,000"; and the Senate agree to the same.

Amendment numbered 291: That the House recede from its disagreement to the amendment of the Senate numbered 291, and agree to the same with an amendment as

follows: In lieu of the sum proposed insert "\$142,585"; and the Senate agree to the same.

Amendment numbered 292: That the House recede from its disagreement to the amendment of the Senate numbered 292, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$625,200"; and the Senate agree to the same.

Amendment numbered 293: That the House recede from its disagreement to the amendment of the Senate numbered 293, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$55,100"; and the Senate agree to the same.

Amendment numbered 294: That the House recede from its disagreement to the amendment of the Senate numbered 294, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$5,219,325"; and the Senate agree to the same.

Amendment numbered 295: That the House recede from its disagreement to the amendment of the Senate numbered 295, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,000,000"; and the Senate agree to the same.

Amendment numbered 296: That the House recede from its disagreement to the amendment of the Senate numbered 296, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$6,219,325"; and the Senate agree to the same.

Amendment numbered 297: That the House recede from its disagreement to the amendment of the Senate numbered 297, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$704,828"; and the Senate agree to the same.

Amendment numbered 298: That the House recede from its disagreement to the amendment of the Senate numbered 298, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "seventy-two"; and the Senate agree to the same.

Amendment numbered 303: That the House recede from its disagreement to the amendment of the Senate numbered 303, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,038,900"; and the Senate agree to the same.

Amendment numbered 304: That the House recede from its disagreement to the amendment of the Senate numbered 304, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"The following appropriations herein made shall be available for the hire, maintenance, and operation of aircraft: 'Salaries and expenses, Governor and secretary, Territory of Alaska'; 'Construction and maintenance of roads, bridges, and trails, Alaska'; 'Reconstruction and improvement of Richardson Highway, Alaska'; and 'Alaska Railroad appropriated fund'."

And the Senate agree to the same.

Amendment numbered 305: That the House recede from its disagreement to the amendment of the Senate numbered 305, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$196,450"; and the Senate agree to the same.

Amendment numbered 313: That the House recede from its disagreement to the amendment of the Senate numbered 313, and agree to the same with an amendment as follows: In lieu of the amount named in said amendment insert "\$300"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 5, 11, 14, 16, 17, 19, 21, 22, 50, 57, 61, 64, 65, 103, 107, 114, 115, 121, 123, 125, 129, 134, 135, 140, 145,

147½, 154, 155, 156, 158, 159, 160, 164, 165, 176, 177, 178½, 181, 214, 217, 219, 221½, 222, 228, 229, 232, 233, 236, 237, 238, 241, 242, 243, 244, 245, 248, 250, 251, 253, 257, 258, 260, 264, 265, 268, 270, 275, 278, 279, 280, 287, 300, 306, 311, 320, and 321.

CARL HAYDEN,
KENNETH MCKELLAR,
ELMER THOMAS,
JOSEPH C. O'MAHONEY,
THEODORE FRANCIS GREEN,
CHAN GURNEY,
HAROLD H. BURTON,
KENNETH S. WHERRY,

Managers on the Part of the Senate.

JED JOHNSON,
MICHAEL J. KIRWAN,
W. F. NORRELL,
JOHN J. ROONEY,
ROBERT F. JONES,
BEN F. JENSEN,
HENRY C. DWORSHAK,

Managers on the Part of the House.

Mr. WHITE. Mr. President, is this a complete agreement?

Mr. HAYDEN. It is a complete agreement.

Mr. WHITE. Is it signed by all the members of the conference, both on the part of the House and the Senate?

Mr. HAYDEN. All the conferees signed the report.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 3024, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
June 28, 1945.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 16, 17, 19, 21, 22, 57, 61, 103, 107, 114, 115, 121, 125, 134, 135, 140, 147½, 153, 159, 164, 214, 217, 219, 221½, 222, 228, 229, 232, 233, 236, 237, 238, 241, 242, 243, 244, 245, 248, 250, 251, 253, 257, 260, 265, 268, 270, 275, 278, 279, 287, 300, 306, 311, and 321 to the bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 5 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"DIVISION OF GEOGRAPHY

"Salaries and expenses: For all necessary expenses of the Division of Geography, during the emergency declared by the President on May 27, 1941, and for a period not exceeding 30 days thereafter, in performing the duties imposed upon the Secretary by Executive Order 6680, dated April 17, 1934, relating to uniform usage in regard to geographic nomenclature and orthography throughout the Federal Government, including personal services in the District of Columbia, stationery and office supplies, and printing and binding, \$25,000."

That the House recede from its disagreement to the amendment of the Senate numbered 11 to said bill and concur therein with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert:

"Not to exceed \$3,487,110 of the unobligated balance of the appropriation 'Construction, operation, and maintenance, Bonneville power transmission system,' shall be available under the account for said appropriation in the fiscal year 1944 for ex-

penses of marketing and operation of transmission facilities, and administrative costs in connection therewith, including \$20,850 for personal services in the District of Columbia, the purchase (not exceeding 30), maintenance, and operation of passenger automobiles, and hire, maintenance, and operation of aircraft: *Provided*, That funds available for construction of transmission lines shall be available only for the construction of such lines as have been previously authorized by Congress."

That the House recede from its disagreement to the amendment of the Senate numbered 14 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "and the appropriations contained in the Interior Department Appropriation Act, 1945, and the First Deficiency Appropriation Act, 1945, for the United States High Commissioner to the Philippine Islands are hereby continued available for the same objects until June 30, 1946."

That the House recede from its disagreement to the amendment of the Senate numbered 50 to said bill and concur therein with an amendment as follows: In lieu of the sum named in line 6 of said Senate engrossed amendment insert "\$750,000."

That the House recede from its disagreement to the amendment of the Senate numbered 64 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "not exceeding \$25,000 for cooperation with the State of Oklahoma for the construction and equipment of an Indian arts and crafts building at Anadarko, Okla."

That the House recede from its disagreement to the amendment of the Senate numbered 65 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "\$5,417,190."

That the House recede from its disagreement to the amendment of the Senate numbered 123 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "under a contract to be entered into between said tribal attorney and the Osage Tribal Council, which contract shall be approved by the Secretary of the Interior."

That the House recede from its disagreement to the amendment of the Senate numbered 129 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "\$900,000, to remain available until expended."

That the House recede from its disagreement to the amendment of the Senate numbered 145 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "to remain available until expended for carrying out projects (including the construction of transmission lines) or investigations previously or herein authorized by Congress."

That the House recede from its disagreement to the amendment of the Senate numbered 154 to said bill and concur therein with amendments as follows:

In line 10 of the matter inserted by said Senate engrossed amendment, strike out "\$5,500,000" and insert "\$2,250,000."

In line 11, after "surveys", insert: "and."

In lines 12 and 13, strike out ", and to perform work preliminary to construction of authorized projects."

That the House recede from its disagreement to the amendment of the Senate No. 155 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "\$9,783,500."

That the House recede from its disagreement to the amendment of the Senate No. 156 to said bill and concur therein with an amendment as follows: In lieu of the sum

inserted by said amendment insert: "\$10,-620,550."

That the House recede from its disagreement to the amendment of the Senate No. 160 to said bill and concur therein with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "and to remain available until advanced to the Colorado River dam fund, \$3,000,000."

That the House recede from its disagreement to the amendment of the Senate No. 165 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress."

That the House recede from its disagreement to the amendment of the Senate No. 176 to said bill and concur therein with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "June 30, 1947."

That the House recede from its disagreement to the amendment of the Senate No. 177 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "Fort Peck project, Montana: For construction of transmission lines, substations, and other facilities as may be required by the Bureau of Reclamation, as authorized by the act of May 18, 1938 (16 U. S. C. 833), \$155,800, to be immediately available and to remain available until June 30, 1947."

That the House recede from its disagreement to the amendment of the Senate No. 178½ to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert: "to remain available until June 30, 1947."

That the House recede from its disagreement to the amendment of the Senate No. 181 to said bill and concur therein with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "June 30, 1947."

That the House recede from its disagreement to the amendment of the Senate No. 258 to said bill and concur therein with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert: "\$1,925,675, including \$30,000 for the acquisition of the Ovington properties within the Olympic National Park."

That the House recede from its disagreement to the amendment of the Senate No. 264 to said bill and concur therein with an amendment as follows: In the last line of the matter inserted by said Senate engrossed amendment strike out "\$44,800" and insert: "\$40,000."

That the House recede from its disagreement to the amendment of the Senate No. 280 to said bill and concur therein with an amendment as follows: In lieu of the sum inserted by said amendment insert: "328,000."

That the House recede from its disagreement to the amendment of the Senate No. 320 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"Sec. 11. During the fiscal year 1946, the Secretary may delegate to the Under Secretary and the Assistant Secretaries the power to authorize changes in official stations of officers and employees and the payment of expenses of travel and transportation of household goods in connection with such change of official stations."

Mr. HAYDEN. I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 5, 11, 14, 50, 64, 65, 123, 129, 145, 154, 155, 156, 160, 165, 176, 177, 178½, 181, 258, 264, 280, and 320.

The motion was agreed to.

CONTINUATION OF AUTHORITY TO INVESTIGATE THE USE OF PUBLIC LANDS

Mr. LUCAS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Illinois?

Mr. EASTLAND. I yield.

Mr. LUCAS. I wish to have two resolutions agreed to, with the understanding that the Senator from Mississippi shall not lose the floor.

Mr. EASTLAND. With unanimous consent that I do not lose the floor, I yield.

Mr. LUCAS. I ask unanimous consent that I may proceed with that understanding.

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

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably Senate Resolution 139, reported on June 19, 1945, by the senior Senator from Nevada [Mr. McCARRAN] from the Committee on Public Lands and Surveys.

Mr. WHITE. Mr. President, I ask the Senator from Illinois, what is the resolution?

Mr. LUCAS. This is a resolution which came from the Committee on Public Lands and Surveys, and merely continues authority to that committee, without requesting any additional funds.

Mr. WHITE. I have no objection.

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

There being no objection, the resolution (S. Res. 139) was read, considered, and agreed to, as follows:

Resolved, That the authority conferred by Senate Resolution 241, Seventy-sixth Congress, agreed to May 24, 1940, and Senate Resolution 147, Seventy-seventh Congress, agreed to September 8, 1941, and Senate Resolution 39, Seventy-eighth Congress, agreed to May 23, 1944, and Senate Resolution 18, Seventy-ninth Congress, agreed to January 29, 1945 (relating to the investigation of the use of public lands), is hereby continued during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress.

INVESTIGATION OF DISPOSAL OF SURPLUS GOVERNMENT PROPERTY AND RELATED SUBJECTS

Mr. LUCAS. Mr. President, yesterday we discussed Senate resolution 129, which was offered by the Senator from Wyoming [Mr. O'MAHONEY] and sent to the calendar. I move that the Senate proceed to consider the resolution. It relates to the disposal of surplus Government property and related problems.

The PRESIDENT pro tempore. It will require unanimous consent.

Mr. LUCAS. I ask unanimous consent that the Senate proceed to consider the resolution.

The PRESIDENT pro tempore. Is there objection?

Mr. WHITE. This is resolution 129, now on the calendar, is it not?

Mr. LUCAS. It is.

Mr. WHITE. The one which was discussed somewhat yesterday?

Mr. LUCAS. The Senator is correct.

Mr. WHITE. At this time I know of no objection to the resolution.

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

There being no objection the Senate proceeded to consider the resolution (S. Res. 129), which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment. On page 3, line 1, after the words "not exceed", it is proposed to strike out "\$25,000" and to insert in lieu thereof "\$15,000", so as to make the resolution read:

Resolved, That the Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to continue the study and investigation with respect to war contracts, the termination of war contracts, and related problems authorized by Senate Resolution 198 of the Seventy-eighth Congress, as heretofore supplemented and extended, to be conducted by a subcommittee of the Committee on Military Affairs, and is further authorized and directed to make a full and complete study and investigation with respect to the disposal of surplus Government property and related problems. The committee shall report to the Senate, from time to time, the results of its studies and investigations under this resolution, together with such recommendations as it may deem desirable.

The powers and duties conferred or imposed by Senate Resolution 198 of the Seventy-eighth Congress, with respect to the study and investigation under that resolution shall also be applicable with respect to the studies and investigations under this resolution. The subcommittee of the Committee on Military Affairs heretofore authorized to make the study and investigation under Senate Resolution 198 of the Seventy-eighth Congress, shall be deemed to have been continued as a subcommittee duly authorized to make the studies and investigations under this resolution, until the Committee on Military Affairs shall otherwise direct.

For the purposes of this resolution, the Committee on Military Affairs, 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 Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpoena 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 under this resolution, which shall not exceed \$15,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee or the chairman of the subcommittee.

The amendment was agreed to.

The resolution, as amended, was agreed to.

Mr. HILL subsequently said: Mr. President, I wish to make comment with reference to the resolution which the Senate has just approved, providing funds for a subcommittee of the Committee on Military Affairs dealing with surplus property.

A few moments ago the Senate approved a resolution reported from the Committee to Audit and Control the Contingent Expenses of the Senate, making an appropriation of funds so that a subcommittee of the Senate Commit-

tee on Military Affairs might carry on its survey and investigation of the disposal of surplus property.

A few days ago this subcommittee, which is headed by the distinguished and able Senator from Wyoming [Mr. O'MAHONEY], made a report to the Senate, Senate Report 199. Part III of that report dealt particularly with the subject of iron and steel. That report contains so much valuable information, so much that is striking and challenging, and that throws light on our postwar situation, particularly with reference to iron and steel, that the Iron Age, which we know is perhaps the most authentic leading publication of the country on the subject of iron and steel, has devoted 14 pages to the report of the subcommittee in the issue of June 21, 1945.

In view of the action of the Senate in providing additional funds for the subcommittee, I felt that the Senate would be gratified to know just how the report of the Subcommittee on Iron and Steel had been received, particularly by the Iron Age. As one member of the Senate Committee on Military Affairs, I wish to extend my congratulations to the distinguished Senator from Wyoming [Mr. O'MAHONEY] and his colleagues for the very fine work which the subcommittee has been doing, and for its very able and challenging report.

Mr. O'MAHONEY. Mr. President, I very much appreciate what the Senator has said. I should like to add that the staff of the committee, together with Mr. H. B. McCoy, Chief of the Division of Industrial Economy of the Department of Commerce, played a major role in collecting and preparing this material. Mr. Kurt Borchardt was in charge of collecting the material.

Mr. HILL. As usual, the Senator from Wyoming is generous, and appreciative of the services and good work of his staff and those who helped him in connection with this report.

WAR AGENCIES APPROPRIATIONS

The Senate resumed the consideration of the bill (H. R. 3368) making appropriations for war agencies for the fiscal year ending June 30, 1946, and for other purposes.

Mr. EASTLAND. Mr. President, I am not engaging in a filibuster. It was my earnest desire that a fair and reasonable compromise could be reached upon the question which is now before the Senate. I must confess that I believe in filibusters when we have the votes, and I think we will have the votes when the filibuster on FEPC starts in the next few days.

Mr. President, for the past few years this country has been torn by agitators, by Communists, by fellow travelers, who have incited racial hatreds, who have made classes in this country racially conscious, who have made them class conscious, in order to divide our country and in order to weaken American democracy.

The Communist Party is behind this agitation. The Negro group in the United States is the greatest minority, the largest minority, the most powerful minority politically, that we have. The Communist Party has been behind and has promoted legislative measures such as the one now pending, and I submit the

Communist Party is behind the present FEPC, for two reasons, and I shall give the reasons in a moment. It is all a part of the Communist program to destroy America, to destroy the American system of economy, to destroy the American system of government, which we love, in order to sovietize our country.

Mr. President, I shall read from a book entitled "I Confess," by a former Communist named Benjamin Gitlow. Gitlow at one time was a high official in the Communist Party; in fact, he was Communist candidate for Vice President of the United States in 1924 and 1928. He was formerly a member of the ruling political committee of the American Communist Party and of the executive committee, and president of the Communist International. This man Gitlow wrote a book in which he gave the Communist plans to dominate America, and in which he stated that the racial program of the Communist Party in this country was one of their leading programs to take over America. I read from Mr. Gitlow's book:

The same story was repeated with the instruction by the Communist International to organize and lead the Negro masses of the United States, for which the Comintern provided a lot of money.

Mr. President, the Comintern provided a lot of money. I have noticed organizations, Communist-front organizations, organizations, which have been condemned by the Attorney General of the United States as subversive, spending huge sums of money for FEPC, for measures which will make the Negro race in the United States race conscious, in an attempt to divide our country. I wonder if these organizations are spending money received from Russia.

Let me say now that the facts about Russia have not come out. The American people—and God knows they should know the facts—do not know what is happening abroad. They do not know the plans of Communist Russia. If this debate shall proceed long enough I shall discuss in detail the Communist program for world supremacy.

I read further from Mr. Gitlow's book:

The attitude of the Communists was based upon the belief that the Negroes constituting * * * a section of our population, a section which has special * * * grievances and if once properly organized and led, would be the front-rank fighters in a revolution to replace our present Republic with a Soviet form of government.

Hence the party created a special Negro department, built special Negro organizations, issued Negro papers and periodicals, made every inducement for Negroes to join the party, took advantage of every opportunity to penetrate existing Negro organizations, and to participate in Negro movements, for the purpose of bringing its program before the Negro masses. The party membership was impressed with the importance of Negro work. Every new Negro member brought into the party was looked upon as a Communist achievement, and the Negro Communists were actually accorded special privileges.

Mr. President, there is the proof from one of the leading Communists in America, from one of the high officials of the Communist Party, that this organ-

ization is behind the Negro movement in this country and that the party is exploiting the Negroes by making special promises such as FEPC, such as social equality, such as racial amalgamation, in an attempt to line the Negroes up under the red banner of Communism and to destroy the United States.

I read further from the same book by Mr. Gitlow:

The Negro question was injected into every situation, in every campaign.

Was not Gitlow right about that, Mr. President? Is it not true that in every situation and in every campaign the Negro question is injected? Just as Gitlow says, the injection of the question comes from the Communist Party.

The Negroes were looked upon as the chosen people who were to be the vanguard of the Communist revolution. Party members were urged to make every effort to establish personal as well as social relations with the Negroes. Negroes were brought into the party, not on the basis of their Communist convictions, but on the promise that in the party they could enjoy a sociable evening together with whites on the basis of equality. Negroes who had recently joined the party were pushed into places of leadership simply because they were Negroes and as a demonstration that the Negroes enjoyed preferred treatment in the party. This was done not out of sympathy or consideration for the Negro masses, but for purely political reasons.

Behind the Negro agitation and the stress laid on exploiting the Negro issue was the desire—

Listen to this, Mr. President—to comply with the orders from Moscow.

I wonder if those in the Senate who support legislation such as this realize that in the last analysis they are following orders from Moscow, because, as Gitlow says, the Communist Party is behind these measures. I read further:

It was hoped through a Negro minorities movement in the United States to give leadership to a colored nationalist movement of world proportions in the countries of South and Central America, Africa, Asia, and the Antipodes. The American nationalist Negro movement, Moscow believed, would provide the leadership for such a world movement. Besides, the Communist Party could dominate the American Negro movement, because it was believed possible for a small handful of American Communists to organize and control the 2,000,000 Negro workers in American industry, which force could be the most decisive in the broader world-wide Negro movement.

Mr. President, that book shows the plan of the Communist Party to control the United States. Gitlow states in it, and I state now, that every prediction he made has come true. We see the same pattern behind all similar measures, to use the Negro, to make him class conscious, to give him special privileges, in order to bring him into the Communist Party.

The argument is made that the temporary FEPC is a war measure. It was stated in the Executive order setting up this agency that FEPC was created to mobilize the full manpower resources of America into the war movement, into the production of arms and ammunition for the purposes of war. That is the reason

this organization was created in the first instance.

Let us see if those same reasons hold true today. In connection with the very bill under consideration now, on day before yesterday speeches were made in favor of an appropriation of \$13,000,000, as I remember, in order to find jobs for Negroes who were let out of war plants which closed down, in order to find employment for workers who were thrown out of employment in war industries which were reconverted, and statements were made time and again that in a few months there would be a surplus of labor in the United States. If that is true, and if the purpose of FEPC is to mobilize all the manpower for war purposes, then why is it necessary to set up this agency on a temporary basis, when we admit that within the next few months there will be a surplus of labor in the United States?

Furthermore, Mr. President, 1943 was the peak year in employment in the munitions industry in America. In that year there were 10,000,000 workers employed. In May, 1945, there were roughly only eight and one-half million workers employed in the same industry, or a decrease of 14 percent. While I cannot give the figures, as they are confidential, of the future decrease, or the rate of shut-down of war industry, I say by authority of my office as a Member of the United States Senate that within 12 months there will be 41 percent less labor in munition industries in the United States than there was 2 years ago.

In addition to that, 1,000,000 men will be discharged from the American Army to go into American industry within the next 12 months' period. That being true, what is the necessity to continue this agency? It is not to mobilize every last ounce of our manpower and scrape the bottom of the barrel in order to produce guns and munitions of war. We do not need that labor. We have passed that peak. We are on the down grade. We face a surplus of labor in American industry within the next 12 months.

Mr. President, what is the idea behind this bill? It is argued that this organization is set up to give to the Negro race and other minority groups economic equality. Of course, everyone believes in equal pay for equal work. I certainly would not argue for discrimination against any workingman because of race. But that is most certainly not the question involved here. We cannot legislate against discrimination. We cannot legislate to stamp out of one's heart the prejudices which are contained therein.

What is the object of the FEPC? Economic equality? Then why has it devoted its time to tearing down partitions between white and colored lavatories in Government buildings and war factories? Why has it gone into industry and taken measures to bring about social equality? I will tell the Senate why. It is a part of the Communist program for racial amalgamation in the United States.

I should like to read a statement as to what racial amalgamation means. This statement was made in an article

written several years ago by a great American, a former President of the United States, Hon. Franklin D. Roosevelt. I read:

Anyone who has traveled in the Far East knows that the mingling of Asiatic blood with European or American blood produces, in 9 cases out of 10, the most unfortunate results. There are throughout the East many thousands of so-called Eurasians, men and women and children partly of Asiatic blood and partly of European or American blood. These Eurasians are, as a common thing, looked down on and despised both by the Europeans and Americans who reside there, and by the pure Asiatics who live there.

That is exactly what happens when there is a commingling of the white race and the Negro race. If, as the late President Roosevelt said, that is bad in the case of Asiatics, Eurasians, and Americans, how much worse is it in the case of white and black peoples? The Negro race is an inferior race.

The Negro organizations which are supporting this measure know that today all the power in the world could not bring about social equality, and could not force the white people of this country to associate on terms of equality with the Negro race. So there is agitation by them for a gradual tearing down, one at a time, over a long period of time, of the safeguards which have been erected to maintain the purity and racial integrity of the white race.

I know that the intentions of Senators who support this measure are of the highest; but I say that the organizations to which I have referred realize full well that FEPC is a long step in that direction. As the record shows, the FEPC has devoted its energies toward that end. Take the case of the seamen's union, in which white boys were recruited and placed on merchant ships, and this organization attempted to force them to sleep and eat with Negro seamen, over the protests of the union.

Mr. President, we must have racial harmony in the United States. We must have racial tolerance in the United States. A great rift has been driven in American life. Our country has been divided and weakened, in accordance with Hitler's doctrine of divide and conquer, and Stalin's doctrine of making the races and classes in each country race-conscious and class-conscious in order that the state may be weakened. Has this agitation helped the Negro? Has it helped any minority group? Mr. President, whom has it helped, except the cause of communism in the United States?

There is another question which goes to the very heart of the free-enterprise system in America, involving a right which is at stake in connection with the consideration of FEPC. By establishing this organization and giving it the right to say who can be hired and who can be fired, by permitting a Government bureau—as I shall show in a moment, a bureau composed largely of Communists—to substitute its judgment as to the qualifications of an employee for the judgment of the employer, we have taken a long step toward the destruction of the American system of private enterprise. By voting for the appropriation to con-

tinue this organization we endorse a policy which deprives the employer of the right of selection of his employees.

There are several rights which go with the ownership of property in America. It is fundamental that the owner is the boss of his property so long as he does not illegally step upon the toes of someone else. Ownership makes the owner supreme so long as he does not infringe upon the rights of others. The principle of this organization deprives him of that fundamental right. Mr. President, the right of ownership to the full control of property, and the untrammelled right of selection of employees are recognized in the Constitution of the United States. They are recognized in the Declaration of Independence. They are recognized in the statutes of our country.

We are asked, under the guise of fair employment practices, to deprive business of a fundamental and sacred right, and to deprive American laboring men organized in unions of the right to say with whom they shall be associated in a union, and who shall belong.

If this agency can say that one man can have a job, it can also say that another man cannot have a job. We have established one of the most powerful agencies in the history of government, an agency which, unless it is checked, will control the business and industry of America. We have made real the dream of Sidney Hillman and the CIO Political Action Committee to take over American business, because such organizations control the Fair Employment Practice Committee and, through it, they control management in the United States. I submit that in the last analysis that is the principal objective of the leadership of the CIO, a leadership which is shot through and rotten with communism.

Mr. President, I make another statement at this time, and I will prove it in a few moments: In the interest of the future well-being of our country, Sidney Hillman should be deported, because he is one of the Communists and one of the lowest kinds of Communists we have in this country.

Mr. President, what does this agency do? We say we are not changing the American system. Let us examine the order setting up this agency; let us see what it says:

2. All departments and agencies of the Government of the United States concerned with vocational and training programs for war production shall take all measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin.

Of course, Mr. President, there is nothing to that section; it does not mean anything. But let us go further:

3. There is hereby established in the Office for Emergency Management of the Executive Office of the President a Committee on Fair Employment Practice, hereinafter referred to as the Committee, which shall consist of a Chairman and not more than six other members to be appointed by the President. The Chairman shall receive such salary as shall be fixed by the President not exceeding \$10,000 per year. The other members of the Committee shall receive necessary traveling

expenses and, unless their compensation is otherwise prescribed by the President, a per diem allowance of not exceeding \$25 per day and subsistence expenses on such days as they are actually engaged in the performance of duties pursuant to this order.

That section does not mean anything. But I read further, and now we get down to the meat of the coconut:

4. The Committee shall formulate policies to achieve the purposes of this order and shall make recommendations to the various Federal departments and agencies and to the President which it deems necessary and proper to make effective the provisions of this order.

What does that say? It says that the world is the limit. This agency can formulate its own policies, without regard to statute; it is an agency backed by no legislative authority. I submit that because of that provision, this order is clearly unconstitutional and, further, that the Congress of the United States, if it makes this appropriation and places its stamp of approval upon that order, would violate the Constitution. We have no constitutional authority to do such a thing, because that is a delegation of legislative power. No safeguards, no standards are placed there.

Mr. President, that provision violates Article I of the Constitution of the United States.

But I read further:

The Committee shall also recommend to the Chairman of the War Manpower Commission appropriate measures for bringing about the full utilization and training of manpower in and for war production without discrimination because of race, creed, color, or national origin.

Well, that is bad, but it seems it does not go far enough. I read further:

5. The Committee shall receive and investigate complaints of discrimination forbidden by this order. It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

Mr. President, what could be more sweeping? What could go further than that provision? The order states that the Committee shall receive complaints—not complaints filed by the aggrieved party, it should be noted. I submit it is fundamental under the Anglo-Saxon system of jurisdiction that the courts only hear complaints filed by or on behalf of the aggrieved part.

I repeat a portion of what I have just read:

It may conduct hearings, make findings of fact, and take appropriate steps to obtain elimination of such discrimination.

What does that do? It gives authority, without checks, without balances, without any bridle, to take any steps this organization may deem necessary to obtain elimination of such discrimination.

Mr. President, that is a wide, sweeping grant of authority by Executive order, and I submit that the Congress of the United States has no authority under the American Constitution to set up this agency or to approve it by an appropriation—which we would do if we make an appropriation—for the reason that it is a delegation of legislative authority, something which we do not have

the constitutional authority to do. No standards are provided; no checks are imposed; no formula is fixed. We cannot delegate unbridled discretion and unbridled authority, free from checks or balances, to any Government agency.

Mr. President, the Congress of the United States, as the American people full well know, is the last safeguard of free government in America. When we follow this procedure without any bridle, without any standards, and attempt to delegate legislative authority, we destroy the United States.

But I read further:

6. Upon the appointment of the Committee and the designation of its Chairman, the Fair Employment Practice Committee established by Executive Order No. 8802 of June 15, 1941, hereinafter referred to as the old Committee, shall cease to exist.

Mr. President, if the old Committee had ceased to exist and a new one had not been appointed, in my judgment there would have been won a great victory for American democracy.

I read further:

All records and property of the old Committee and such unexpended balances of allocations or other funds available for its use as the Director of the Bureau of the Budget shall determine shall be transferred to the Committee. The Committee shall assume jurisdiction over all complaints and matters pending before the old Committee and shall conduct such investigations and hearings as may be necessary in the performance of its duties under this order.

The same objections which apply to other sections of the order apply to what I have just read. I continue:

7. Within the limits of the fund which may be made available for that purpose, the Chairman shall appoint and fix the compensation of such personnel and make provision for such supplies, facilities, and services as may be necessary to carry out this order.

What is the effect of that language? It gives to the Chairman unlimited authority to hire as many persons as he may desire to hire. There is provided no legislative standard. He may hire an unlimited number of persons. He may molest decent business and decent labor organizations throughout the United States.

I read further:

The Committee may utilize the services and facilities of other Federal departments and agencies and such voluntary and uncompensated services as may from time to time be needed.

In other words, under that language, volunteers, trouble makers, and agitators are authorized to go into a factory, cause strife and discord, and file complaints before the Committee. Men who are working their hands raw in the war effort may be subpoenaed from their work to attend a hearing before the Committee which, as I shall later show, may be composed of Negro Communists. Workers must appear before the Committee and be imposed upon and mistreated. This, I submit, may be done in the name of politics, because if it were not for political considerations, this appropriation would not receive 10 votes in the Senate of the United States.

I continue reading:

The Committee may accept the services of State and local authorities and officials, and may perform the functions and duties and exercise the powers conferred upon it by this order through such officials and agencies and in such manner as it may determine.

Mr. President, that is a sweeping delegation of authority. We have no constitutional right to make an appropriation for, and place our stamp of approval upon, such authority. We cannot delegate legislative authority. Yet, that is what we attempt to do when we approve this appropriation.

I now read section 8:

The Committee shall have the power to promulgate such rules and regulations as may be appropriate or necessary to carry out the provisions of this order.

That is another sweeping grant of authority. What does the agency do? The FEPC at its hearings, is not bound by any rules of evidence. It is not bound by those time-tested rules of evidence which mankind has found necessary throughout the centuries for the protection of human liberty and justice. Incompetent evidence may be admitted. Hearsay evidence is admissible. Any kind of evidence which a Negro Communist desires—and in the last analysis, that element controls this organization—is admitted at the hearings.

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

Mr. EASTLAND. I yield.

Mr. BANKHEAD. Is there any definition in the order of what constitutes an unfair employment practice?

Mr. EASTLAND. No.

Mr. BANKHEAD. There is provided no standard?

Mr. EASTLAND. No.

Mr. BANKHEAD. That situation has been condemned, has it not, by numerous decisions of the courts?

Mr. EASTLAND. It has been condemned. I have sent for a copy of a speech which I delivered last year against the FEPC. In that speech I cited several court decisions on the subject.

Mr. President, the FEPC could make its own rules of conduct, it could establish its own rules of behavior, and no appeal would lie to the courts from its findings of fact.

I submit that the right of appeal is inherent in the American system. Yet that right is denied legitimate business and legitimate labor organizations throughout the United States merely for the purpose of reaching out and obtaining a few Negro votes.

Both sides of a controversy are not, under this order, guaranteed by law equal opportunity for the presentation of their cases. In fact, there are no rules of law, and no rules of justice which would guide this organization in reaching its decisions. In other words, anything which the examiner or the FEPC desires to do, or any decision which either may wish to make, is final and binding. If the decision is not complied with an appeal may then be made to the President. If that is not legal hijacking I do not know the meaning of the word. As I have already said, the findings of fact of the Commission are final even

though they are not supported by proper evidence, and no court has the right to examine into the question of whether or not a case was made out.

Mr. BANKHEAD. Is any appeal allowed from the decisions of the FEPC?

Mr. EASTLAND. There may be no appeal whatever. The FEPC's decision is absolutely binding and final. No court may pass upon the credibility of witnesses or examine into the findings of fact, even though evidence to support the findings may have been flimsy, and the proof on the other side may have been overwhelming. I assert that ordinary justice, ordinary decency, and mere fundamental elements of justice demand that a right of appeal be granted, and that the rules of law be followed in accordance with Anglo-Saxon principles of justice.

No higher authority than the FEPC may determine whether or not it acted with bias or prejudice in reaching its decisions. It files its own complaints, it acts as its own grand jury, it acts as its own prosecutor, it acts as its own judge, it acts as its own jury, and its findings of fact are final and no appeal may be taken therefrom. If that situation does not rape American justice I cannot conceive of the proper word to apply.

I submit that never before in the history of the Republic has any attempt been made to set up an agency with such far-reaching and sweeping powers, an agency which would absolutely and utterly destroy the fundamental principles of justice and equality and humanity on which our Government was founded.

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

Mr. EASTLAND. In just a second I will yield.

Mr. President, it was to get away from procedures such as these that the *Mayflower* sailed from Southampton, England, and that the forefathers created this Republic; and it was by living under principles of justice such as prevail in America, but of which we would be deprived by agencies such as the FEPC, that our country has been made great. America has been built because industry and labor were guaranteed certain rights of justice, but by this agency every single one of those rights, in cases of discrimination, is taken away. There is the opening wedge; men can be deprived of their rights in cases of discrimination, and it will be much easier a little later to set up another agency that will proceed, perhaps, even further, until finally the entire fabric of human liberty in America is destroyed. Now I yield to the Senator from New Mexico.

Mr. CHAVEZ. Mr. President, will the Senator state to the Senate what power or authority this agency has under the Executive orders? Can the agency enforce an order it issues?

Mr. EASTLAND. Yes.

Mr. CHAVEZ. How?

Mr. EASTLAND. Ross, the head of this agency, testified last year that if an order was not complied with there was a right of appeal to the President, who could take over a plant and operate a plant and take it away from the man-

agement; and further that the agency, by appeal to the War Department and other Government departments involved, could deprive war industries of their Government contracts, which would shut them down and force them into bankruptcy.

Mr. CHAVEZ. The FEPC cannot enforce a single order; they cannot force anyone to do anything whatsoever. The only authority they have now is to try to conciliate and to persuade by peaceful means in order that fair employment practices may be followed.

Mr. EASTLAND. Mr. President, the head of this organization testified, as the Senator well knows, that they had authority and that it could be exercised.

Mr. CHAVEZ. I do not recall such testimony.

Mr. EASTLAND. I do not recall instances, but, as I remember, there was proof of efforts to cancel war contracts held by industries.

Mr. CHAVEZ. By this agency?

Mr. EASTLAND. Well, by appealing to another Government agency. It is legal hi-jacking.

Mr. CHAVEZ. Will the Senator indulge me very briefly?

Mr. EASTLAND. I yield for a question.

Mr. CHAVEZ. Yes; for a question.

I will ask the Senator if, when he was talking about authority and power, he was not thinking of proposed pending legislation or a basic law, and not of the particular agency we are discussing.

Mr. EASTLAND. No; I am thinking about this organization set up under the Executive order I have just read.

Mr. CHAVEZ. It is immaterial what the Chairman of the Board testified to; my understanding is that they have no authority whatsoever under the Executive orders.

Mr. EASTLAND. It is not immaterial if a claim is asserted to authority and it is used to hi-jack industries into complying with the orders of this organization. As I told the Senator, as I remember, there were cases where war contracts would have been canceled had not the orders of this organization been complied with.

Mr. CHAVEZ. I do not agree with the Senator.

Mr. EASTLAND. That statement was made during the debate a year ago time and time again.

Mr. CHAVEZ. I happen to know that this agency under the Executive order has no authority to enforce any of its rulings.

Mr. EASTLAND. The agency has not, but it can go to the War Department, the Navy Department, and the Maritime Commission, and those Departments have authority to impose economic sanctions. If that is not punishment without right of appeal, without right of trial, I cannot conceive what punishment is.

But let us go further. By setting up this agency we grant an unfair preference to the Negro soldier or to the soldier of a minority group over the returning white soldier. We set up an organization to see that the returning Negro soldier gets a job, to help him get a job, and to see that there is no dis-

crimination in giving jobs to the white soldier. Who has won this war? Why should the white soldier, the warrior who has returned home after having achieved the greatest victory in history be penalized for political reasons?

What is the history of the Negro soldier in the American Army? Mr. President, I recently returned from Europe. While there I talked to numerous high-ranking generals of the American Army, some of them in a peculiar position to know the facts. Later I shall discuss the record of other Negro soldiers, the service troops behind the lines; but, first, what is the combat record of the Ninety-second Division the only Negro division that has seen service in Europe?

To begin with that division—and I state it authoritatively—had the best equipment of any division in the American Army; it had the best training of any division in the American Army. For political reasons—and when I say "political reasons" I quote American generals—they were forced to commission some Negro officers for that division. In not one instance, Mr. President, could they place a Negro officer in a responsible position. In not one instance could they place upon his shoulders the responsibility of combat, and I tell you now, Mr. President, that division could not be placed in an important position in the line. Had we depended upon it, the German Army would have gone south to the toe of the Italian boot and destroyed our armies in Europe. The Negro soldier was an utter and dismal failure in combat in Europe. When I make that statement, it is not from prejudice. I am not prejudiced against the Negro.

[Laughter in the galleries.]

Mr. MORSE. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The Chair admonishes the occupants of the galleries that they are here at the invitation of the Senate. If they do not keep order, the Chair will order the galleries to be cleared.

Mr. EASTLAND. Mr. President, I merely state facts as given to our committee by high ranking generals of the American Army, who are in a peculiar position to know the facts.

In a number of instances these soldiers would desert their posts of duty, officers would desert their posts of duty, without cause, and the whole division would, without cause, rhyme, or reason, quit fighting. The officers told us the soldiers had no initiative, no sense of responsibility, very low intelligence, and were a failure. Yet we are asked to set up an unfair preference against the white soldier for the benefit of the returning Negro veteran, solely because he is a member of a minority group which sells its vote to the highest bidder in political campaigns.

Mr. President, I understand a Negro from the War Department went to Italy, and after coming back gave out a statement that the division had not been so "hot," that it had failed in combat, and he made the excuse that it was because of discrimination in the United States and because of segregation here. Ac-

cording to his statement, that was why it failed.

Everyone knows, Mr. President, that the races will of themselves live separately. They live together in separate sections of cities. Birds of a feather flock together. Members of the black race desire to live with those of the black race. Members of the white race desire to live with those of the white race. Discrimination and segregation could not be the reason for the failure of the Negro soldier in combat.

Let us consider the Japanese-Americans. Ah, they were moved from their homes by the necessities of this war. I have read accounts in the press of instances when they were insulted in various sections of the country. They tried to work in Illinois, they tried to work in New Jersey, but, oh, no, the people did not want them there. But take the record of their sons on the battlefields of Italy. I say frankly, Mr. President, the Japanese-American division, trained in my State, distinguished itself in combat, and, further, saved a Negro regiment from annihilation. So there could not be anything to the argument that segregation was responsible for the Negroes' inability to fight, and for their tendency to run when the show-down came.

In Europe Negro soldiers are used principally as service troops behind the lines, and I state now, on the authority of many American officers, that they were lazy; that they would not work; that it was a mistake to send them to Europe, and furthermore, that they should be returned from Europe and sent to the Pacific, where there are races of color. I make that assertion by virtue of statements made by a number of high-ranking American generals. Moreover, of a committee of nine Senators who went abroad, I think practically all will back up my statement.

Mr. President, I dislike going into these things, but by the pending measure we are actually asked to discriminate against the white war veteran, and give the Negro preference over him. Let us consider what happened in Normandy. Nothing has been said in this country about this, it has all been "hush, hush," and a great deal of propaganda has been put out about the great war record and the great fighting of the Negro troops.

It was necessary during the Normandy invasion to disarm a good many Negro soldiers, I was reliably informed by a high-ranking general in Paris. Negro soldiers would go to farm houses and holler "Boche! Boche!" as if they were looking for Germans, call the men of the families out into the yards, and hold guns on them while they went in and criminally assaulted the women members of the family. In the small Normandy peninsula, from invasion date to May of this year, there were 33 cases of criminal assault, 26 by Negroes, 7 by whites.

Mr. President, how does that compare with what happened during 4 years under German occupation? During 4 years while the German Army was there there were two cases of criminal assault, and in each case the man guilty was apprehended and shot the very day the

assault happened, while in the cases of American culprits files would have to come back to Washington, the opposition of the Organization for the Advancement of Colored People would have to be faced, a fight against the infliction of the penalty would be made by the Communist Party, this group and that group, so that it would take 7 or 8 months before any sentence was carried out, and by that time the entire effect of the punishment would be lost.

Mr. President, I state that the conduct of the Negro soldier in Normandy, as well as all over Europe, was disgraceful, and that Negro soldiers have disgraced the flag of their country. They constitute roughly one-twelfth of the American Army, yet they are guilty of more than half the crime in the Army. Now it is proposed to give the Negro soldier a preference over the white veteran; it is proposed to discriminate against the returning white soldier in favor of the Negro soldier in order to get the Negro vote at the next election. That is all it means. I say again, if it were not for political considerations this proposal would not receive 10 votes in the Senate of the United States.

Yes, Mr. President; we have a color line in America, and it is in the North as well as in the South. Down in Dixie we are a little more open about it than people are in other sections of the country, but high racial pride, one of the finest attributes of mankind, is in the breast of the white man everywhere, no matter whether he comes from the North or from the South. In Europe the Negro has crossed the color line. He has gone with white girls of the very lowest caliber, and I know how the northern white boy feels about that. Thank God, the white soldier from Pennsylvania, the white soldier from New York, feels about the racial question today just as does the veteran from Mississippi or Georgia or South Carolina or Tennessee.

FEPC might be good politics now, but I have talked to literally hundreds of soldiers from every section of the country, and I know what they think about it. I know what is going to happen when the soldier returns home.

Mr. President, I state further that the conduct of the Negro soldier in Europe, the soldier to whom it is proposed to give preference, has caused the United States to lose prestige; he has caused hatred for our country and for our people. I was told in any number of cities that decent white girls could not go out on the street because they would be accosted by groups of drunken Negro soldiers. I know from conversations with Army officers, with generals in the American Army, and with civilians, that in England, in France, in Belgium, that feeling exists in a very intense degree. He has disgraced the flag of his country. He will not fight. He will not work. Yet we give him a preference. We discriminate against the white soldier in order to get some Negro votes.

Mr. President, I stated that I knew how the white soldier felt. I stated that the soldier from the North felt exactly like the soldier from the South felt. The CIO has been permitted to go to Europe

and attempt to propagandize the soldiers, but it was like pouring water on a duck's back. The soldiers are mad. We talk of racial tolerance. This agitation for social equality has destroyed racial tolerance; and I state frankly that the white soldier is openly and avowedly waiting for his chance when he returns to the United States.

There was a keen interest among the soldiers in public affairs in this country. There was a deep hatred among them of Sidney Hillman, of the leadership of the CIO, and of John L. Lewis. Many of them thought Lewis was at the head of the CIO. They did not know the difference, but they thought that by the agitation, by the raising of the racial question, and by pampering labor racketeers, the soldiers had been let down. There is a deep and great fire burning to correct that situation when they get back home.

It is no wonder, Mr. President, that these organizations desire to rush FEPC through. It is no wonder they want to pass the legislation now. There will be no FEPC when the soldier gets back home, and I make that statement as one who has visited many of our armies and talked to literally hundreds of American soldiers.

I spoke to a young man from Altoona, Pa., who broke down and cried when he told me that he realized there would be serious trouble in the United States in the postwar era, that the racial question would be the great domestic issue to be settled, and he said he was fearful of the results. He said he did not like the attitude of the Negro soldiers. That they had been taught they could cross the color line, and he said that under no conditions would they be permitted to do so.

There will be no FEPC, there will be no social equality, there will be no such un-American measures, Mr. President, when the soldier returns. Thank God, there still burns in his breast the fire of real Americanism. Thank God, he is going to put a stop to this agitation, to this attempt to destroy his country, when he gets back home.

Mr. President, I say it is nothing but simple justice that a measure such as this, which would fundamentally change our Government, should go over until the man who has fought for and saved America can return to take part and cast his vote on such an issue.

Mr. President, who is the leading light in this matter? I stated that Sidney Hillman was a Communist. I stated that Hillman, one of the principal men behind this measure, was one of the leading Communists in this country, and that Sidney Hillman should be deported. What is his record?

Hillman was born on March 23, 1887, in Zagare, Lithuania, where his father was a merchant. He was educated in a seminary there and came to the United States when he was 20 years old. Listen to this: In his early years in New York Hillman was acquainted with and associated with Morris Hillquist and Leon Trotsky. This great political leader, who is attempting to communize and sovietize America, and who it seems controls one wing of the Democratic Party and

of the Republican Party, associated with Trotsky before the Russian Revolution, when Trotsky lived in this country. And I state from an authoritative source that at that time Mr. Hillman was a member of the Socialist Party.

In 1910 Hillman marshaled his followers in a successful strike against Hart Schaffner & Marx, and under the agreement which followed the winning of the strike he represented his organization as business agent from 1911 to 1914. His policy was clearly indicated in an editorial statement on March 9, 1917, in the *Advance*. Listen to what Hillman said in 1917, and tell me whether he is a Communist:

We have unfurled the crimson banner of the Amalgamated Clothing Workers of America for the tens of thousands of workers who rally around it. It is bearing a message of hope and salvation for the workers. Our banner will never be furled before we reach the goal of emancipation of the working class.

Mr. President, that is a typical Communist statement. "We have unfurled the crimson banner," says Mr. Hillman. Communism? Hillman not a Communist? He is one of the leading Communists in America today. His language then was the same as the language of Lenin, Marx, Stalin, and other Communists in the world.

In 1922 Hillman went to Russia. Let me read what Pravda had to say on October 26, 1922, about Comrade Hillman, the man who is the boss of one wing of my party and from the looks of things is the boss of the Republican Party. This is what Pravda said about him:

Comrade Hillman expressed his confidence that the Russian-American Industrial Corporation—

Which Hillman founded in order to handle money from Russia—

is but the first step toward a real practical help of the international proletariat of Soviet Russia, and that the corporation will play a great political role in the future.

A political role, said Mr. Hillman in Russia, as reported in the official news publication in 1922.

Mr. President, a suit was filed to deport Harry Bridges. The Supreme Court said that there was not sufficient evidence against Bridges to deport him. I submit that there is more evidence against Hillman than there ever was against Bridges, and I cannot understand for the life of me why an attempt has not been made to send him back to Russia and stop the agitation and the attempts to destroy our country.

In 1922 Comrade Hillman also visited Italy. It should be remembered that at that time there was a strong Communist movement in Italy. Northern Italy is industrialized, and in areas there the Communist Party had taken over industries and had raised the Red flag, with the hammer and sickle, above factories, and was attempting to set up a Communist government. What did Hillman say in Rome?

I was doubly welcomed. The secretary of the metal workers' union gave me a letter, the only key to open the gates of the factories. With my Italian comrades I

landed in front of the factory, which looked attractive—

Why did it look attractive?—

because of the fine Red flag which adorns the building and the Red sentinel—

The Communist sentinel—

who was keeping watch.

My God! if that is not communism, what is the name for it? Does anyone tell me that a man who would openly and avowedly support the Communist cause should not be deported? Instead, he is giving orders to the Congress of the United States.

Listen further:

I stayed for lunch with the members of the factory council. The council then took me through the factory. The first thing that attracted my attention was a series of inscriptions on the walls, including the Soviet emblem.

Let me read that again.

The first thing that attracted my attention was a series of inscriptions on the walls, including the Soviet emblem.

Sidney Hillman, the Communist, is the leading supporter of this measure. Sidney Hillman controls the organizations which are putting on the heat, and which have hundreds of representatives here to do his bidding in order to rape the American Constitution and change our way of life.

I repeat that when communism enters a country it makes the classes class-conscious. It makes races race-conscious, in order to weaken the internal structure of the country and pave the way for communism. Sidney Hillman is doing that in America today. Many God-fearing, patriotic American citizens belong to the CIO; but I state that they are being used by a rotten Communist leadership bent upon the destruction of America and the creation of a Communist state.

I spoke a few moments ago of the conduct of Negro soldiers in Europe. They disgraced the American flag. They constituted only one-twelfth of our Army, yet they had committed more than half the crimes. By the proposed measure we are giving them a preference in employment and are discriminating against the white worker.

There happened recently another thing about which I think the American people should know. It was not American Negroes who were involved. They were not constituents of any Member of this body. However, all races have certain racial characteristics, wherever their members may be found. I relate this incident to show that the Negro race is most assuredly an inferior race.

I was informed by generals and high ranking Government officials—and other members of the committee were so informed—that in the city of Stuttgart, when the French Army moved in, several thousand Christian German girls from good families were rounded up and placed in the subway, and for 4 or 5 days they were kept there and criminally assaulted by Senegalese soldiers from Africa. It was one of the most horrible occurrences of modern times. White

soldiers would not have been guilty of such a thing. The white soldier has attempted to maintain American standards in the American Army. Another bad feature of the occurrence which I have just mentioned was that those French Negroes were in American uniforms, and the population of that section of Germany thought that American soldiers were involved. I bring that into this debate because, as I said, racial characteristics are common to the members of the same race, no matter where they reside. We are dealing with an inferior people, and yet we are discriminating against the white soldier, in favor of the inferior person, and under this measure we are giving the inferior person a preference in securing employment.

Mr. President, consider Liberia. Liberia is a great monument to the capacity of the Negro race. In fact, it is a typical monument to the capacity of the Negro race. I shall go into this matter a little, to read what the League of Nations found in its report on conditions in Liberia:

For 10 years the august Council in Geneva has had a peck of trouble with those carefree "Americoes" of freedom's own republic. They are so far off—between Sierra Leone and the French Ivory Coast. Their realm has no port—luckily, seeing that yellow fever is rife and all ships liable to contagion. The powers have been haunted by this Liberia. After all, it is a "sovereign state." It has a 4-year president; a Senate, too, and a Lower House, as well as a Supreme Court and an army. America has from the first served as model and pattern for the "Americoes."

Anyhow, here is all the panoply of a "nation." It was launched (from the United States) over a century ago, apparently with the blessing of James Monroe—whose historic name an unimaginable capital bears unto this day. And yet dreadful whispers have floated overseas from harried and hunted savages of Liberia's hinterland.

Mr. President, how they ever heard of the League is a mystery; and from the facts of ignorance and disease and pestilence there, how they ever heard of anything is a mystery. But I proceed:

But their long walls boil down to this: That President King—

The president of the country—

was a "blackbird" and a slave-raider; that his "administration" was a gang of murderous robbers; his armies (both native and hired) a merciless Attilahorde—burning and looting, raping the tribal women, and driving these "inferior" pagan blacks into the African waste, there to starve or fall a prey to prowling beasts.

The leading castes in Monrovia are yellow; they are mixed-bloods. A similar crowd in the United States is attempting to cross the color line and bring about social equality and racial amalgamation.

I read further:

The powers—

In other words, the League of Nations—

were staggered at this indictment of Liberia. One of their own League members, too. Even an "ally" who had "declared war"

upon Germany and suffered a salvo or two in consequence from the five-inch gun of a submarine—until its amazed commander realized he was shooting at a tropical zero and withdrew for very shame. Yet a Christian country was his target; one settled in the long ago by dusky Puritan exiles who set up a proud Lone Star banner that bore this device: "Love of liberty has brought us here."

So the League scouted as slander all the evil tales that came from heathens of the bush frontiers. In Geneva's Council Chamber, State Secretary Grimes and Mr. Sottile gave the "facts" a different tinge. Liberia (her delegates vowed) had nothing to hide but her own lack of loans. There was a growing shyness on the part of Americans to help the "Americoes" * * *

Moreover, if white snoopers were to be sent there to inquire, they must respect the President's office, and also "the political, intellectual, and political independence of Liberia." All such investigators should be under the chief executive. It a white adviser were named by the League, he must take his advice from the "palace," from Monrovia's learned Congress, or from courts of justice of spotless Periclean purity. Furthermore, any experts in accounts and finance which the powers might send must pass Liberian examinations on landing to make sure they were up to west African standards in their several jobs.

Mr. President, I shall show in a minute what west African standards were. Those west African standards are about the same as African standards in the United States today.

I read further:

Foreign Minister Grimes made quite a hit as he laid down the republic's law to these foreigners in Geneva.

But who was to pay the expenses of the investigation?

Mr. President, there the League of Nations was. It had proof that the King of Liberia was a robber, a murderer, and was engaged in the slave trade, and the League was sending investigators there to investigate. But who was to pay the expenses of the investigation? I read further:

Why, the League itself, Mr. Grimes said with surprise. It was a League idea—

This investigation—

and the League was rich, whereas Liberia * * *! But, in fact, all the republic needed was "adjusting"; then she could go at any mileage to the gallon.

The Secretary-General demurred at this. The League could not advance funds for a commission without "an assurance of reimbursement." At last Mr. Grimes agreed to cable Monrovia on this delicate matter—"But I haf' no much hope of success." At his black elbow sat Mr. Sottile, who now hopped up with fluent pidgin English:

"No use a promise. If we gave, we may not keep." Even their state officials had not had a dollar of pay for the past 8 months.

Think of that, Mr. President. Liberia had been selected as the richest part of Africa. It consisted of the most fertile soil which could be found in Africa. The most intelligent slaves in America were selected to conduct an experiment in Liberia, to demonstrate whether the Negro possessed capacity for self-government and for self-advancement or, when taken from under the influence and control of the white man, he would fall back into savagery. We have a typical example of that situation in the Negro Republic of Liberia.

I continue reading:

To me it was highly humorous to see men like Sir John Simon and Viscount Cecil, with Barthou of France and Oloisi of Italy, debating gravely about Liberia as though that tragicomic pest-hole were a civilized, or even a semicivilized land.

After Liberia was founded the white man ruled it for a period of from 25 to 30 years. It was doing well under white control. But 80 years after the white man withdrew, as the League of Nations found, it had not become even semicivilized. Yet, Mr. President, we talk about racial equality. I assert that the Negro race is an inferior race. The doctrine of white supremacy is one which, if adhered to, will save America.

I continue reading:

When the truth flamed out later on in the Christy Commission's report, even State Secretary Stimson found it a "shocking indictment."

Yes; the present Secretary of War found the League of Nations report a shocking indictment of the conditions existing in the only Negro republic in which a great experiment had been conducted in order to test the capacity of the colored race for self-government and self-advancement.

New facts came rolling year after year. Gradually Liberia was seen as a sort of jungle patch as big as England or New York State. Here some 15,000 black "Americoes"—

Those are yellow-skinned Negroes—

lorded it over heathen and Moslem tribes, about 2,000,000 in all. The main industry seemed to be collecting taxes—

Listen to that, Mr. President—

from those primitive folk.

That is the main industry today, as found by the League of Nations.

And the process used was simple. A ragged (but well-armed) frontier force swooped down upon tribal villages under a black general who was all medals and gold braid. Some of the victims were meek, and paid up in foodstuffs, ivory, and cattle. Other clans were meeker still, and parted twice over under threats of burning their huts and wholesale shooting of the "rebels."

In that great civilized country the monument to the capacity of the Negro race is the collection of taxes, burning, and looting.

The report continues:

But some of the Kru-coast men could fight; and often Liberia's prowling Foch had his black hands full in a hornet's nest of desperate resistance.

Then that general would hire Mendi mercenaries to help him; warrior looters from the Sierra Leone border.

He would hire others to assist him in burning the homes of the people of his own country.

I continue reading:

The havoc of a typical tax collection was conveyed to the League of Nations by Dr. M. D. Mackenzie, of its own health section. He found fierce battues going on in the Sasstown area. Forty-four native villages had been set ablaze by President King's brigand army. Over a hundred natives had been killed, and 12,000 unwilling taxpayers—men, women and children—of the Borroh, Dio, and Wissepo clans had been chased out of their flaming huts into tropic and waterless wilds beyond,

there to die of hunger and thirst in an unmapped region of gorillas and pigmy elephants.

Mr. President, what I have been reading represents some of the governmental policies of Liberia which stands as an example of the incapacity of the Negro race to govern itself and advance. From the conditions which exist there we can see quite clearly what will happen in this country unless the present drive for social equality between the races in the United States is stopped.

I continue reading:

After these raids, the army of freedom's state marched home to hand over its booty to the chief executive, his senate, congress, and treasury. Besides payments in mind, our golden general rounded up every hefty male he could get chains upon. For "black birding" and tax gathering went together as part of Liberia's national defense. Money the state must have—not for any public works, but mainly for executive and ministerial pockets.

In other words, Mr. President, that is just a nice way of saying "graft." This man was capturing members of his own race and selling them in the slave trade for money. That is what the League of Nations officially found to be taking place.

I continue with the reading:

It was there the various American loans had melted. And the sale of slaves at \$300 each formed a tidy presidential perquisite besides.

Slaves were being sold for \$300 apiece. That took place, according to the League of Nations, only a few years ago.

After all, what were these outlying pagans for if not to provide revenue for the superior "Americo-Liberian" administration which all the world knew, was molded on George Washington's own ideal policy?

I take a very grave issue with the statement that any of the conditions about which I have been reading were modeled after policies of George Washington. Our Government established Liberia. White men wrote its constitution, and for a time controlled it. But, when the white man withdrew and allowed the colored race to assume control, the colored race did not become civilized.

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

Mr. EASTLAND. I yield.

Mr. TUNNELL. As I understand, the Senator is condemning the selling of slaves at \$300 each. Is that an unheard of thing in the United States?

Mr. EASTLAND. The Senator is absolutely wrong. I am reading a League of Nations report concerning conditions which in the Republic of Liberia, as found there during the 1920's.

Mr. TUNNELL. I am asking the Senator about conditions in the United States as found therein during an early period of its history. Slavery during those times was not unheard of in this country, was it?

Mr. EASTLAND. It was unheard of in this country in the 1920's. Eighty years ago my State and the State from which the Senator comes, were slave States, if that is what the Senator means; but the Senator certainly would

not say anything that would uphold slavery at the present time?

Mr. TUNNELL. Oh, no. But what the Senator is condemning is the sale of slaves in Africa because it was done by Negroes, as I understand.

Mr. EASTLAND. I am simply showing, as I told the Senator, the conditions in Liberia today.

Mr. TUNNELL. But that is not any worse than the whites did with the slaves in the United States when slavery was permitted.

Mr. EASTLAND. The white people of the United States have never embarked on a program of robbery, murder, rape, and looting, as Liberia did, as she is now doing; and I shall show in a moment many worse things than that.

Mr. TUNNELL. Mr. President, will the Senator yield again?

Mr. EASTLAND. Yes; I yield.

Mr. TUNNELL. We hear of murder and rape and lynching and a great many other crimes in this country.

Mr. EASTLAND. Is that an official Government policy in the United States?

Mr. TUNNELL. It is something that happens.

Mr. EASTLAND. Will the Senator answer my question? Is that an official Government policy?

Mr. TUNNELL. I think that I can say that it is in some places.

Mr. EASTLAND. It is?

Mr. TUNNELL. Yes.

Mr. EASTLAND. The Senator has been told that. I know he is sincere, and he knows I have a great confidence in him, but I do not believe that is the policy anywhere in the United States. I know it is not the policy in Mississippi, and I know it is not the policy of the South, if that is what the Senator is talking about.

Mr. TUNNELL. I am talking about the fact that there are crimes that are winked at by Government in every section of the United States.

Mr. EASTLAND. Yes. But there is no State that will send an army out for the purpose of murder and robbery and loot.

Mr. TUNNELL. I am not so sure about that.

Mr. EASTLAND. I am sure of it; I am very confident that is not the American system—God help America if it is—and, Mr. President, it is not my idea and my opinion of my country.

I read further from the League's report:

So these hapless savages were periodically rounded up, just as the native princes of India coral their jungle elephants for labor in the teak forests of Burma. President King had an ever-ready market for his army's catch. He took bids for his slaves, body and soul, from the coco planters of the Portuguese Isles of São Thomé and Príncipe. At one time this arrogant Negro was selling 300 captives a month at the figure I named above.

What they had done was in accordance with their official government policy, under the guise of collecting taxes, to go out and burn villages, murder people, capture men, sell them into slavery at \$300 apiece and then embezzle the money.

There is a typical example from our own knowledge of what is done in that country without the influence of the white man.

Well might the League ask what was to be done about Liberia? Britain's House of Lords gave a full-dress debate to the future of a "black baby" that nobody cared to nurse. I was in the gallery of that Scarlet Chamber and caught exclamations of horror from the Archbishop of Canterbury. To His Grace, the Lone-Star Republic was "one of the most lamentable tragedies of history."

Think of it! The Archbishop of Canterbury, one of the world's great churchmen, says that Liberia under its Negro government is one of the most lamentable tragedies of history. Here is what he said further:

Neither "could we rest while this blot on civilization remained."

The Archbishop of Canterbury said that Liberia is a blot on civilization, in addition to being one of the most lamentable tragedies in history.

Both Viscount Cecil and Earl Buxton—

Two great British statesmen, by the way, Mr. President—

were for pitching Liberia out of the League forthwith. And as Sir John Simon's spokesman in the Lords, Earl Stanhope wound up the sitting with a call for "drastic action." Misery and misrule had long been Liberia's lot—

Misery and misrule—
and in the past 2 years—

Two years before this report—

"things had gone from bad to worse." The republic was riddled with a plague: "Not only was she thus a danger to herself and the rest of West Africa, but also to the whole world."

Because of the plague there, and disease, the League said Liberia was a danger to all West Africa and all the world—this shining example of the capacity of the Negro race.

Yet this monstrosity, Lord Stanhope grieved to say, was "a foundation member of the League," together with Great Britain, France, and Italy. Truly, the irony of Voltaire is justified on the crazy governance of human affairs.

How does the Monrovia government take this torrent of scathing? With injured pride, blocking every measure of reform, and only asking for more and yet more "loans."

In other words, the League found these conditions and would demand that they be remedied, and the only action was typical of the Negro race, who want to borrow more money, and I will venture to say there never was paid a dollar of that money back.

Listen:

Dr. Cuthbert Christy's report spoke of "tragic" finances. Britain's Lord Privy Seal could assure the League Council that this shabby wreck of a state "had no budget, no accounts, no money."

Think of it! A government with no budget, no accounts, and no money.

Yet, we will discriminate against white boys, who raised Old Glory on Iwo Jima, who have just won the most magnificent victory in the world's history, who have conquered the beast of nazism, we will discriminate against those returning

heroes, in order to give jobs to such people as these jobs so as to obtain a few votes at the next election.

Listen to this:

Not only did Liberia take no steps to control yellow fever and plague—she couldn't be bothered even to notice them.

No public-health system at all; no money, no budget, no tax-gathering system.

And so continued to wallow in vileness, more than pleased with her own estate.

Listen:

Did not this "abysmal" Republic break off relations with the United States over a default on a loan? And to the French Chargé d'Affairs President Barkley—

Who is President of Liberia—

complained of insult to his high office and person on the part of a very rude American Minister.

He claimed an insult by the French because the French wanted them to repay a loan.

Mr. President, let us see about the capital of that great country.

What is the metropolis of Monrovia like? It is a nightmare; a foul, yet funny, purgatory of sickening smells and obscenity. Yet what a book that dreadful warren would make; a true best seller, if done by a master hand. Why has no great newspaper put a correspondent there?

That is another thing; there is not a newspaper in the world which has a correspondent in this great and shining example of Negro culture, where they show their capacity to govern themselves. There is a black Communist in New York named Robeson, an actor or a singer, who holds forth at great length about colored culture. Here are typical examples of that, which would show, if their drive in this country for social equality is not stopped, that our country will be destroyed and we will sink down into the depths, as Egypt did.

I digress a little. At one time Egypt was a leader in world civilization, when its citizenship was Caucasian. Sitting on the bank of the placid Nile, next to the Mississippi delta the most fertile soil in all the world, they imported slaves, and later took them into their governmental affairs, and they had to cater to them, as the politicians cater to the Negro vote today. Then there was amalgamation. For 3,000 years the Nile has flowed as it always did, the same resources have been there, but in that time there has not been one single contribution to world culture, there has not been one single contribution to civilization, there has not been one single progressive accomplishment, and I say, Mr. President, the American soldier in Europe, thank God, knows of the dangers, and he will save America internally, as he saved her upon the battlefields of the world.

Let us find out more about the capital, Monrovia. I have said that no newspaper had a correspondent there, but the League of Nations said that if they had, they would tell "droller and madder tales than were ever flashed" over the world.

An army mutiny, for instance, raging outside the tumbledown treasury to get

a few dollars in exchange for soiled and tattered I O U's. A battered door opens presently, and the Minister steps out in a well-cut suit and high hat.

Now let us see the Liberian system. Soldiers have mutinied in front of the door of the treasury of the republic, and the treasury minister comes out, and what does he say?

"Soldiers of the republic," he bawls at the swaying mob. "Haf' courage, once! Practiss-s the patience yet-t-t."

Those hungry troops shamle off to "practiss" it.

Listen to this:

Four machine-gun barrels are now poked out of the broken windows.

The treasury of the country has not even panes of glass in the windows.

Weeks drag on into months. Another siege threatens. The palace itself is in peril. (A shove would overturn that ugly barn.)

That is what the treasury of Liberia is—just a barn, in a country which is a great example of Negro culture.

This time two glib Americoes hustle around among the desperate men.

"We buy yo' vouchers! Five percent of face value."

Because of graft, and because money they get from the slave trade and from robbery, which is their source of income, is embezzled, the Liberians do not even pay their army. They do not pay the army and public officials, and then when there is a mutiny, when they cannot stop it, when the people cannot be pacified in any other way, they offer 5 percent of face value for their I O U's. But the League of Nations says:

The offer is meaningless to these Negro dupes. But when it is made clear that real money is meant, there is a wild stampede to sell scraps of paper for silver dollars. Those same vouchers a grafting Chancellor—

Now listen to this—

promptly redeems at par, in the true Liberian system.

Now, what is the Liberian system? They refuse to pay the armed forces, they refuse to pay the public officials, then, when there is armed mutiny, they send men out and offer 5 cents on the dollar, and let the treasury redeem the paper from the grafters at 100 cents on the dollar.

The League says more. I am not nearly through with this League of Nations report:

And then the law court scenes and cases.

I want the lawyers who are present to listen to how the lawyers in that country, in that monument to Negro culture and capacity, handle their law courts.

One day a giant Americo had words with a real American—who was a noted boxer. The native pressed for a bare-fist fight; it was very brief and brought trouble in its wake. In the first round the huge Liberian was knocked out, and he lay lifeless for 20 minutes. The white man was at once arrested for murder.

Senators, listen to this. The white man knocked the Negro out. The Negro was out for 20 minutes, unconscious, and the white man was arrested for murder. The League report said:

Court hearings were a screaming farce. The black judge, above all, with his pompous English and still wrangle with his "prison-aire." The latter was given 20 years in jail for his heavy uppercut, plus a fine of \$20,000.

Mr. President, the white man knocked the Liberian unconscious, and he was convicted of murder and given 20 years in jail and fined \$20,000. What happened? How do they enforce their judgments there?

The condemned man strolled home laughing with his consul, and the case at least was dead and buried.

It does not say so in the report, but one can read between the lines and see that a little something passed—the payoff on the side.

Then an Englishman was haled up for exceeding the speed limit in his car on Liberia's one and only public road.

Mr. TUNNELL. Mr. President—
The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Delaware?

Mr. EASTLAND. I yield.

Mr. TUNNELL. In view of the terrible conditions which he has pictured in Liberia, I should like to ask the Senator from Mississippi if he thinks it would be a good place for the Negroes to be sent, as is suggested by his colleague?

Mr. EASTLAND. That is an argument in which I am not involved. I am quoting from the League of Nations report respecting conditions in Liberia.

Mr. TUNNELL. But the Senator's colleague has urged that the Negroes be sent to Liberia, as I understand.

Mr. EASTLAND. That is his business.

Mr. TUNNELL. It would be the business of the United States Government if the Negroes should accept that proposal, would it not?

Mr. EASTLAND. That bill is not before the Senate.

Mr. President, I continue to read:

When he (the Englishman) proved he was doing only 10 miles an hour, the magistrate nearly choked.

Listen to this, Senators. This is in a country with a population of more than four million, in the richest section of Africa, which per square mile has more natural resources than any other portion of Africa, selected because it had greater natural resources than any other part of Africa for settlement by Negroes, and yet it has but one public road. This is what the judge said:

Haf' silence, sah; I mastah hee-ye! Nevah yo' unnahstan' Republic's law? Haf' yo' no culta?

Of course he did not, by Liberian standards.

Hed yo' no fat'er, no mo'ter to gif' yo' culta? Max'mum speed hee-ye is 15 miles, sah!

That is the speed limit on the Republic's only road, which I understand runs for 8 or 10 miles and is impassable most of the year.

An' yo' espec' me let yo' off by confessin' 10?

The judge said, "You confess you were going 10 and the speed limit is 15.

And because of that confession I am not going to acquit you." That is typical African judgment.

No, sah. Twenty dollars fine. Soldiers of the Republic!

This is what the League reports.

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

Mr. EASTLAND. I yield.

Mr. LUCAS. Is the Senator making an argument that there ought to be greater speed in Liberia or on the floor of the United States Senate?

Mr. EASTLAND. I am presenting the conditions in Liberia to show the incapacity of the Negro race.

Mr. LUCAS. I understand that, but the Senator was talking directly about the speed allowed there.

Mr. EASTLAND. So far as speed on the floor of the Senate is concerned, I will tell my distinguished friend, the Senator from Illinois, that I think we are making fine progress toward the passage of this bill.

Mr. LUCAS. I regret I cannot agree with my distinguished friend, but it occurred to me that he is making about the same speed with this bill that people make in Liberia on the road he speaks of.

Mr. EASTLAND. I hope so. We have plenty of time. We can continue till Christmas. We can continue for 15 more months or 18 more months. There is no filibuster.

Mr. LUCAS. Of course, I know there is no filibuster.

Mr. EASTLAND. No.

Mr. LUCAS. But compared with the speed which is being displayed in the Senate at this time in connection with the pending legislation, driving on the road in Liberia at 15 miles per hour would seem quite fast.

Mr. EASTLAND. The Senator thinks I might be convicted by that Liberian for speeding?

Mr. LUCAS. The Senator might be so far as I am concerned.

Mr. EASTLAND. When the judge called the soldiers, what was said?

At this stern call, four scarecrows moved upon the victim—who promptly moved out, leaving 50 cents as a douceur for his prospective jailers.

A 50-cent tip. That is the court procedure in that country, a country in which there are no roads, no health system, no budget, no system of tax collection, but the system of justice we find is that set forth in this report, and then there is all this talk about equality. Listen to this, Senator:

Seen from the sea, this awful town showed nothing but a flimsy customs shed, flying the Lone Star flag which not one in a million could identify.

That is correct, Mr. President. There is not one person in a million who would know the flag of this country, which for its area has as great natural resources as has any other country in the world.

Your ship lies afar off, safe from all contact with a poisonous coast. The newcomer is aghast at Monrovia's "Broadway." Broad it is, a wide swathe cut in a jungly place, with a narrow strip in the center, trampled flat by slouching, half-naked Americoes.

Mr. President, a modern liner will not even call it a port. A modern passenger ship will not even go within the break-water because of the contagious diseases there. And the main street of town is just a path cut down through the jungle where a bunch of half-naked people walk back and forth. And, remember, they were selected as the very cream of the African race in America and sent there under a white government and under white control, to see if they were capable of development and of improving their conditions. And here we find a report of those conditions officially made by the League of Nations, which I submit conclusively shows what the capacity of this people is.

The sides form thickets of rank weeds and noisome gutters bridged here and there with broken gin cases. Even big rocks crop out on Monrovia's main street as when the world began.

No improvements, no pavement on the main street of the capital of the country—not even gravel—and a road on which, a part of the time, a speed of 15 miles an hour can be attained—perhaps.

What kind of houses do the people have in that country, which is so rich in natural resources, an area which God has blessed with natural resources to a greater extent than almost any other area of the earth? Listen to this:

Abject huts of rubble or unhewn stone, crumbling to bits and with yawning thatch, form teeming lanes full of black humanity and fearsome smells.

Cleanliness? Self-improvement? Plenty of water? No. Why? Inferiority. The people simply do not have the creative genius and capacity of the white race.

We hear a great deal of talk about racism, and condemnation of the idea of racism in America. It is said to be bad. It is said that when one is a racist he is a fascist. Mr. President, a man bereft of racial pride is weak. There is something wrong with him. I say frankly that I am proud of the white race. I am proud that the purest form of white blood flows in my veins. I know that the white race is a superior race. It has ruled the world. It has given us civilization. It is responsible for all the progress on earth. When we lose racial pride, when we tear it down and destroy it, as the Communists, the CIO, and other radical organizations and minority groups are attempting to do in this country, America will be destroyed, and the end of our civilization will be at hand.

History has always shown that when races are brought in close contact one with another, unless they are absolutely segregated, amalgamation results. Step by step, yard by yard, attempts are being made concertedly by the Hillman group, by the CIO Political Action Committee, by the Negro Walter White's organization, by the Communists, and by various other groups, to tear us down, and to bring political pressure to bear, through appropriations for agencies such as this, to destroy the white race in America.

Thank God, Mr. President, I do not subscribe to such a doctrine. You can take your FEPC; you can enact your permanent legislation; you can strike down by law every safeguard, but all the

fires of hell cannot force the people of the South to permit the crossing of the color line. As a southerner I am proud of racial consciousness. I am proud that it is part of the culture of the South. As a Senator from a Southern State, I am proud to uphold those doctrines upon the floor of the United States Senate, against the radicalism of all the negroid groups from New York, Philadelphia, and other metropolitan areas of the East.

What about the houses in Liberia? When America was only 100 years old we had cities with great streets, fine public buildings, and beautiful homes. In my own State the finest houses in the world were in the city of Natchez. I have been down the Mississippi River from Baton Rouge to New Orleans. I have seen there evidences of the great pre-Civil War civilization. Great homes were built. There was culture and refinement. There was the creative genius of the white man. Compare that situation with conditions in Liberia. There the houses are of rubble and unhewn stones.

What else was there? Said the League of Nations:

Here and there a bloated carcass or a heap of filth clogs up the sewage and putrid pools overflow to invade wretched hovels in which one could not house swine.

These absolutely horrible conditions existed in the capital of the country. But the League said more:

Larger dwellings lean this way and that, as though about to collapse in the reeking lanes. Through these shuffle Liberian citizens, more indecent than any nudist—

Think of such conditions on the main street of the capital of a country. The League of Nations says that the citizens are more indecent than if they were nudists—

and partly covered with dirty rags of evil suggestion.

That is a most horrible indictment against the culture and accomplishments of the black race. I know that I will be criticized for discussing race, but I do not care. It is time for someone to talk frankly to the people of America as to where this agitation will lead. It will result in the destruction of our country.

Upon holed and rotting porches loiter other Liberians, hailing the stranger boldly in a lingo which is hard to make out at first. There are no railroads here—

Think of it. Not a railroad in the country—

no lights, no sanitation, or decent water supply.

Think of it—no railroads, no lights, no sanitation, and no decent water supply in the capital of a country with a population of more than 2,000,000 people, with unparalleled natural resources; and yet we talk about their capacity to govern. What more proof does any one want?

Mr. President, the position which the South takes is right; and I predict that when there is a greater migration to northern sections the white people there will have the same feeling we have, and will take the same position we take. I thank God that we do not have in the

South conditions such as those which exist in the city of New York, a mongrel city composed largely of aliens, which is attempting to foist its will and doctrines upon the Anglo-Saxon citizenship of other sections of the United States.

Besides this capital of a League of Nations member, a village of Hottentots or Zulus is a model settlement.

As for the "White House" of this black inferno—

Listen, Mr. President, to the description of the "White House" of this country, the home of its president—

And the Congress, Treasury and the public offices—

Listen to this—

These depressed me even more than the bestial squalor of the streets. How consular foreign officers, as well as American and European traders, can live there and keep their reason is an eloquent tribute to the soul-strength of civilized man.

Now let us see about the school system which exists under this great African culture:

The mission schools—

Said the League of Nations—

form a bright spot in this darkling hell. Where is the white visitor to stay? What shall he eat, how escape these frightful odors, from which our house dogs would flee?

The odors are so bad on the main streets of the town, Mr. President, that the house dogs of America or of any other country, says the writer of the article, would flee; they would not stay in such a place.

I read further:

The consular corps are very kind to callers, and so are the missionaries. And always there is the nearby jungle—

So, to get away, they have to go out into the jungle, the writer says—

And always there is the nearby jungle, where at least one can breathe without retching. One may even encounter wild beasts that are clean, and stark savages who are not "Americoes", but men and women of self-respect and poise.

Truly this Liberia is a haunting memory; it is also proof positive—if any were needed—that the Negro nation is a contradiction in terms. Look at Haiti's incredible record since Napoleon's legions sickened and died there long ago. I was in Port-au-Prince in 1915 when raging citizens dragged their President limb from limb, and then paraded past the legations, waving bits and scraps of their late Chief Executive, who had fled for refuge to the Minister of France.

So, Mr. President, the writer of the article proceeds to tell of conditions in another typical example, the Republic of Haiti. I read further:

Yet, how beautiful a land is Haiti; a tropic Switzerland, where coffee and cotton grow wild. But if that Carib paradise is hopeless, what shall I say of freedom's own realm, which calls itself Liberia?

As a political problem—

Just as the Negroes have become the great political problem of America, the League of Nations says that on the world scene Liberia is a political problem—

As a political problem, this lurching republic persists, the League wants to wash it out of Geneva, once and for all. But where?

In other words, they are like we in the United States are; the League has Li-

beria on its hands, and wants to get rid of it. But where? We have 12,000,000 of them on our hands, and we would like to get rid of them. But where?

I read further:

All signs point to the custody of the United States. But surely Washington will have a say to that. The League Council has withdrawn assistance from the Black Baby whose tantrums have disturbed its harmony these many years—just as they jarred on Theodore Roosevelt in 1909 over the endless debt adjustment.

Great Britain—after a recital of misdeeds for which her Lord Privy Seal finds it hard to apply terms sufficiently strong—seeks to dump this founding into somebody else's arms.

Mr. President, that is typically English. England has loaned them money; she has financed them. She has found that she cannot get back any of the funds she has advanced, and now she is in trouble there, so she wants to give Liberia to the United States. The British usually do those things.

Now, listen to what the British said:

"It is the view of His Majesty's Government," Mr. Eden told the full Council in Geneva, "and I state it with the utmost earnestness—that Liberia has so grossly failed in her obligations as a member of the League of Nations, that the League is quite entitled to consider her expulsion under paragraph 4, of article XVI."

Very well. But the Black Orphan—like the dead cat in the cistern—is still there. Who is going to care for it? The British Minister goes on to tell us. "On humanitarian grounds" it was proposed "to approach the United States Government."

Mr. President, there is always some ground for turning to us when England gets her hands full. When she has something she wants to get rid of, on humanitarian grounds or business grounds or some other grounds, she approaches the United States, and we are generally gullible enough to do whatever the British want.

The writer said further:

Since that power—

Talking about us—

appeared to be most closely associated, both historically and economically, with Liberia.

Of course, Mr. President, no country can be economically associated with Liberia, because Liberia has absolutely no economy. Its principal industry is the collection of taxes by murder, robbery, loot, and the sale of human beings into slavery.

I read further:

There you have it. A back door is to be found in the White House for a black wail that nobody wants. The French Foreign Minister agreed to this.

Oh, yes; Mr. President, the French Foreign Minister agreed with the British that we could take over Liberia and put up several million dollars a year to run it.

I read further:

So did Baron Aloisi on Italy's behalf. The League Rapporteur said ditto, and the entire Council concurred. So Europe was through with this clinging curse. To America these "Americoes" properly belonged. Over there was their open door. State Secretary Grimes and Mr. Sottile put in a strong Monrovia protest at this slur upon their sovereignty.

Nobody heard them. Neither has anybody heard from President Roosevelt about a new code of conduct for the founding which the League would push into his all-embracing arms!

Mr. President, what more proof could be required of the incapacity for self-government, for advancement, for social relationships, than the experiences of the Republic of Liberia?

I have no prejudice against the Negro. I believe in economic equality for him. I believe in equal pay for equal work. I believe that every Negro is entitled to kind, just, and considerate treatment. I have defended Negroes in court on numerous occasions. Several of them are personally employed by me in my business. I know their shortcomings. I know what they can do. I am speaking in behalf of racial harmony in America. There is an attempt being made by the Communist Party, which knows the desire of the Negroes for social equality, to inflame them, and, step by step, tear down the safeguards and segregation practices which have been established in the United States. I know that my country is in danger. I have discussed Liberia not for the purpose of criticizing the Negro race, but for the purpose of warning the American people of the limited capacities of the Negro race and what will happen to us if the safeguards to which I have referred are destroyed, and if the races in this country are constantly brought into contact with each other. History will repeat itself in America as it has in every country of the world which has permitted the crossing of the color line.

Mr. President, the very first step down the road to amalgamation and social equality is the granting of political equality. The Negroes vote as a unit. They place their votes upon the auction block and sell them to the politicians who promise them social rights and social privileges. We talk about economic privileges and economic rights.

Those are secondary with the agitators and with the colored leaders. They seek social equality in America.

A few minutes ago the Senator from New Mexico, my good friend [Mr. CHAVEZ] asked me if I could cite a single case on the question of constitutionality in connection with this subject, and of our inability, because of the Constitution, to make the requested appropriation. We do not have the constitutional authority to appropriate money to the agency established under the Executive order to which reference has been made because, as I have already said, no legislative safeguards were provided, and no standards set up. The authority granted was a pure delegation of legislative authority, and therefore it was unconstitutional.

The case of the *Wichita Railroad and Light Company v. the Public Utilities Commission* (260 U. S., p. 48) is a case in point. I read from the decision. The Supreme Court of the United States said:

In creating such administrative agency, the legislature, to prevent its being a pure delegation of administrative power, must enjoin upon it a certain course of procedure and certain rules of decision in the perform-

ance of its functions. It is a wholesome and necessary principle—

Listen to this, Mr. President—

that such agency must pursue the procedure and rules enjoined, and show a substantial compliance therewith, to give validity to its action.

The Court further said:

That to prevent there being a pure delegation of legislative authority which violates article I of the American Constitution, we must enjoin upon it a certain course of procedure and certain rules of decision in the performance of its functions.

A certain course of procedure and rules of decision. The Supreme Court of the United States has said that that is necessary. Otherwise we would be delegating legislative authority. However, by making the appropriation which we have been requested to make, we would be attempting to give validity to an Executive order which clothes a commission with blanket authority to write any rules, follow any course of procedure, prescribe any punishment, or do anything which it desires to do just so long as its acts result in taking white men out of jobs and giving them to members of minority groups so that votes may be obtained next November. That is the bug under the chip. It is the vote; it is politics. This is a long step toward the destruction of the American system, and by giving Government the control of management we take a long step down the road to communism.

The success of any business, Mr. President, depends upon the ability of the management to select competent, loyal employees. On that principle we have built the greatest industries in the world; we have created the greatest industrial machine in the history of the world. And now, in order to get Negro votes, we are destroying it and turning over to a board here in Washington controlled by Sidney Hillman, and crackpots like this fellow Ross, the power to say who is qualified for a certain job. Now we are transferring that authority; we are taking it away from management. We are depriving the labor unions of the right to say who can belong to them and lodging it in this board.

Mr. President, let us see who these employees are, let us see what kind of people they are. In the first place, the very least thing we could do would be to see that the white man, the Anglo-Saxon, the American, should get justice. Justice is all he wants; but under this setup, could he get justice?

I have to hold my nose when I read some of these names.

Washington office. Malcolm Ross, chairman, \$8,000 a year.

No one knows anything about Ross except that he associates with Communist groups, and we can judge him by his associates. He went to New York a few nights ago and made a speech to a radical rally in order to bring pressure on Congress, to control us from New York.

Deputy chairman, George M. Johnson, colored, salary, \$8,000 a year.

Mr. President, I am reading the personnel of the Committee on Fair Employment Practice:

Maceo Hubbard, \$5,000 a year.
Emanuel Bloch.

I shall have something to say about this Bloch later. We are placing Communists over every business and every labor organization in the United States. Bloch gets \$5,000 a year. He is a hearings examiner.

Evelyn Cooper, hearings examiner, \$5,600.
Max Berking, assistant to chairman, \$3,800.
Dorothy Alexander, secretary to chairman, a Negro, \$2,600.
J. Jeanne Clifton, secretary to deputy, \$2,000.

Mary Brooks, clerk-stenographer, \$1,800.
Myra Banting, white, \$1,800.

Dorothy Alexander, J. Jeanne Clifton, and Mary Brooks are Negroes, and Johnson is a Negro.

The Washington office is just a mixed up affair, and I am going to show in a few minutes that it is a menace to American industry and American labor.

Field operations.

They go out in the field and stir up complaints, send Communists out, send troublemakers to go out and get complaints, to subpoena people before them.

Of course, under the American system of government, and under our system of jurisprudence, the aggrieved party must file a complaint, but, ah, we have to get some Negro votes next November, so we will please them, and let anybody file a complaint. A person belonging to a minority group can be satisfied with conditions, yet a troublemaker will come forward, file a complaint, and have a trial in his behalf, even though the member of the minority group does not want it, even when he is against it, even if he should ask that the complaint be dismissed. Is that American? Must I stand on the floor of the Senate of the United States, Mr. President, and protest against procedures such as that?

Now let us take "Field operations."

Will Maslow, chief, white.

I shall have more to say about Maslow in a moment. He receives \$6,500.

Clarence Mitchell, principal fair practice examiner, Negro, \$5,600.

Eugene Davidson, principal fair practice examiner, Negro, \$5,600.

W. Hayes Beall, senior fair practice examiner, white, \$4,600.

Inez Mercer, fair practice examiner, \$3,800.
Eleanor Rogers, clerk-stenographer, Negro, \$1,800.

Otome Saito, Japanese, \$1,800.

Then there are a couple of Negro stenographers at \$1,800 apiece.

Now I read the personnel of the Review and Analysis Division:

John A. Davis, Negro, at the head, \$5,600.

He is in an important position. Am I to be told he would give white business justice? Am I to be told he would not be biased, when I say that without exception every claim that comes before them, every complaint that comes before them, will be against a white Anglo-Saxon? The white Anglo-Saxon is the forgotten man in America today. He is discriminated against, he is mistreated, and we have a country which, in my

judgment, is owned—lock, stock, and barrel—and run, by minority groups and for the benefit of minority groups, solely because they are organized, and the great masses of our people are unorganized.

Here is another Negro:

Marjorie Lawson, research analyst, \$3,800.
Cornelius Golightly, compliance analyst, \$3,200.

Another Negro.

India Hemphill, Negro, compliance analyst, \$2,600.

Carol Coan, white, compliance analyst, \$2,600.

Joy P. Davis, compliance analyst, another Negro, \$2,600.

Celia Hoffman, clerk-stenographer, white, \$1,800.

Joan Spaulding, clerk-stenographer, colored, \$1,800.

Mr. President, in that organization, in the Review and Analysis Division, there are six Negroes and two white persons.

In the Field Operations Division there are five Negroes, one Japanese-American, and three white persons.

In the Committee on Fair Employment Practice, in Washington, there are five Negroes and five white persons.

Let us consider the Legal Division of this organization.

Mr. MORSE. Mr. President—

The PRESIDING OFFICER (Mr. TUNNELL in the chair). Does the Senator from Mississippi yield to the Senator from Oregon?

Mr. EASTLAND. I yield.

Mr. MORSE. I asked the Senator to yield to me for the purpose of having inserted in the RECORD an article which appeared in this morning's Post under the heading—

Mr. EASTLAND. I yielded only for a question. If the Senator secures unanimous consent that I do not lose the floor by yielding I shall be glad to yield.

Mr. MORSE. I certainly do not want to have the Senator lose the floor by yielding to me. I merely wish to insert something in the RECORD.

Mr. EASTLAND. Will the Senator ask for unanimous consent that I not lose the floor by yielding?

Mr. MORSE. I make that request.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MORSE. Mr. President, I ask to have printed in the RECORD an article which appeared in this morning's issue of the Washington Post under the heading "Negro Troops Wipe Up Japs on Marianas."

GUAM, Friday, June 29.—Reconnaissance—

Mr. EASTLAND. Mr. President, I yielded to the Senator so he might have something inserted in the RECORD. I did not yield for the purpose of permitting the Senator to read something.

Mr. MORSE. I ask that the article be printed in the RECORD at this point.

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

NEGRO TROOPS WIPE OUT JAPS ON MARIANAS

GUAM, Friday, June 29.—Reconnaissance landings on six small northern Marianas Islands by American Negro troops were disclosed Thursday.

These were scouting operations in the backwash of the American advance on Japan.

Only one shot was fired during these landings. A native guide used his pistol to eliminate a Japanese who refused to surrender.

After clearing about 24 Japanese civilians and 38 natives from the six islands—Anathan, Saigan, Alamagan, Agrihan, Ascuncion, and Maug—the two platoons of Negro Infantry and their guides returned south to Saipan.

The small islands were scouted for possible emergency landings by Marianas-based B-29's, now operating from Saipan, Tinian, and Guam. The Japanese still have forces on Rota and Pagan Islands, also in the Marianas.

Data on the survival possibilities offered by the six islands is being distributed to all Army and Navy commands operating planes in the area.

Mr. EASTLAND. Mr. President, let us now consider the legal division.

Frank D. Reeves, attorney, colored, \$4,600.
Simon Stickgold, attorney, white, \$4,600.

Jerneve Gordon, clerk-stenographer, colored, \$1,800.

Senators will note that in the Legal Division there are two Negroes and one white man to pass upon the validity of complaints.

Let us now consider the Information Division. Here is where one may obtain information concerning this outfit.

St. Clair Bourne, information specialist, colored, \$3,800.

Margaret Whiting, clerk-stenographer, colored, \$1,800.

This is the Information Division, Mr. President, which helps to propagandize Congress. It is handling the propaganda which is sent over the country. Both individuals employed in that division are Negroes. The white race is not represented. Here we have the Fair Employment Practice Committee, a committee to prevent discrimination, and yet the committee itself discriminates against the white race. Mr. President, an Anglo Saxon does not have a chance there. And, seriously, that is becoming truer every day in Government departments in Washington. We are discriminated against in most departments. Frequently young ladies, Government employees, come to my office with complaints of discrimination and say they are mistreated, that they do not obtain a square deal because some minority group wants special privilege. The way things are handled by the Civil Service Commission works in their favor, and the CIO has a union—I do not know what it is called, a union of Federal employees, which always steps in against a white person in disputes which arise in the department. I make that statement seriously and I will say that down deep in the hearts of two-thirds of us we know that to be true from our own experience and information we have received from employees in the department.

Let us take the budget and Administrative Division of FEPC. This Division not only makes up the budget but administers the regulations. It is a very important Division. A white person does not have a chance there. Listen to this:

Theodore Jones, chief, colored, \$5,600 a year.

Sinclair Jeter, assistant administrative officer, colored, \$3,200.

Vivian D. Baker, clerk-stenographer, colored, \$2,000.

Bosales A. Jackson, clerk-typist, colored, \$1,620.
 Minnie A. Paynter, clerk-typist, colored, \$1,620.
 Irving Hollomon, clerk, colored, \$1,440.
 Ralph R. Selby, chief, fiscal, colored, \$2,600.
 Sylvia B. Ross, voucher auditor, colored, \$2,000.
 Otelia Nelson, accounting clerk, colored, \$1,620.
 Elizabeth Carpenter, accounting clerk, colored, \$1,620.
 Pearl T. Brent, accounting clerk, colored, \$1,620.

There we have seven employees, and not a white person among them. And yet the object of the agency is to prevent racial discrimination. Justice? Fair play? Oh, no. Mr. President, these minority groups are not seeking justice. They are not seeking fair play. They are seeking and securing special privilege. And when we provide this appropriation and set up this agency it will result in discrimination against every white soldier who returns from the war. As I have said several times this afternoon—and a number of Senators are now present who were not present when I said it before—there exists an agency to see that the Negro or other minority individual gets a job, but what have we to help the white boy who is the boy who won the war, the boy who did the fighting?

Let me digress a moment from reading the list of employees of that agency. The other day I read an article from the city of New York. A manufacturer there was fearful of the State set-up. He had cut back. He had to fire some employees, whom did he fire? Did he fire Negroes? Did he fire Jews? No. Why? He was afraid of the FEPC. He fired Anglo-Saxons. That is the effect of this law. We are asked to set up and condone a similar system for all America. We are asked to do it in the name of freedom and democracy. The Democratic Party is founded on the basic principle of equal rights for all and special privileges for none. Here we have a group of Democrats supporting a measure to give special privileges to minority groups.

We come now to the Mail and Files Division of this agency which is to prevent racial and religious discrimination. The mail and files division has six employees, as follows:

Lela Douglas, chief, mail and files, colored, \$2,000.
 Selena Welch, docket clerk, colored, \$1,800.
 Jessie Gamble, file clerk, colored, \$1,620.
 Rose Phillips, file clerk, colored, \$1,440.
 Charles Reed, messenger, colored, \$1,380.
 Regina Mitchell, file clerk, colored, \$1,440.

All six employees are Negroes. Why was the white race discriminated against in setting up these two powerful branches of this organization?

We now come to the New York office, the office which will largely have control and supervision of the great business and industrial enterprises of the world's metropolis. Let us see what kind of persons are at the head of that organization. Let us see in whose hands we are reposing this tremendous power and authority.

Edward H. Lawson, regional director, colored, \$5,600.
 Madison S. Jones, fair-practice examiner, colored, \$3,800.

Robert G. Jones, fair-practice examiner, colored, \$3,800.
 Daniel R. Donovan, fair-practice examiner, \$3,800.

He is a white man. God help him in that organization, with that association.

Miriam Irish, clerk-stenographer, colored, \$2,000.
 Tillie Asepha, clerk-stenographer, \$1,620.

The list states that she is white. I do not believe it.

Sonia Schwartz, clerk-stenographer, white, \$1,620.

That is the group which is to assist Governor Dewey, a man who has betrayed his race, the weakest man ever nominated for the Presidency.

I come now to the Philadelphia regional office of this organization. Philadelphia is the city of brotherly love, the Quaker City, the city where everyone can get a square deal. Let us see if the white race gets a square deal through this organization in Philadelphia, a great industrial metropolis, in the State which is the industrial heart of America, a State operating under the American private enterprise system, which has built up sufficient industry in that one State to produce arms and implements of war to defeat the Japanese. Industry in Philadelphia is a monument to the genius of the American people. It is a monument to the genius of the white race in America. It is a monument to the American system of private enterprise which brought it into being.

Let us see who are the members of the crowd which, in the last analysis, will have control of all that industry. They are going to have the right to say who can be hired and who can be fired. When they say that one man can have a job, they necessarily say that another man cannot have a job. Let us look at the list:

James G. Fleming, regional director, colored, \$5,600.
 Mildred Greenblatt, fair-practice examiner, white, \$3,800.

Well, I would hate to trust my case in Mildred's hands.

Milo Manly, fair-practice examiner, colored, \$3,800.
 Samuel R. Risk, fair-practice examiner, white, \$3,800.

Willard Grinnage, fair-practice examiner, colored, \$3,200.

Helen Gorgas, clerk-stenographer, colored, \$1,800.

Karyl Klinger, clerk-stenographer, white, \$1,800.

Grayce Brown, clerk-stenographer, colored, 1,400.

Out of eight individuals, five are Negroes and three are whites—Mildred Greenblatt, Samuel R. Risk, and Karyl Klinger.

Mr. President, I imagine there is a great deal of brotherly love when that crowd gets together in Philadelphia.

Now, let us see whom they have down at Washington:

Joseph Evans, regional director, colored, \$5,600.

Theophilus Houston, fair-practice examiner, colored, \$3,200.

Alice Kahn, fair-practice examiner, white, \$2,600.

Ruby Chisolm, clerk-examiner, colored, \$1,800.

Dorothy Urback, clerk-stenographer, colored, \$1,620.

In the Washington office of this agency to remove and prohibit economic discrimination, they have four Negroes and one white person. Is the white race discriminated against? Oh, no; they say! As I have said before, the object of this agency is not to remove discrimination, but to grant special privileges to a certain group in this country. Regardless of what anyone may say about it, that is the way it will work. From the reports, that is the way it has already worked in the city of New York.

Mr. President, I predict that if there is a filibuster and if cloture is voted—I do not think it could happen under any conditions, provided there was a filibuster—and if this agency is set up, and is set up in other northern States, all these acts will be repealed in a few years. Say what you please, sentiment against the FEPC is much stronger in America today than it was a year ago. Why is that? Why is it growing? It is growing because labor, the industrial workers, and the masses of the people are becoming wise as to what is behind these measures.

Mr. President, I am proud of my country. We have a great country. I am proud of her system of government. I am proud of her guaranties of human liberty. I am proud of her court system. I have seen much of the world; and, thank God, America is the greatest Nation known in history. Our system, with all of its faults, is much superior, much finer, much better than the governmental and economic systems of any other nation. I hate to see all that swept away. I hate to see serious encroachments made that will destroy the system which has made my country great. Thank God, Mr. President, the man who has faced death, the man who has smelled blood, the man who has smelled the odor of decaying bodies, the man who has seen his friends offer the supreme sacrifice for his country, the man who has gone through all that hell of hells to bring glory to America—our white soldier—thank God he thinks about it just as I do.

It is proposed to rush through this measure. Oh, yes, Mr. President; I say again that the organizations behind it are afraid to wait until the soldier returns home. They want to change our government, they want to have the fact accomplished, before he gets back.

But I go on. I digressed for a moment, for which I am sorry. Now I shall proceed to discuss the Cleveland office of the FEPC. Let us see what this nondiscrimination crowd has in Cleveland:

William McKnight, regional director, colored, \$4,600. Olcott R. Abbott, fair-practice examiner, white, \$3,800. Lethia Glore, fair-practice examiner, colored, \$3,200. Berniza Kelley, clerk-stenographer, colored, \$1,620. Edna Wasem, clerk-stenographer, white \$1,800.

Mr. President, in Cleveland they have three Negroes and two whites—Olcott R. Abbott and Edna Wasem. How will the great people of Ohio feel about being dominated by a group such as that? In a few moments I shall show, Mr. President, the connection of some of these

people with radical organizations, subversive organizations, that are enemies of my country.

Now let us consider the Cincinnati office, the city from which comes my good friend the able senior Senator from Ohio [Mr. TAFT]. I am sure the office there is not his patronage. I will bet he would have made better appointments than these:

Harold James, fair-practice examiner, white, \$4,600.

There is a vacancy there for a clerk-stenographer at \$1,800. I am going to show some matters, in a few minutes, about the background of Harold James—at least, I think I am. As I remember, he has quite a background, although I might be mistaken about that.

But let us consider now the Detroit office:

Edward Swan, examiner in charge, colored, \$4,600.

Doris K. Sese, clerk-stenographer, Japanese-American, \$1,620.

So they have a colored man and a Jap there. I certainly know that the business and labor men of Detroit are grateful for the consideration which they receive from those two individuals. So far as I have gone in reading the names of the employees in those regional offices, and in the office in Washington, it will be noted that not one of them would give a white man a chance. Not one of them would give an Anglo-Saxon a chance. The offices are established for the purpose of granting special privileges to minority groups and to discriminate against and mistreat the members of the white race in order that a few Negro votes may be won next November.

Mr. President, let us consider the Chicago office:

Elmer Henderson, regional director, colored, \$5,600.

Harry H. Gibson, fair-practice examiner, colored, \$3,800.

Joy Schultz, fair-practice examiner, white, \$3,800.

LeRoy Williams, fair-practice examiner, colored, \$3,200.

Penny Zeidman, clerk-stenographer, white, \$1,800.

Marguerite S. Ingram, clerk-stenographer, colored, \$1,620.

Yes; the Chicago office has five Negroes and two whites, and I may say that I know at first hand something about the functions of the Chicago office. Today I talked to a friend of mine from the city of Chicago who has had trouble with the organization there. He was compelled to discharge some white employees in order to afford jobs to members of a minority group which he did not wish to employ, and about whose loyalty he felt rather dubious. Yet, the FEPC is an organization which, according to some, is for the purpose of eliminating discrimination. It is an organization for the purpose of taking employment from white persons and giving it to members of minority races. It is an organization for the purpose of discriminating against the white race, a movement which is under way to win some Negro votes next November.

Let us consider Atlanta, Ga., a city of the South. Mr. President, it was disgraceful to put this agency in a Southern

State. I digress long enough to state there is no discrimination in the South against the Negro. I make that statement on the strength of what has been said by a man by the name of Ross, who is the head of the FEPC. He stated that less than 10 percent of the complaints which were made to the FEPC came from the South. Many persons stated that it is a group of Negro-hating southern Democrats who are fighting the FEPC. Yet, the head of the FEPC stated that that agency had experienced very little trouble in the South, and had received few complaints from the South. Most of the complaints come from the North. What we of the South are doing, Mr. President, is to fight in order that we may preserve the American system.

Let us consider the disgraceful conditions existing in the Atlanta office. The first thing which was done there was to provide equal lavatory and wash-room facilities. The crowd in control there insisted upon tearing out the partition separating the whites from the blacks and bringing the two races into contact with each other. It was claimed that the tearing out of the partition was done on the ground of economic equality and the elimination of discrimination. Why, Mr. President, such a program as the one established in Atlanta, Ga., has followed the Communist line from the very start.

I ask Senators to listen to the names of those who constitute the personnel of the office in Atlanta:

Witherspoon Dodge, regional director, white, \$4,600.

John Hope, fair practice examiner, colored, \$3,800.

George D. McKay, fair practice examiner, white, \$3,200.

Sally Chubb, clerk-stenographer, white, \$2,000.

Thelma Ingram, clerk-stenographer, colored, \$1,800.

Mr. President, what was done in Atlanta, in the heart of good old Georgia, that great American State which is one of the seats of southern culture? I am proud of southern culture, and I believe it is superior to the culture of people anywhere else. Those in authority at Atlanta established a mongrel outfit consisting of two Negroes and three whites, and then tried to fly in the face of social customs of the southern people.

Let me read the names of the personnel at Kansas City:

Roy A. Hoglund, regional director, white, \$5,600.

Eugene Ormabee, fair practice examiner, white, \$3,800.

Mildred Jones, clerk-stenographer, colored, \$1,620.

Helen G. Schillen, clerk-stenographer, white, \$1,620.

Kansas City has been treated better than has any other city. In the office there three whites and one Negro are employed. It will be noted, however, that, generally speaking, the Negroes compose more than half of the employees of this organization. In fact, they compose approximately two-thirds of the total number of employees. However, in relation to the total population of the United States, the Negro race comprise approximately one-twelfth.

It will also be noted, as my friend the distinguished Senator from Arkansas has pointed out, the Negroes have good jobs, some of which are the cream of the office. In spite of that fact, some will say that the FEPC does not practice discrimination against the white race.

Now let us go to St. Louis. Theodore Brown is in charge, a Negro, \$3,800.

Levine Morris, examiner, white, \$3,200.

Armatha Jackson, clerk-stenographer, Negro, \$1,620.

There are two Negroes and one white, who have been selected, I do not know where, but I have been troubled as long as I have been in the United States Senate about this.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. EASTLAND. I yield for a question.

Mr. JOHNSTON of South Carolina. I wish to ask consent of the Senate that I be recognized the first thing tomorrow, provided the Senator from Mississippi has finished with his speech this evening or tonight.

Mr. EASTLAND. I shall be through.

The PRESIDING OFFICER (Mr. SMITH in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. EASTLAND. There is somewhere in this Government a powerful unseen force that places Communists and fellow travelers in key positions, and what has troubled me is who constitutes it and where it is located. I know it exists, and I say that in all seriousness and in all candor to my colleagues in the Senate.

I think I know what the source is, but I should dislike to make an irresponsible statement here and charge someone who is not guilty, but somewhere in this Government, in some dark and secret place, there is a powerful force which fills the departments with Communists and fellow travelers, and that fact is known, in my judgment, by a majority of the membership of the United States Senate.

Those people could not get in these places in any other way. A good part of the employees of FEPC belong to subversive organizations. Who hired them? It was some powerful, radical force. In my judgment, the greatest service the Senate of the United States could render the American people would be to ferret out that source, turn the light on that power, and see that it is exterminated.

I digress again from reading the list and turn to the current appropriation for the OWI. That organization is absolutely filled with Communists. Why? How did they get there? There is a powerful unseen force somewhere.

Mr. President, two Communists wrote a book entitled "The Races of Mankind," every page of which is false. The Army began to circulate that book, but, because of opposition on the part of the Committee on Military Affairs of the House of Representatives, withdrew it. It was written by Communists—a book on social equality and racial amalgamation. Then what happened? One of the authors of the book turned up in a responsible position in OWI. I protested to the Director of OWI, and from conferring with him

I could see that his hands were tied. Down through devious lengths, from what source I do not know, the orders came that she was to be protected, and she is there today in the Overseas Branch.

Mr. President, I have stated time and again, and I repeat, there is a drive on in this country for social equality. The statement was made that OWI had never put out false information. That statement was made repeatedly on the floor of the Senate. Their representatives come before the committee and talk about the fine work they are doing, work free from communism, and no controversial subjects being discussed. Yet they did not tell of a picture they are circulating all over Europe entitled "A Better Tomorrow." During the speech on the Charter this morning I heard some reference to the better tomorrow. I saw OWI's conception of a better tomorrow, and a good part of it was entitled "An Academy of Democracy." It was nothing in the world but false propaganda for social equality, showing an alleged mixed school and horrible conditions in the city of New York, holding that out as typical of America.

Mr. President, let us get back to the Dallas office of this organization. I have been digressing.

Carlos Castenada, regional director, white, \$4,600.

There is a vacancy in the office of fair practice examiner at \$3,200. I venture to assert that it will not be filled by a white person, but that it will go to some radical Communist.

Willett Gutleben, clerk-stenographer, white, \$1,800.

Mr. President, that is some crowd to control the business and labor destiny of the great Southwest, the fastest growing and fastest developing section of America. This organization is a disgrace, its personnel is a disgrace, and as a high public duty, in my judgment, we should deny this appropriation.

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

Mr. EASTLAND. I yield provided I do not lose the floor. I ask unanimous consent that I do not lose the floor by yielding.

The PRESIDING OFFICER. Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Alken	Cordon	Johnson, Calif.
Austin	Donnell	Johnson, Colo.
Bailey	Downey	Johnson, S. C.
Ball	Eastland	Kilgore
Bankhead	Ellender	La Follette
Barkley	Ferguson	Langer
Bilbo	Fulbright	Lucas
Brewster	George	McClellan
Bridges	Gerry	McFarland
Brooks	Green	McKellar
Burton	Guffey	McMahon
Bushfield	Gurney	Mead
Butler	Hart	Millikin
Byrd	Hatch	Mitchell
Capehart	Hawkes	Moore
Capper	Hayden	Morse
Chavez	Hill	Murdock
Connally	Hoey	Murray

Myers	Stewart	Walsh
O'Daniel	Taft	Wheeler
O'Mahoney	Thomas, Okla.	Wherry
Overton	Thomas, Utah	White
Pepper	Tunnell	Wiley
Radcliffe	Tydings	Willis
Revercomb	Vandenberg	
Smith	Wagner	

The PRESIDING OFFICER. Seventy-six Senators having answered to their names, a quorum is present.

The Senator from Mississippi [Mr. EASTLAND] has the floor.

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

Mr. EASTLAND. I yield.

Mr. BARKLEY. I see no point in continuing the session at this time or in attempting to run it into the night. Under the rules of the Senate there must be a vote Monday on the cloture petition, and I see nothing to be gained by remaining in session and simply talking. It is my purpose, therefore, to move that the Senate take a recess, but before that is done, the Senator from Alabama [Mr. HILL] desires to have action taken on a bill.

Mr. EASTLAND. I have not concluded, Mr. President, but a recess is satisfactory to me.

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

Mr. EASTLAND. I yield.

Mr. McMAHON. I send to the desk an amendment to House bill 3368, under rule XXII, and ask that it may be received, printed, and read at the desk.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 4, line 18, it is proposed to strike out "\$2,500,000" and to insert in lieu thereof "\$3,370,000."

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

NATIONAL DEFENSE HOUSING

Mr. HILL. Mr. President, a few days ago the Senate Committee on Education and Labor, with almost the full membership of the committee in attendance, unanimously reported House bill 3278, which provides an additional authorization of \$30,000,000 for carrying on essential public services under the original Lanham Act. The bill was unanimously reported to the House by the House committee, and passed the House unanimously. It carries no authorization of money for additional construction of any kind under the Lanham Act, but only for essential public services such as child care, some health work, schools, and things of that kind.

I ask unanimous consent that the unfinished business be temporarily laid aside, and that House bill 3278 be considered at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama?

Mr. WHITE. Mr. President, reserving the right to object, let me say that since the Senator from Alabama spoke to me about the bill I have talked with all the minority members of the Committee on Education and Labor, and I find no objection voiced to the bill by any one of them.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 3278) to amend section 204 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, to increase the amount authorized to be appropriated therein, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

PAUL T. THOMPSON—CONFERENCE REPORT

Mr. ELLENDER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 905) for the relief of Paul T. Thompson, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the figures "\$2,750" insert the figures "\$2,000"; and the Senate agree to the same.

ALLEN J. ELLENDER,

OLIN D. JOHNSTON,

Managers on the Part of the Senate.

DAN R. McGEHEE,

EUGENE J. KEUGH,

CLIFFORD P. CASE,

Managers on the Part of the House.

Mr. WHITE. Is this a claim bill?

Mr. ELLENDER. It is.

I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

GASOLINE RATIONING

Mr. WALSH. Mr. President, recently I asked the Petroleum Administration for War for a statement concerning the present gasoline situation and what the outlook was for the future. I ask unanimous consent that the statement prepared by the Petroleum Administrator for War on this subject be printed in the body of the RECORD for the information of Members of Congress.

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

Gasoline rationing can be neither ended nor further liberalized. There is no surplus of civilian grade motor gasoline as is demonstrated by the fact that stocks at refineries and terminals throughout the Nation fell from 53,487,000 barrels on May 24 to 46,370,000 barrels on June 16. On June 30 of 1941—some 5 months before Pearl Harbor—civilian grade motor gasoline stocks totaled 75,070,000 barrels.

So far as petroleum products generally are concerned, the stocks are critically low in the producing areas of the Midwest and Southwest on which the Atlantic seaboard and other sections of the country rely heavily for their supplies. These petroleum stocks have declined from levels of a year ago despite the fact that the industry is producing at the highest rate in its history.

Intensified fighting in the war against Japan will mean that longer distances will have to be traversed by naval units; that heavier equipment must be used and that land, sea, and air operations must be stepped up vastly—all requiring immense quantities of petroleum products.

These factors point to restricted civilian supplies of petroleum products until after

VJ-day, and it is a situation which may grow worse before it gets better.

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 the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Pay Director David W. Mitchell to be a pay director in the Navy, with the rank of rear admiral, for temporary service, to rank from the 18th day of June 1943;

Commodore Virgil E. Korn, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff (shipping) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty; and Sunday captains to be commodores in the Navy, for temporary service.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Pearl C. Flinders, to be postmaster at Albertson, Montana, in place of I. G. Nichols, resigned.

The PRESIDING OFFICER (Mr. HOEY in the chair). If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTER

The legislative clerk read the nomination of Elbert W. Franklin to be postmaster at Floresville, Tex.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask that these nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the United States Public Health Service are confirmed en bloc.

LIBRARIAN OF CONGRESS

The legislative clerk read the nomination of Luther H. Evans to be Librarian of Congress.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ADDITIONAL POSTMASTER NOMINATION

The legislative clerk read the nomination of Lester J. Williams to be postmaster at Canastota, N. Y.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

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 5 o'clock and 12 minutes p. m.) the Senate took a recess until tomorrow, Saturday, June 30, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 29 (legislative day of June 25), 1945:

LIBRARIAN OF CONGRESS

Luther H. Evans to be Librarian of Congress.

UNITED STATES PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE REGULAR CORPS

To be scientists, effective date of oath of office

Wallace D. Armstrong Heinz Specht

Floyd S. Daft G. Robert Coatney

Howard L. Andrews

To be assistant surgeons, effective date of oath of office

Gaston E. Blom Marvin W. Evans
Robert H. High Vincent G. Peiffer
Robert J. Bryan Charles D. Bahl
Emory S. Moore, Jr. Warren W. Kreft
Edwin E. Wleckowski Ardell B. Colyar
James K. Martins Willie G. Simpson
Louis C. Floyd Keith F. Farr
Robert L. Smith Stephen Fromer
Leo J. Gehrig Charles D. Muller, Jr.

William P. Blocker, Jr. Norman C. Morgan
Clinton C. Powell Martin J. Ittner
Arthur L. Koven Robert L. Cannon
Manrico A. Troncelliti Leo P. Krall, Jr.
Charles E. Carter Eric P. Lofgren
Irwin M. Boozer Robert E. Staff
Leland C. Burrill Robert J. Burleson
Lee H. des Bordes Wade H. Etheridge
Thomas O. Dorr John Simon, Jr.
Edward N. Maxwell John W. Smillie 2d

Warfield Garson Robert A. Brennan
Arthur E. Rikli Sidney Krohn
Walter D. Richards William P. Ramey
Junius A. Evans Richard E. Markley
Philip T. Williams, Jr. Elliott L. Harlow

To be passed assistant surgeons, effective date of oath of office

Leonard M. Schuman John C. Hume
Lewis E. Nolan Harry E. Tebrock
Burnet M. Davis Roy Hertz
Fred W. Thyng William C. Bown
Leroy R. Allen Mark E. Myers
John K. Stalvey, Jr. Daniel MacKillop
Theodore E. Hynson Lewis C. Robbins
Sol R. Baker Raymond Hofstra
Bernard B. Davis Charles W. Jones
Gilcin F. Meadors Frederick C. Kluth
Emerson Y. Gledhill Elton S. Osborne, Jr.
L. G. Johnson Philip L. Spencer
Glenn H. Algire Robert W. Rasor
Mary Walton Jack A. End
Leo W. Koster

To be temporary passed assistant surgeons, effective date indicated

Isaac M. Zigler, April 1, 1945.
Francis S. Schwarz, Jr., May 1, 1945.
Rheim M. Jones, May 1, 1945.
Reuben B. Widmer, June 1, 1945.
George W. Gibbins, June 1, 1945.

To be temporary surgeons, effective date indicated

Harry F. White, Jr., May 1, 1945.
Gene B. Haber, May 1, 1945.
Albert N. Sarwold, May 1, 1945.
Curtis G. Southard, January 17, 1945.
David W. Scott, Jr., May 1, 1945.
Verne C. Waite, May 1, 1945.
Michael J. Clarke, May 1, 1945.

To be temporary senior surgeons, effective date indicated

Waldemar J. A. Wickman, May 1, 1945.

Eugene W. Green, May 1, 1945.

Dean A. Clark, June 16, 1945.

To be temporary medical directors, effective June 1, 1945

Kenneth R. Nelson

Oliver C. Wenger.

To be senior dental surgeon, effective May 29, 1945

Allen M. Perkins

To be passed assistant surgeons, effective date indicated

David S. Ruhe, July 1, 1945.
Elmer L. Hill, July 1, 1945.
Otis W. Yeager, July 1, 1945.
Robert S. McClintock, July 15, 1945.
William H. Errgong, July 1, 1945.
Anthony J. Lund, July 1, 1945.
George A. Shipman, June 30, 1945.
James L. Elliott, July 1, 1945.
George W. Comstock, July 1, 1945.
C. Dudley Miller, July 1, 1945.
Herbert E. Pedersen, July 1, 1945.
Robert H. English, July 1, 1945.
Marion B. Richmond, July 3, 1945.
William C. Lewis, July 6, 1945.
Chester M. Sidell, July 1, 1945.
William C. Jenkins, July 1, 1945.
Robert M. Foote, July 1, 1945.
Frank A. Buell, July 13, 1945.
Randolph P. Grimm, July 1, 1945.
I. Ray Howard, July 1, 1945.
Carl R. Kunstling, July 1, 1945.
Willys M. Monroe, July 1, 1945.
Andrew P. Sackett, July 1, 1945.
Robert N. Bord, July 1, 1945.
Lloyd F. Summers, July 1, 1945.
H. Charles Franklin, July 1, 1945.
Herbert F. Hager, May 11, 1945.
Carruth J. Wagner, July 1, 1945.
Edward T. Blomquist, July 1, 1945.
Roy A. Darke, July 1, 1945.
John C. Cutler, July 1, 1945.
John J. Davies, July 1, 1945.
Leon A. Heppel, July 1, 1945.
Eugene J. Gillespie, July 1, 1945.
Bertrand E. Bennison, July 1, 1945.
Robert M. Thomas, July 1, 1945.
John B. Spriggs, July 1, 1945.
William L. Hewitt, June 1, 1945.
Arthur Kornberg, July 1, 1945.

IN THE MARINE CORPS

TO BE SECOND LIEUTENANTS

James E. Johnson Albert E. Bailey
Julian Willcox George S. Walz
Henry Brzezinski Keigler E. Flake
Ross V. Swain Bruce G. Warren
John D. McLaughlin Welby W. Cronk
Theophilus A. Pierce

POSTMASTERS

NEW YORK

Lester J. Williams, Canastota.

TEXAS

Elbert W. Franklin, Floresville.

HOUSE OF REPRESENTATIVES

FRIDAY, JUNE 29, 1945

The House met at 12 o'clock noon.
The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Beneath Thy mighty hand, Almighty God, we humble ourselves and praise Thee that Thy sway is not over a broken humanity, but over free and loving hearts. How marvelous is Thy providence; each day it dawns upon us with the beauty and promise of the morning. Thou hast spoken through holy men of

old; as Thy spirit directed them, do Thou invigorate the purposes of our souls, adding sincerity to sincerity, earnestness to earnestness, and endeavor to endeavor.

Keep us far from that barren existence which is devoid of any great objective other than self. Grant that the decisions of the Congress may be born of a genuine, generous spirit of cooperation, protecting the claims of a just and a free people. Do Thou each day set before us the goal of high character which is the true achievement of life. Create within us a greater determination to build up our spiritual natures with the sentiments of love, fidelity, and brotherhood. We commend unto Thee our notable Speaker, the leaders and the Members and all who are associated with this Chamber. Through Christ. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. J. Res. 30) entitled, "Joint resolution extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3024) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 5, 11, 14, 50, 64, 65, 123, 129, 145, 154, 155, 156, 160, 165, 176, 177, 178½, 181, 258, 264, 280, and 320 to the foregoing bill.

ADDITIONAL COPIES OF HEARINGS RELATIVE TO UNIVERSAL MILITARY TRAINING

Mr. BULWINKLE. Mr. Speaker, I present a privileged resolution (H. Res. 307) from the Committee on Printing and ask for its immediate consideration. The Clerk read as follows:

Resolved, That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Select Committee on Post-War Military Policy of the House of Representatives, be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of part 1 of the hearings held before said committee during the current session, relative to universal military training.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. WASIELEWSKI asked and was given permission to extend his remarks in the Record and include an article from the Washington Evening Star of yesterday.

TWO THOUSAND FIVE HUNDRED DOLLAR EXPENSE ALLOWANCE FOR MEMBERS OF THE HOUSE TAXABLE INCOME

Mr. ROBERTSON of Virginia. 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 Virginia?

There was no objection.

Mr. ROBERTSON of Virginia. Mr. Speaker, I recently wrote the collector of internal revenue to know whether or not the \$2,500 expense allowance for Members of the House of Representatives would be treated as taxable income. He advised me that the allowance will be taxable on the same basis as our \$10,000 salary, which is, of course, the answer which I expected.

Next week the Treasury Department will send me a letter outlining the deductions which Members of Congress are authorized to make against gross income, and when that letter is received, I shall publish it in the Record. The biggest item of expense for a Member of Congress which is allowed all businessmen who come to Washington to transact business will not be included in the items that can be deducted, and that item is living expenses.

EXTENSION OF REMARKS

Mr. TRIMBLE asked and was given permission to extend his remarks in the Record and insert excerpts from a letter.

Mr. HEFFERNAN. Mr. Speaker, I ask permission to extend my remarks in the Record and to include therein a copy of a citation Sgt. Loring M. Black, Jr., received when he was awarded the Bronze Star. Sergeant Black is the son of former Congressman Loring M. Black, who represented the Fifth Congressional District of New York, several years ago. I wish to also include an address by Maj. Gen. George F. Lull, Deputy Surgeon General, United States Army, to the graduating class of the Jewish Hospital of Brooklyn School of Nursing, Brooklyn, N. Y., on June 4, 1945.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STEWART asked and was given permission to extend his remarks and include therein a radio broadcast made on June 24 by Upton Close over the National Broadcasting Co.

Mr. PLUMLEY asked and was given permission to extend his remarks and include an editorial.

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the Record and include an editorial written by John O'Donnell, one of the outstanding newspapermen of Pennsylvania.

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

There was no objection.

Mr. ELLIS asked and was given permission to extend his remarks in the Appendix of the Record and include an editorial.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to ex-

tend my remarks in the Record and include a fine speech made by Dr. John W. Scoville, economist for the Chrysler Corp. His subject was: Full Employment, Dream or Possibility.

Mr. Speaker, I have referred this matter to the Government Printing Office and find it exceeds the limit established by the Joint Committee on Printing. I am advised it will take three pages and cost \$156.

The SPEAKER. Notwithstanding the cost, without objection the extension may be made.

There was no objection.

Mr. THOMAS of New Jersey asked and was given permission to extend his remarks in two particulars, in one to include an editorial from the Paterson Evening Sun, and in the other an editorial from the Delaware Valley News.

Mr. FORAND asked and was given permission to extend his remarks in the Appendix and include therein a resolution.

A MODERN MIDNIGHT RIDE BY PAUL REVERE

Mr. ERVIN. 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 North Carolina?

There was no objection.

[Mr. ERVIN addressed the House. His remarks appear in the Appendix.]

PRICE CONTROL

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

[Mr. ELLIS addressed the House. His remarks appear in the Appendix.]

RESTORATION OF BILL S. 311 TO PRIVATE CALENDAR

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent that the bill, S. 311, may be reinstated on the Private Calendar. I have contacted the other objectors, as well as the leadership, and they concur in this request.

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

There was no objection.

THE WAR MANPOWER COMMISSION

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

[Mr. VURSELL addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. SCRIVNER asked and was given permission to extend his remarks in the Record on the subject of the plight of older soldiers, and to include excerpts.

Mr. PRICE of Illinois asked and was given permission to extend his remarks

in the RECORD and to include a resolution on the late President Franklin Delano Roosevelt adopted by the Fraternal Order of Eagles at Granite City, Ill.

PERMISSION TO ADDRESS THE HOUSE

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes on July 5 after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered.

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

There was no objection.

PRESIDENTIAL SUCCESSION

Mr. SABATH. Mr. Speaker, I call up House Resolution 306 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That 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 consideration of the bill (H. R. 3587) to provide for the performance of the duties of the office of President in case of the removal, resignation, or inability both of the President and Vice President. That after general 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 the Judiciary, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. SABATH. 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. 132]

Baldwin, Md.	Hand	Roe, N. Y.
Baldwin, N. Y.	Hart	Russell
Barden	Hays	Savage
Barry	Hébert	Sharp
Bell	Hobbs	Sheppard
Bloom	Hook	Simpson, Pa.
Bradley, Mich.	Jarman	Smith, Ohio
Buckley	Johnson, Ind.	Snyder
Bunker	Johnson, Okla.	Somers, N. Y.
Burgin	Kearney	Stigler
Butler	Keogh	Sumner, Ill.
Cellar	Kilburn	Taylor
Cole, N. Y.	Lane	Thom
Cooley	Lesinski	Weiss
Cox	Luce	White
Dawson	Lynch	Whitten
Dickstein	McGlinchey	Wilson
Earthman	Morrow	Winter
Eaton	Morrison	Wood
Fernandez	O'Neal	Worley
Geelan	Ploeser	
Granger	Powell	
Grant, Ind.	Rayfiel	
Hall	Rich	
Leonard W.	Rodgers, Pa.	

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

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF REMARKS

Mr. RANDOLPH asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. JUDD asked and was given permission to extend his remarks and include a statement made on the radio broadcast Town Meeting of the Air.

Mr. BATES of Massachusetts asked and was given permission to extend his remarks and include an excerpt showing official temperatures in the Persian Gulf area.

Mr. HAGEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech delivered on June 26 at the Food Forum in Chicago, Ill., on the subject of Europe's food and health situation, by Roy F. Hendrickson, Deputy Director General of the United Nations Relief and Rehabilitation Administration.

I am advised by the Government Printing Office that this exceeds the limit established by the Joint Committee on Printing and that it will cost \$208. Notwithstanding the cost I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection the extension may be made.

There was no objection.

PRESIDENTIAL SUCCESSION

The SPEAKER. The gentleman from Illinois [Mr. SABATH] is recognized.

Mr. SABATH. Mr. Speaker, later on I shall yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. Speaker, this resolution makes in order the immediate consideration of the bill H. R. 3587, known as the Presidential succession bill, which provides for the performance of the duties of the office of President in case of the removal, resignation, or inability both of the President and Vice President. The rule provides for 2 hours general debate, after which it will be read under the 5 minute rule for amendment. This rule has been reported by unanimous vote of the Rules Committee, although there was some division in the Judiciary Committee that considered and reported the bill originally.

The legislation is recommended by the President of the United States. It is important legislation, and I know that it will be thoroughly explained to the House by the able chairman of the Committee on the Judiciary, the gentleman from Texas [Mr. SUMNERS].

Mr. Speaker, personally I hope that the time will never come when there will be need for this legislation, but life is uncertain and we can never tell what will happen. In the past the country has been deprived from time to time of the services of its Chief Executive, the President. Only a few short weeks ago we lost one of the greatest Presidents of the United States, but the country was indeed fortunate to have a Vice President, who, I am sure, being of the people, will continue to be with the people and

serve the people as he has in the past. I know it is the united sentiment of the people of America that he continue not only in the present term but when the term is over his achievements will be such that he will be called upon to serve again for another term. But, as I stated, life is uncertain.

May I also say at this time that we are extremely fortunate in having one of the outstanding Speakers of the House, a most beloved, capable, and experienced Speaker who has ever served this House. I know it is our fervent wish that he will not relinquish his service here and that he will continue to serve as our Speaker for many, many years to come. We hope that our great President will continue in his capacity for the present term and to continue beyond this term to serve the Nation.

If misfortune should befall our country and a vacancy should occur in the Presidency, under the provisions of this bill, a successor is provided. In such event, our capable and experienced Speaker, as I have stated, would fill such vacancy, and his place, I am sure, would be taken by our able, efficient, and well-informed majority leader of the House, the gentleman from Massachusetts, JOHN W. McCORMACK.

Mr. Speaker, I hope that none of these things will happen, and that the necessity for the provisions of this bill will not arise. May the Almighty protect and guide President Truman in carrying out his manifold duties and to give him health and strength in shouldering the heavy responsibilities of his office.

Since all of the Members are thoroughly familiar with what this resolution aims to do. I shall not detain the House any longer. I hope that the resolution will be adopted and that the bill will pass by the unanimous vote of this House.

I now yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, it is very enlightening to know that even though one has reached the age of nearly fourscore years that they admit they have made many previous statements which were not exactly correct. My good friend the gentleman from Illinois [Mr. SABATH], for 12 long years said that there was only one man indispensable to the United States of America. He made that statement practically every week and now he admits that President Truman is doing a good job, and that after all America can survive, regardless of the life of one individual.

Like my congenial chairman, I also am supporting this rule. It provides for the performance of the duties of the office of President in case of the removal, resignation, or inability of both the President and the Vice President.

As the chairman has stated, this is an open rule. It provides for 2 hours' debate and then the bill is open for amendment. I have studied this bill carefully. In my opinion the Committee on the Judiciary has done a splendid job. It may be that there are some things in regard to the constitutionality of it that

may be necessary to be ironed out, but we will have that opportunity when we are considering the bill itself. I am proud to vote for this bill because I am of the belief that about the only chance in the world a Member of the Democratic Party from the solid South would have of becoming President would be through the election of the Speaker, caused by the removal, resignation or inability of the President and Vice President. Our Speaker does come from the solid South. In my opinion there is not a person in the United States that is more honest, reliable and trustworthy than Mr. RAYBURN. There is not anyone who would be better qualified to be President.

I question very much whether New England will ever furnish another President. That takes care of our able minority leader, the gentleman from Massachusetts, JOSEPH W. MARTIN, Jr., who also has all the necessary qualities to make a great President. The reason I say that in my opinion the Democratic Party will never nominate one from the solid South as President is because the minority groups are now running the United States. The minority groups of five or six of the larger States will control all national elections in the future. Therefore I would urge you Members, particularly those who are desirous of ever having a President from the solid South, and the Republicans of ever having one from New England, as the result of the minority groups from these larger States, that you support this bill.

Mr. NORRELL. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Arkansas.

Mr. NORRELL. As I understand the bill, in case of the death of the President, the next in line would be the Speaker.

Mr. ALLEN of Illinois. The Vice President.

Mr. NORRELL. I mean, after the Vice President, then the next in line of succession would be the Speaker of the House.

Mr. ALLEN of Illinois. That is true. Mr. NORRELL. After that, where does the line of succession go?

Mr. ALLEN of Illinois. The President pro tempore of the Senate.

Mr. NORRELL. The question I wanted to ask was this: In the event the succession reached the Speaker and he should become President, and we should then elect another Speaker of the House, and later the Speaker who had become President should die, then how would the succession ever reach the President of the Senate?

Mr. ALLEN of Illinois. It never could reach the President of the Senate as long as the House of Representatives had a regular qualified Speaker.

Mr. NORRELL. I may say to the gentleman that I am in favor of the succession always remaining in the House, but I was puzzled to know how it would ever reach the President of the Senate.

Mr. ALLEN of Illinois. In the event there is no Speaker, that would be about the only opportunity that the President of the Senate could ever be reached. Of course, it is unlikely that we will ever

be without a regular qualified Speaker for any extended period.

Mr. NORRELL. We would immediately elect another Speaker, so in case of a vacancy the new Speaker that we elected certainly would become President.

Mr. ALLEN of Illinois. The gentleman is correct.

Mr. HANCOCK. I may say it is not likely that the new Speaker would be elected right before the death of the Vice President.

Mr. NORRELL. We could elect another Speaker within a few days' time.

Mr. ALLEN of Illinois. The gentleman is correct.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. SABATH. The gentleman from Illinois has made some very favorable and deserved remarks concerning the minority leader who comes from New England. You have heard me say this before many times, I really am for him and hope he will continue to be the minority leader for many years.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, it is to be hoped that if the House votes to adopt this legislation its action will not be misconstrued.

Not so long ago, in speaking against some of the provisions of the FEPC, I took occasion to praise members of the Jewish race because of their attainments, their outstanding positions in the arts, the professions, in the business, and financial structure of our country. Much to my surprise—perhaps I should say to my astonishment—in two Jewish publications within a month I found those remarks referred to as being anti-Semitic. No reasonable man reading those remarks can by any stretch of the imagination find anything in them which in any way reflects upon anyone merely because he is a member of the Jewish race. Those who use them in an effort to prove that they indicated that I am anti-Semitic are merely themselves endeavoring to create racial feeling. Those who place such a distorted construction upon the statements of others are themselves doing exactly what they charge others with doing and if they continue they will finally succeed in creating and spreading national intolerance which may lead to civil war.

Now, for many years I have never mentioned the word "Jew" or "Jewish" on the floor for fear that some political enemy or someone might wilfully misconstrue what I said. I find that the first time I do mention them that is what happened. I can conceive of no reason for such an attack, for such misconstruction, unless it be that those indulging in it are either Communists or tools of Communists desiring to create discontent to prepare the soil for a revolution here in America. We all know as a matter of common knowledge that next in succession to the presidency in case of the death of President Truman at the present time is a Jew, Mr. Morgenthau, Secretary of the United States Treasury. I am wondering if we pass this bill and make it impossible,

should the great calamity of the death of the President fall upon this country, for this member of the Jewish race to succeed to the presidency—I repeat, if we now make it impossible for that to happen, will someone say that the House or some Members of the House conceived and brought about this change in order to prevent a Jew, in this particular case Mr. Morgenthau, from becoming the President of the United States? I wonder, too, if those who are so eager to put this FEPC across will not get up and say, "Oh, well, here you are discriminating against a person because of his race or creed."

I hope that those ardent advocates of FEPC, which provides that there shall be no discrimination against any individual in employment because of race, creed, or color, will not cite the passage of this bill as an example of racial discrimination.

I hope that they will not be so unfair as to say that the bill is aimed at keeping Mr. Morgenthau out of the Executive Mansion in the event that the Nation, through death, should lose Mr. Truman.

When a member wishes to go along with a New Deal measure which may have merit and few of them do, he finds himself in a position where he may subsequently, by members of that party, be charged with racial prejudice. If Republicans, generally, as I assume they will, support this measure when amended, let no one refer to that action as being anti-Semitic.

I hope they will not do that. I hope this legislation can be considered and acted upon on its merits without the thought that in subsequent days it may be charged that those of us who support it and who honestly believe that an elected Member, a Member of a House elected by the people, the people's representative, instead of someone chosen by the President or some other officer, should become President of the United States upon the death of a former Vice President who is President, were doing so because Mr. Morgenthau is a member of the Jewish race.

May I leave that thought with you, may I say to my friends on the majority side, to my friends who are advocating FEPC: Will you kindly for once in your lives just make it possible for a man to vote for something without being accused of an improper motive? May we support this bill without being charged with being anti-Semitic, even though in the unfortunate event of the President's death it would prevent a Jew becoming President?

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, this bill was reported by the Committee on the Judiciary, of which I am a member, by a vote of 10 to 9. One of the serious objections to the bill is found on pages 4 and 5. If you have the bill before you I wish to invite your attention to it, because it involves something which you very likely will not want in any legislation which you pass.

Section (f) on pages 4 and 5 provides that in the event of the death of the President and Vice President, and the

Speaker becomes President and that contingency occurs 90 days or more immediately preceding a regular Congressional election, in the off years a special election must be called to elect a President. Now that raises a serious question. You will find that you do not have the machinery in any State of the Union to make nominations for President and Vice President and for electors within 90 days before such an election. In many States you elect your delegates to a national convention, nominees for electors in primaries, and in other States by conventions, and in some of the States, these selections are made in May. The State laws provide that. Of course, if this section remains in the bill you would have to change nomination and election laws of the States. In some States they would have to change the constitution to meet those requirements and to hold this special election.

At the proper time I shall offer a motion to strike that part of the bill or at least to amend it so as to make it workable without every State of the Union changing its laws and some States changing their constitutions.

Mr. TALBOT. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. TALBOT. Does not the Constitution of the United States now provide that the term of the office of the President and Vice President shall be 4 years?

Mr. ROBSION of Kentucky. Yes.

Mr. TALBOT. And does not section (f) of this bill set up machinery whereby a special election will be held for the election of a President and Vice President for only 2 years?

Mr. ROBSION of Kentucky. Yes.

Mr. TALBOT. Is not that section contrary to the Constitution?

Mr. ROBSION of Kentucky. That presents another serious objection. I shall come to that section in the bill in a moment. And there is another reason, a practical, serious reason why there should not be a special election. For instance, when the President of the United States dies the country tries to adjust itself to the new situation. Then before this act can operate the Vice President must die or become disqualified, and the country would adjust itself to that situation. And then the Speaker would succeed to the Presidency. After nearly 2 years of the term has expired, this section would project a presidential election. The country would have only a few months after the death of the President and Vice President and the Speaker became President to adjust itself to the new situation and new conditions.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentleman three additional minutes.

Mr. ROBSION of Kentucky. Now if you would bring on a presidential election with these three contingencies happening close together you would disrupt this country in such way as would affect it socially, politically, and, more important still, its industrial and commercial life. Why put something in this bill that would require the 48 States to

change their laws and some States their constitutions?

Why put something in here, the constitutionality of which would be doubtful, and would be a very serious objection to the bill itself? Why put something in here that may cause three great upsets, the death of the President, the death of the Vice President, make the Speaker President and, in addition to those, a national election—all in a brief period?

So I think that section is unwise and unworkable and it ought to come out.

Mr. ELSTON. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. ELSTON. I think the gentleman's amendment would be an excellent one for another reason. Section (f), as it is now written, would only have about a year and 7 months to operate.

Mr. ROBSION of Kentucky. That is right. Here you are going to elect a President for 1 year and 7 months, and go through several months of election contest when business is more or less closed down, waiting, waiting what may be the result of that special election.

Mr. SABATH. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. SABATH. I presume the gentleman is aware of the fact that the bill will be taken up under the 5-minute rule and he will have an opportunity to move to strike out that section?

Mr. ROBSION of Kentucky. Yes, I am aware of that fact. I will say I intend to vote for the rule. I think the bill should be considered. I was simply giving notice now of my intention to strike this particular section from the bill when it is read for amendments. I urge each Member to read carefully this bill, and especially read section (f) on pages 4 and 5.

The SPEAKER. The time of the gentleman from Kentucky has again expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, in the beginning, let me say I am in hearty accord with the succession as provided in this bill. Personally, I am not disturbed about the constitutional provisions of the bill.

Few bills pass through Congress where some persons cannot point out some provisions which they might possibly consider unconstitutional. That is a general ground that is often talked about. I presume that in the debate there will be those who will argue that every section of the bill is unconstitutional, and possibly some might even go so far as to say that the bill was conceived in iniquity and born in sin.

Eliminating subsection (f), beginning on page 4, which section provides for the special election to which the gentleman from Kentucky [Mr. ROBSION], who has just preceded me, referred, I can hardly conceive of other constitutional objections being advanced.

The gentleman from Kentucky is always convincing, always informed, and usually correct in his conclusions. However, as I listened to him, I was reminded

of the debate in the House in the last Congress bearing upon the constitutionality of the Federal soldier vote ballot. I preferred the State ballot, but did vote for the Federal ballot as an alternative, and in doing so I did not feel that I was violating the Constitution. The objective was desirable and, while it interfered with the laws made by some of the States, yet the action of the States alone did not prevent the Congress from operating in its proper legislative sphere. Anyway, the boys who could not get a State ballot were, in the wisdom of the Congress, provided with a Federal ballot, and we have not heard anything about the constitutionality of the law since.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. ROBSION of Kentucky. In case we undertook to have our boys overseas vote, this 90-day limitation would be of tremendous importance, would it not?

Mr. MICHENER. Yes.

Mr. ROBSION of Kentucky. It would be of very great importance in getting the set-up and the canvass made and getting the ballots overseas.

Mr. MICHENER. Undoubtedly some will insist that under the Constitution the Speaker of the House is not an officer of the Government and, therefore, not constitutionally able to act as President. Well, the Blount case in the Senate, as well as Supreme Court cases, will be discussed by the chairman of the Judiciary Committee and others. In my opinion, the holdings in these cases fully justify this bill.

There has been too much haste in bringing this legislation before the House; that is, the time between the introduction of the bill and its consideration on the floor has been too short. Even those members of the Judiciary Committee, who have never considered similar legislation before the committee, have had insufficient time to familiarize themselves with the history of presidential succession legislation. Suffice it to say that for more than 100 years the law of the land was that the Speaker of the House of Representatives should, under certain contingencies, succeed to the Presidency in case of the disqualification or inability of the President and Vice President to serve. In the light of this circumstance, it seems a little strained on the part of some of the members of our committee to insist now that there is no precedent and no constitutionality for this bill. Yes, the succession was changed by the Congress, but not because the former law was considered unconstitutional.

Be it remembered that this bill only attempts to provide who shall serve as President when there is no President and no Vice President, and only for the expiration of the term to which a President had been elected. Surely if the Congress has the authority to write the formula as to who shall succeed to the Presidency in these cases, then it also has the authority to write the formula as to how the successor shall be selected.

To me it is untenable that if the Congress writes a law making it possible for the people of the country to select a

President for the unexpired term, because the Constitution fixes the regular term of a President at 4 years, the new President elected to fill a vacancy would of necessity have a 4-year term. There is a difference between the 4-year term provided in the Constitution and the right of the Congress to permit the people by their vote to fill an unexpired term rather than for the Congress to do the same thing by its legislative fiat.

The provision in the bill providing for the election for the unexpired term is not clear. It is pregnant with difficulties. To carry it out will require legislation on the part of many of the States. It therefore is objectionable in many ways but I do not believe it is unconstitutional.

President Truman has asked for this legislation. However, it is clear that the idea did not originate with him. The proposal has been made by writers and columnists on numerous occasions. The consensus of editorial opinion seems to be that it would be much better to permit the people in a representative democracy to select their own President for an unexpired, as well as a full term. Undoubtedly the majority of our people have no conception of the difficulties confronted in an effort to write a law of this type. Nevertheless the principle of such a procedure is in keeping with the American way.

This rule should prevail and this bill should be brought before the House for consideration and amendment. If it is the will of the majority to eliminate the section providing for a special election, then that can be readily done, in which case the person becoming acting President will hold his term until the next regular Presidential election. For instance, if President Truman were to die today, under the present order of succession the Secretary of the Treasury would be our President until January 20, 1949. Possibly Mr. Morgenthau might make a good President. Nevertheless, even though he is an expert in financial matters, he naturally would not possess the qualifications of a Speaker, who is always a man who has on numerous occasions been elected by the people, a man with legislative as well as executive experience, a man in a position to cooperate with the Congress, a very essential factor in the picture of Government at all times.

Mr. Speaker, when any individual has stood for election in a community, in a State, or in a nation for a period of years, if he is incompetent or if there are any spots on his character anywhere, they have been brought to public view. As between being governed by a bureaucrat or an "heir apparent to the throne" selected by any Executive, I much prefer as our President a man elected by the people themselves. This is representative democracy and should be adhered to in this particular case, unless there is constitutional prohibition, and I do not believe there is.

I am including as a part of these remarks an excerpt from the committee report, which is as follows:

The bill provides in subsection (a) that in the event there is neither a President nor a Vice President to discharge the powers and duties of the office of President, the Speaker of the House of Representatives shall, upon

his resignation, as Speaker and as Representative in Congress, act as President until the disability be removed, or a President shall be elected. The Speaker, upon succeeding to the Presidency, would continue to act until the expiration of the unexpired current Presidential term or until a President is elected at a special election pursuant to the provisions of subsection (f). It is provided, however, that if the occasion for the succession of the Speaker to be Acting President is the failure of the President-elect and Vice President-elect to qualify, or to the inability of the President or Vice President, the Acting President shall continue as such only until the President or Vice President qualifies or until the removal of the disability.

In the event there is no Speaker or the Speaker fails to qualify as Acting President, it is provided in subsection (b) that the President pro tempore of the Senate shall, upon his resignation as such and as Senator, discharge the powers and duties of the office of President until the President is elected pursuant to subsection (f) or until the expiration of the current Presidential term, but in no case after a qualified and prior entitled individual is able to act. Thus the President pro tempore of the Senate would not continue to serve after a duly qualified Speaker is available to serve as Acting President. For this reason subsection (b) describes the function of the President pro tempore in relation to the Presidency as simply the discharge of the powers and duties of the office of President.

In the event there is no President pro tempore of the Senate to serve pursuant to subsection (b), it is provided in subsection (c) that the powers and duties of the office of President shall be discharged by the officer of the United States who is highest on the following list and who is not under disability: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney General, Postmaster General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor. As in the case of the President pro tempore, a member of the Cabinet thus discharging the powers and duties of President is to serve until the expiration of the current Presidential term, or until a special election is held pursuant to subsection (f), but in no event after a qualified Speaker of the House is able to serve.

Provision for special election is contained in subsection (f). It is therein provided that in the event by reason of which the Speaker is required to act as President occurs more than 90 days immediately preceding the regular congressional election in November, in a year in which there is no regular Presidential election, a special election is to be held on the Tuesday after the first Monday in November in the year of the next regular congressional election. This provision for an election at the usual time for congressional elections would apply in the event of a vacancy occurring in the period between the beginning of a Presidential term and 90 days prior to the next regular November congressional election. Should a vacancy occur during the second biennium of a Presidential term, no special election is provided. If a vacancy should occur less than 90 days prior to a regular congressional election in November, there is likewise no provision for a special election, in the view that there would be inadequate time to hold such election in conjunction with the next regular congressional election, and hence the individual succeeding to the Presidency would continue to serve until the next regular Presidential election.

The procedure to be followed in relation to a special election is to conform to the procedure for regular Presidential elections. The term of the President and Vice President chosen at a special election is to begin on the 20th of January immediately following

their election and is to end with the close of the unexpired term for which the special election was held.

CONSTITUTIONALITY OF THE BILL

The Constitution provides in article II, section 1:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected."

In designating the Speaker as the "officer [who] shall then act as President" in the contingencies described in the Constitution, the bill resembles the original statute governing succession to the Presidency. That statute, enacted by the Second Congress on March 1, 1792, provided that in the contingencies stated "the President of the Senate or, if there is none, then the Speaker of the House of Representatives for the time being, shall act as President until the disability is removed or a President is elected." This statute remained in force almost a century until 1886, when the present law was enacted. The act of 1792 thus represents a construction by an early Congress, whose views of the Constitution have been long regarded as authoritative, of the provision empowering Congress to designate the "officer" who shall act as President. The act of 1792 reflects also a long-continued acquiescence in the construction of the Constitution under which the Speaker and the President pro tempore of the Senate are deemed to be officers within the meaning of article II. Their resignation as a condition of serving as President is required by the provision in article I, section 6, that no person holding any office under the United States shall be a member of either House during his continuance in office.

The provision of the bill for a special election is founded upon the provision of article II, section 1, that the officer acting as President shall so act "until the disability be removed, or a President shall be elected." It is quite clear that this constitutional clause was intended to authorize a special Presidential election. The original proposal in the Constitutional Convention was that the designated successor should act "until the time of electing a President shall arrive." This wording was changed to the present form on motion of Madison on the ground that the original proposal "would prevent a supply of the vacancy by an intermediate election of the President." While the Constitution is not explicit on the question whether a special election may be for the unexpired term rather than for a full 4-year term, it does not provide that the term of each incumbent shall be 4 years, but that the President shall hold his office "during the term of 4 years." This language appears to have reference to a fixed quadrennial term, permitting the filling of an unexpired portion thereof by election. The tradition of special elections for unexpired terms of other officers also supports the provision of the bill in this regard.

Mr. Speaker, I ask unanimous consent to extend my remarks and include excerpts from the committee report.

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

There was no objection.

MR. SABATH. Mr. Speaker, I move the previous question or the resolution.

The previous question was ordered.

The resolution was agreed to.

RESIGNATION

The SPEAKER laid before the House the following letter which was read by the Clerk:

WASHINGTON, D. C., June 29, 1945.

HON. SAM RAYBURN,

Speaker, House of Representatives.

SIR: I beg leave to inform you that I have this day transmitted to the Governor of New Mexico my resignation as a Representative in the Congress of the United States from the State of New Mexico at large, effective June 30, 1945, at 4 o'clock p. m.

Respectfully,

CLINTON P. ANDERSON.

PRESIDENTIAL SUCCESSION

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3587) to provide for the performance of the duties of the office of President in case of the removal, resignation, or inability both of the President and Vice President.

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. 3587, with Mr. GORE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 15 minutes to the gentleman from Oklahoma [Mr. MONRONEY].

Mr. MONRONEY. Mr. Chairman, I do not believe the House in recent years has considered a bill of more lasting importance than the one that is before the committee today for discussion and action. As you know, the bill reported by the House Judiciary Committee changes the law regarding the line of succession to the Presidency from the Cabinet officers, including the Secretary of State, then the Secretary of the Treasury, and so on, to the Speaker of the House of Representatives. Since it is almost identical, except in respect to the special-election provision, with a bill I introduced in the House on May 14 of this year, I appreciate the chairman permitting me this time to discuss its provisions. It presupposes that in almost every case, excepting the one case out of a million, the House will always have a Speaker and that the Speaker will be eligible to assume the duties of the Presidency.

PROVIDES FOR ANY EVENTUALITY

In order though to take care of that one case in a million that may happen, the bill provides that if the Speaker of the House is not eligible or if he should die while the House is not in session, at about the same time the Vice President should die, then temporarily the power of the President's office goes to the President pro tempore of the Senate. If there be no President pro tempore the line of succession continues down through the Cabinet.

However, the first succession always reverts back to the Speaker of the House of Representatives as we qualify a Speaker of the House who is eligible for the Presidency.

VICE-PRESIDENCY VACANT 15 TIMES

Mr. Chairman, to determine how important this law is I believe we should realize that out of the 34 men who have served as Vice Presidents of the United States, the office has been vacant 15 times in our history. That is almost 50 percent of the cases. It was vacated seven times because of the succession of the Vice President to the Presidency, it was vacated seven times by the death of the Vice President, and it was vacated once because of the resignation of the Vice President to take the position of Senator from his own State. That was the case of Calhoun when he resigned.

I agree with President Truman that the philosophy of our Government needs to place the tremendous, gigantic powers of the Chief Executive nearest the people. I believe he was very wise in recommending that the Speaker of the House is the nearest possible officer to express the maximum representative choice of the people at the most recently held national election that it is possible to find in our Government.

CONSTITUTION DIRECTS CONGRESSIONAL ACTION

The question whether the Congress has the right to change this law of succession is very definite and clear. The Constitution of the United States apparently left almost a void there because of varying disagreements over what was thought might be a minor issue. The Constitution is not very clear on that subject, but the Constitution does provide that in the case of the death of the President and Vice President the Congress shall then decide what officer of the United States shall exercise the duties of the Presidency.

The first law on this subject was passed in 1792, only a few years after the Constitution had been adopted. The law that was passed by the Congress I shall read. It was section 9 of the Presidential elector bill that provided for the setting up of the election of the presidential electors, and this section reads as follows:

That in the case of removal, death, resignation or inability of the President and Vice President of the United States, the President of the Senate pro tempore, and in case there shall be no President of the Senate, then the Speaker of the House of Representatives for the time being, shall act as President of the United States until the disability be removed or a President be elected.

It will be interesting to the House to examine the issues that were involved at that time. The Senate proposed that section 9 of this law make the succession go through the President pro tempore of the Senate.

When the matter came up in 1791 the House wanted the succession to go through the Cabinet as is now provided by the later law of 1886. It seems, although the records of the debates are not complete, that the House resisted the Senate's position and amended the act so that the line of succession would go through the Secretary of State rather than to the President pro tempore of the Senate. One influence in this difference was the apparent preference of leaders of the House for the then Secretary of State, Thomas Jefferson. The Senate, under Federalist influence of

Alexander Hamilton, resisted this position.

However, after voting—and this is a very interesting proposition—on three occasions in the House in 1791 when the matter of succession going to the President pro tempore of the Senate was discussed, the vote was very close. It was generally about 25 to 24 in that early-day House—the House insisting on its position of the Cabinet Member being in line of succession.

HOUSE FINALLY YIELDS

The Senate refused to yield on the issue and the House finally by a vote of 31 to 24 yielded to the Senate on the line of succession go to the President pro tempore of the Senate and then to the Speaker of the House.

It is also interesting to note in this debate in the early days of the House that the men who served in the Constitutional Convention were rather vigorous against sending the line of succession through the House of Representatives or through the Senate of the United States. Voting against this line of succession were Thomas Fitzsimmons, Hugh Williamson, Abraham Baldwin, and Madison; Madison was the most vocal; and voting in favor was one member of the Constitutional Convention, Nicholas Gilman.

But I think the fact that the Congress of the United States, only a few short years after the Constitution had been written, and had been thoroughly discussed by the people of the United States, found through their duly elected Representatives that it was possible from a constitutional standpoint to send the line through the officers of the Senate and the House of Representatives that that rather clearly resolved that issue.

DECISION STOOD FOR 100 YEARS

The fact that their decision stood for almost 100 years of our history, I think, also rather clearly resolves the issue in favor of the right of a legislative officer to be declared an officer of the United States to qualify under the Constitution in the line of succession.

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

Mr. MONRONEY. I yield to the gentleman from Kentucky.

Mr. MAY. I was rather interested in the statement made by the gentleman that in the event there was no President and no Vice President, that the Congress should determine the officer who should succeed to the Presidency. Does that mean that the Congress is without power to determine that some private citizen might become President?

Mr. MONRONEY. Undoubtedly it does.

ELIGIBILITY IS CERTAIN

The argument has been going on for a dozen years whether a member of the legislative branch qualifies as an officer. But it seems almost inconceivable to me that the framers of the Constitution would have intended to prohibit the services of a Member of Congress and permit maybe a secretary or a clerk in a Government office, or an assistant United States district attorney to be eligible for the Presidency, and to deny

an elected Member, an officer of the Congress, that right.

It is also interesting to note that the first officer mentioned in the Constitution is the Speaker of the House of Representatives. He is designated as the first officer that is mentioned in our Constitution.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Is it not possible, though, for one who is not a Member of the Congress to be elected Speaker of the House?

Mr. MONRONEY. That is true; but being an officer of the House of Representatives he thus is an officer of the Congress, so he qualifies fully in that regard.

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield to the gentleman from Iowa.

Mr. GWYNNE of Iowa. The only reference to the Speaker is this: The House shall choose its speaker and other officers.

Mr. MONRONEY. "And other officers" surely qualifies the Speaker to be an officer of the House and of the Government.

Mr. GWYNNE of Iowa. An officer of the House.

Mr. MONRONEY. Yes; and the House is part of the Government, so it must necessarily follow that he is an officer.

SPECIAL ELECTION UNCERTAIN

The greatest degree of uncertainty that you find in this historical matter is whether we can have a special election for the Presidency. It is a very difficult question, because the Constitution specifies that the person elected as President shall serve 4 years. That has always made it a very difficult question among the lawyers. If you have a special election for President, must you elect for the full 4-year term or can you specify an election for the unexpired term of office. It is a very difficult and constitutionally uncertain question.

I think Madison clearly expressed this problem, and I would like to read his remarks in that regard:

The question as to the tenure of the acting President later arose in the Virginia convention called to ratify the Constitution. In answer to an objection by Mr. Mason that there was no provision in the Constitution for a speedy election of another President, when the former is dead or removed, Mr. Madison replied:

I quote:

"When the President and Vice President die the election of another President will immediately take place, and suppose it would not, all that the Congress could do would be to make an appointment between the expiration of the 4 years and the last election, and to continue only to such expiration. This can rarely happen."

SPECIAL ELECTION DOUBTFUL

The question of the election of the interim President is filled with some of the most difficult constitutional questions.

I believe, although I disagree with that part of the bill which is now before us that provides for a special election, that

the Congress would be very wise to pass this bill and get it over to the Senate.

The reasons as expressed by the gentleman from Kentucky and others are the reasons I feel the power should pass for the entire unexpired term to the Speaker of the House whenever the Vice President dies. I feel that the Speaker should continue to fill that unexpired term of the Presidency in order to avoid creating disunity and division which always occurs in a national election at a time when we would need the greatest unity in our country.

TWO GREAT NATIONAL SHOCKS

Further, bear in mind that under this bill if the President dies within the first 22 months of his term and the Vice President dies within the same period, you have thus lost two Chief Executives within 22 months and the country has undergone two very serious shocks.

Then, to go to the country in a National election under our party system, would undermine and shake the confidence of the people in the security of this Nation.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. MONRONEY. I yield.

WAR ELECTION A POSSIBILITY

Mr. REED of New York. Would that not be particularly true in case we should be faced with the possibility of war or be engaged in war?

Mr. MONRONEY. Very definitely so. I appreciate the gentleman's bringing that point out.

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

Mr. MONRONEY. I yield.

Mr. HINSHAW. As I remember the provisions of the Constitution, if the Presidential electors are not able to choose a President by a majority vote, then the matter of choosing a President directly comes to the House of Representatives. Is that not correct?

Mr. MONRONEY. That is correct to this degree: The House of Representatives votes on the basis of one vote for each State. Therefore, New York and Nevada would have the same vote. We do not vote on the basis of our numerical representation in the Congress in such an election.

Mr. HINSHAW. Nevertheless, the House in that form is given the privilege of choosing the President.

Mr. MONRONEY. I grasp the gentleman's point. I thank him very much.

Mr. HINSHAW. Consequently, it is quite proper that the House, having the choice of the Speaker of the House, should likewise be able to choose the President.

REPRESENTATION NEAR ELECTORAL COLLEGE

Mr. MONRONEY. That is true. I might add that the membership of the House in its process of choosing its Speaker more nearly represents the composition of the electoral college than any other body that you could have. The electoral college is composed on the basis of the membership of the House plus the membership of the Senate. It elects as do we in choosing a Speaker, only on a majority—not a plurality vote. So it would seem to me, if we provide that the

Speaker of the House shall serve the unexpired term of the Presidency, we would best solve the problem in the long run. If the country changes parties in mid-term and the Vice President should die in the last half of his term, then, obviously, the Speaker of the House, elected by the party in power, would become the President for the unexpired term.

Mr. HINSHAW. As I understand the matter further, although I do not have the Constitution before me at the moment, the House is not confined in its choice of a President in the event just mentioned, to any Member who has been a candidate for President theretofore but can choose anyone. Is that not correct? That is, in the event the electors have not agreed on one to serve by a majority vote.

Mr. MONRONEY. They are confined in their choice to the three highest.

May I refer to the Succession Act of 1886, the law that we are now operating under, because I am trying to get some of the background picture before the committee.

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

Mr. MONRONEY. I yield.

Mr. TALBOT. I take it the distinguished gentleman from Oklahoma would prefer that section (f) be stricken from this bill?

Mr. MONRONEY. My personal preference would be to strike out the special election provisions.

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

Mr. SUMNERS of Texas. Mr. Chairman, I yield five additional minutes to the gentleman from Oklahoma.

PRESENT LAW UNCERTAIN

Mr. MONRONEY. The law we are operating under at the present time is subject to misinterpretation and uncertainty. I would like to read it. It provides that—

Whenever the powers and duties of the President of the United States shall devolve upon any of the persons named here—

That means the Cabinet officers of the President—

If Congress be not in session or if it would not meet in accordance with the law within 20 days thereafter, it shall be the duty of the person upon whom such powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, providing 20 days' notice of the time of meeting.

This obviously intended to provide for the Congress to set up a special election after the death of the Vice President, and the Cabinet member to serve only as an interim President.

ACTING PRESIDENT COULD VETO

Let us see where that leads us, if we continue to operate under the present law. The Congress must pass an act setting up a special election for the Presidency. The Acting President is empowered to veto that act and it would be entirely possible for the Acting President to veto it in order to remain as President.

Unless we could muster a two-thirds vote in both Houses to override the veto, then the law, so far as the Congress

setting up a special election is concerned, would be nullified. You could run into a great deal of trouble and we cannot possibly foresee all the consequences of the uncertainties of our present law and its many loopholes.

It was pointed out in the Harvard Law Review not only that such veto could occur but that by making deals on the basis of patronage or through Executive favors that the Acting President might be able, if he so chose and could find Members of either House to cooperate, to persuade Members of Congress to oppose the calling of a special election. It is this grave uncertainty that we have that we must look to, and must find some degree of correction.

I would like to read from the Harvard Law Review:

The act of 1886, therefore, leaves the question of the constitutionality and expediency of any special election absolutely unsettled. The Acting President under the law must call Congress together and that body will then decide whether it deems a special election desirable and, incidentally, constitutional. If it decides in the affirmative it will frame an act which might speedily oust the Acting President from office. Such act the Acting President can veto, and if vetoed the usual two-thirds vote will be necessary to overcome the veto. Even a death blow might be administered by a pocket veto.

UNCERTAINTY IN A CRISIS

Here is your country at this critical hour, having lost two Chief Executives in a row, facing the uncertainty of whether the man exercising the powers of the Presidency is acting in compliance with the will of the people and the will of the Congress. No corner grocery store would dare try to run its business as the country has been run under the law of succession.

It is a terrible risk we have taken over these 160 years, without any degree of certainty as to whom the mantle should fall upon. I think it is highly important that the House today pass this bill and send it to the Senate and try to work out as best we can ways of meeting this contingency that may, through misfortune, face this Nation at any moment.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. CASE of South Dakota. Did the committee give any consideration to the possible reconvening of the Electoral College?

Mr. MONRONEY. Historically that has been discussed, but apparently no one has been able to decide whether their power terminates with the casting of the first vote for the Presidency or whether it continues. So that in itself is uncertain.

Mr. DONDERO. Will the gentleman yield?

Mr. MONRONEY. I yield.

Mr. DONDERO. Has any provision been made in case the elected official in line of succession should not be native-born who might succeed to the Presidency?

PROVISION SAFEGUARDS ELIGIBILITY

Mr. MONRONEY. That is a very fine point. That is one of the reasons why in my bill and in the bill which the gentleman from Texas, Judge SUMNERS, has in-

troduced we provide that if the Speaker of the House is not qualified, the power passes to the President pro tempore of the Senate only temporarily until the House qualifies another Speaker. If the House does not wish to qualify another Speaker for the Presidency, then it remains in the President pro tempore of the Senate.

Somebody is going to ask, Why should the House elect its Speaker as the line of succession? In addition to the obvious fact that he more nearly represents the will of all the people, expressed through their most recently elected representatives, there are other compelling reasons for this choice.

I think one very important point I should bring out is that in actual practice for many years the President pro tempore is not the top office in the Senate, but is actually the No. 2 office, passed on more or less to the senior statesman.

You all know that the majority leader of the Senate represents the prime choice of the majority party in power and more nearly corresponds to the power that is exercised by the Speaker of the House.

I hope that the House will pass this bill and get action, because as I pointed out yesterday in a brief address, within 5 days' time we have seen the heir apparent to the presidency fall on Mr. Stettinius day before yesterday, today it is on the Secretary of the Treasury, and next Tuesday or Wednesday it may be on somebody else that none of us knows who it will be.

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

Mr. MONRONEY. I yield.

Mr. COCHRAN. I happened to look in the Biographical Directory this morning and under the head of "Information" it stated that a Cabinet officer holds office until his successor is nominated. Now what surprised me more than anything else was in that same paragraph was a statement to the effect that approval of the information contained therein was given by Secretary of State, Mr. Kellogg, who was recognized during that period as one of the greatest lawyers in the United States.

Mr. MONRONEY. The gentleman brings up a most interesting point, because if that is one holding, here we have President Truman announcing day before yesterday that he had accepted the resignation of Mr. Stettinius and that Mr. Grew would be Acting Secretary of State until his successor was appointed. You thus get another bad crisscross uncertainty that may face this country.

PREPARE FOR CONTINGENCIES BEFOREHAND

I think the time to prepare for these contingencies is before they happen. If we should be so unfortunate as to lose our Vice President, this country would undergo a most severe shock.

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

Mr. MONRONEY. I yield.

Mr. FLOOD. Did the committee give any consideration to handling this entire problem by constitutional amendment rather than by act of Congress?

Mr. MONRONEY. I thank the gentleman for asking that question. The original bill I introduced set up a commission of 12 members, 4 appointed by

the President, 4 to be appointed by the Chief Justice of the Supreme Court, and 2 each from the Congress, to study these constitutional questions and probably to report back to the country after a year's study, a satisfactory constitutional amendment. Such a study would clear up many of the difficult constitutional questions, still uncertain, that might arise in our electoral processes for choosing a Presidency and in qualifying a successor. The best you can do now is to draw a law of succession to meet with reasonable certainty the tests of constitutionality that may be raised against it. By dropping out Section F proposing the special election for the unexpired term, you will at least remove one very serious constitutional doubt.

Mr. FLOOD. The gentleman would pursue the idea of a constitutional amendment?

Mr. MONRONEY. I would like to pursue that, but I do not wish to delay the Judiciary Committee on this important action. I am going to press again for a resolution setting up this special commission later and I hope the House will support it.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. HANCOCK. Mr. Chairman, I yield myself 10 minutes.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield for a brief question?

Mr. HANCOCK. I yield.

Mr. CASE of South Dakota. In view of the question just raised about the possibility of the Acting Secretary of State being considered eligible, would not the gentleman from New York agree with me that the Acting Secretary of State is not eligible in view of the fact that the present law states that in the case of the removal, death, resignation, or inability of the Secretary of State, then the Secretary of the Treasury succeeds?

Mr. HANCOCK. Mr. Grew could not succeed to the Presidency under the present law because he is not Secretary of State. He is Acting Secretary of State. The next in line is the Secretary of the Treasury.

Mr. Chairman, this important and far-reaching bill to change the organic law of the land was introduced last Monday, June 25. On Wednesday the Judiciary Committee had a meeting, and without any discussion, without any hearings, without any study it reported the bill favorably. Yesterday the Committee on Rules very promptly granted a rule, and the bill is here today. Those opposed to it have had little time to study it. I hope there will be adequate discussion by those who have taken the time and burned the midnight oil to explore the implications of the bill, find a few precedents, and look into the constitutionality of this very interesting bill and subject.

In my judgment the bill is unconstitutional from start to finish, and it is wrong in principle. I will try to demonstrate it to you. The second article of the Constitution, section 1, provides this:

In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on

the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

First, let me call your attention to the fact that the man who is made eligible to succeed to the Presidency by act of Congress must be an officer, a civil officer of the Government. I believe the Constitution plainly implies that he must be an officer of the executive branch. That raises the question whether the Speaker or any Member of the House or Senate is an officer within the meaning of the Constitution. This matter was discussed at considerable length when the present order of succession was debated and adopted by Congress in 1886. Let me read you a quotation from a statement made at that time by the Senator from Texas, Mr. Maxey, who made an exhaustive study of this question. He said this:

Now, I desire to state that the investigation I made of this subject—

That is the question of whether a Member of Congress is an officer of the Government—

satisfies me that the clause of the Constitution of the United States which declares that in the event I have mentioned—

That is the disability, removal, or death of the President and Vice President—

the Congress shall designate by law the officer who shall discharge the duties of President until an election can be had.

That the President of the Senate is not an officer of the United States was definitely settled in the Blount case, cited by Senator Maxey.

By the same reasoning, the Speaker of the House is not an officer of the United States. Therefore the designation of the Speaker of the House or the President pro tempore of the Senate is not in compliance with the provision of the Constitution I have quoted. Senator Blount was impeached by the House of Representatives in the year 1797 and a plea against jurisdiction was filed by him in which he said in substance that the clause that the President and Vice President and all civil officers of the United States shall be liable to impeachment did not apply to him because he was not the President, the Vice President, nor a civil officer of the United States; that he held his commission from the State of Tennessee and not from the United States, and in no sense was he an officer of the United States. That plea to the jurisdiction was sustained and the articles of impeachment were dismissed. That was a conclusive settlement of the proposition that a Senator is not an officer of the United States; and, for a like reason, the Speaker of the House is not an officer of the United States but an officer who holds his position in his district and State.

Senator Maxey, in the course of his argument, said:

That was the view I had on that subject and it was proper to observe that the decision in the Blount case nearly 90 years ago has never been overturned. It is entirely

plain from the Constitution itself which prohibits an officer of the United States from being a Member of either House.

That is the first constitutional question. I have cited merely the Senator from Texas, Mr. Maxey. I have other quotations here from great statesmen of that day and generation, including one from Senator Hoar, of Massachusetts, who reached the same conclusion. That is constitutional question number one.

The second question that occurs to me is that when a man succeeds to the Presidency he does not become President. He simply assumes the duties of the office ex officio. He is acting President. He still remains an officer of the Government. The bill provides that upon the death or disability of the President and the Vice President, or their removal, the Speaker of the House shall resign both as Speaker and as Member of the House. When he does that he is neither an officer of the House nor Federal Government and is, therefore, no eligible to succeed to the office of President.

That Senator Hoar believed that the Speaker or the President pro tempore of the Senate succeeding to the Presidency could not resign but would necessarily hold two great offices, is made abundantly clear by this statement of his in debating the issue:

The present arrangement is bad, first, because during a large portion of the term there is no officer in being who can succeed. That was the case during the whole of the last vacation after the expiration of the last Congress.

It is inconvenient, also, because it would be almost impossible for the President of the Senate to continue to perform the functions of his office, which is the principal office, to which the Presidency of the United States is made a mere adjunct or appendix in the contingency which is provided for by law. Nothing can be conceived more awkward, more repugnant to our sense of propriety, than for the President of the United States to sit in the chair of the Senate and preside over and listen to discussions in regard to his own nominations, voting upon them himself as an equal in the Senate, and presiding over and listening to the severe criticisms of executive policy which in times of high party antagonism must be always heard in this Chamber.

Then, the political functions are devolved by the present arrangement upon an officer changeable at the will of this body. The President of the Senate may be removed from time to time by the majority of the Senate, after the Presidential functions have devolved upon the office as before; and that suggests many very grave and doubtful constitutional questions as to the title in certain contingencies to the Chief Executive Office, a matter which should be removed by every possible legislative precaution from any question whatever.

A third constitutional question has been touched on by the gentleman from Kentucky and he is clearly right. The bill provides for a special election if the President dies less than 2 years before the expiration of his term. That is a plan to go through the elaborate machinery of holding conventions, nominating candidates, selecting electors, and holding elections. Clearly this is unconstitutional. The law provides machinery for electing a President, and that is all exclusive. We cannot change it by a mere act of Congress and, as the gentle-

man from Kentucky pointed out, the first section of article II states this:

The Executive power shall be vested in a President of the United States of America. He shall hold his office during a term of 4 years and together with the Vice President chosen for the same term be elected as follows:

Then it sets up the machinery for conducting a Federal election. Clearly we have no right by an enactment of Congress to amend that provision of the Constitution and make possible the election of a President for a period of 2 years. I do not think that can be disputed. There may be a difference of opinion regarding the first two constitutional questions I have raised. Furthermore, the plan would create a great many practical difficulties. The election laws and in some cases the Constitution would have to be amended in every State in the Union.

Historically the Vice President pro tempore was made first in order of succession and the Speaker of the House second. That was the result of a bitter dispute between the followers of Alexander Hamilton and Thomas Jefferson. Thomas Jefferson was Secretary of State and the Hamilton people vigorously opposed the proposal of the House of Representatives in 1791 and 1792 that the succession should go first to the Secretary of State. It was plain politics that prevented the succession of the Secretary of State and the other members of the Cabinet in the order of their rank when the question was before Congress in 1792.

In 1886 the question was presented rather forcibly to the Congress because of the death of Garfield and because of the fact that at about that time there was neither a Speaker of the House nor a President pro tempore of the Senate. I think the Members of Congress were influenced also by the fact that Benjamin Wade, when he was President of the Senate, voted to impeach President Johnson. He voted to remove Johnson so that he could become President. If this bill is passed it will be possible for a Speaker of the House to use his influence to impeach a President and for the President pro tempore of the Senate to exert pressure to obtain a conviction.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. HANCOCK. Mr. Chairman, I yield myself five additional minutes.

Mr. Chairman, I will have to hurry along because several Members want to speak on this subject, and I shall later ask unanimous consent to extend my remarks.

Let us not approach consideration of this bill from the standpoint of personalities. We are all inclined to vote for this bill because of our deep affection for the present Speaker; we have unbounded confidence in his ability and integrity, but we are considering a bill here that, if passed, is likely to remain on the statute books for many years to come. May I say, without referring to any individual, that when we elect a Speaker we do not select him because of his being Presidential timber. We select him by virtue of his many terms of service in the House, because he has reached a position of prominence in his party, because he is popular, because he is a good

debater and because he knows the rules of the House. We have had very few Speakers who were well qualified to be President of the United States. In the history of the United States there was but one and that was James K. Polk. On the other hand, it is interesting to look at the caliber of men who have served as Secretary of State.

Let me give a few names to you. There is Jefferson, Randolph, Madison, Monroe, Adams, Clay, Van Buren, Calhoun, Webster, Buchanan, Seward, Evarts, Blaine, and, coming down to modern times, Root, Hughes, Stimson, and Hull. We had several Secretaries of State who have become Presidents and many others of Presidential stature.

They have been selected from among the great men of the prevailing party in the United States by the President; selected to be their confidential advisers, and they are men best qualified to carry on the policies and organization of the President if, unfortunately, the President and the Vice President should be removed from office.

One other quotation and I am through. This is on the policy of making the Secretary of State the first in line of succession. This comes from Senator Hoar:

It was intended by the framers of the Constitution that the process by this great and free people of changing its mind should be a process which should take place but once in 4 years; and when a man is elected to the Presidency it is not so much the purpose of the American people to confer honor and authority upon an individual, or to put confidence in an individual, as it is to pronounce that certain policies, certain tendencies, certain opinions on great public questions in which the country has an interest shall prevail and have the ascendancy in its administration for 4 years.

In conclusion let me say this; I think this bill, and every provision of it, is unconstitutional, and I regard it as wrong in principle. I hope but do not expect that it will be defeated.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 10 minutes to the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Chairman, I think it is timely that the Congress consider this matter of amending the succession law. Undoubtedly, article II of section 1 of the Constitution contemplates that we should, if possible, have a President who has been elected. In the event the President and the Vice President die or become disqualified, the closest you can come to following the intention of article II of section 1 of the Constitution in naming some one to act as President, who has been elected within the meaning of the Constitution, is to provide for the Speaker to become Acting President.

I shall not elaborate upon the arguments which we are all familiar with; that he is closer to the people; that he has much governmental experience; that he has been honored by his colleagues who are the direct representatives of the people. I think we should also bear in mind that the Speaker of the House of Representatives is an official who, if he should become Acting President, would

know how to get along with the Congress. He is bound to have experience in government which would qualify him for that position. A President might select a Secretary of State who would be an excellent Secretary, but who would have no especial capacity for President.

The argument has been made that the Constitution, article II, section 1, provides that the person who shall act as President in the event the Vice President is disqualified or dies shall be an officer, and that the Congress shall have the right to determine which officer shall be selected. The argument is made that a Member of Congress is not an officer.

In 1792 when the Congress at that time was discussing the succession, and Mr. Madison and others who had been in the Constitutional Convention were participating in the debate about the Succession Act, it is true that Mr. Madison and others were not in favor of the President pro tempore of the Senate being next in line of succession, but they did not base their argument on the theory that the President pro tempore of the Senate and the Speaker of the House are not officers within the meaning of article II of the Constitution. I think that is very significant, because if anyone would be able to interpret the Constitution it would certainly be those eminent men who participated in that debate. I have here the proceedings of the debate in Congress at that time, and I do not think anybody who was connected with the Constitutional Convention made the argument that has just been made by the gentleman from New York [Mr. HANCOCK] that the Speaker of the House and the President pro tempore of the Senate were not officers within the meaning of the Constitution. I do not think they could have made that argument because the Constitution itself provides that the Speaker of the House is an officer.

Mr. HANCOCK. Mr. Chairman, if the gentleman will yield, the Speaker is an officer of the House, but a civil officer of the Government.

Mr. KEFAUVER. The Constitution does not say that he must be an officer of the executive branch in order to be eligible to be named in the line of succession. Is not Congress a part of the Federal Government? The same instrument created the executive and the Congress.

Mr. HANCOCK. The House itself has said so.

Mr. KEFAUVER. I differ with the gentleman; the House has not said so. I will get to that matter in a minute.

The Constitution, article I, section 2, says:

The House of Representatives shall choose their Speaker and other officers.

What can be clearer than that this clause of the Constitution makes the Speaker an officer? It says, "The House of Representatives shall choose their Speaker and other officers."

Then we come to the next provision, section 3 of article I:

The Senate shall choose their officers and also a President pro tempore in the absence of the Vice President or when he shall exercise the office of President of the United States.

So the section to which the gentleman from New York [Mr. HANCOCK] referred just says it shall be in the power of Congress to determine what officer shall act as President and it does not say he has to be an officer of the executive branch of the Government. I have always been very strongly of the opinion that we had as much right to have our officers of the legislative branch qualify for the position as the officers of the executive branch. If the Constitution writers had meant the officers eligible for succession had to be of the executive branch they would have said so.

Mr. MONRONEY. Mr. Chairman will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. MONRONEY. Might it not also have been true that Mr. Madison was very anxious to see the line of succession go to his very dear friend and fellow statesman, Thomas Jefferson, the then Secretary of State?

Mr. KEFAUVER. That is correct. The proceedings of the Convention bear this out.

They also discussed the matter of the Chief Justice of the Supreme Court being in line. He is an officer of the judicial branch. Nowhere in the debate in 1792 was the argument made that the Speaker of the House and the President pro tempore were not officers within the meaning of the Constitution.

Mr. ANDREWS of New York. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. ANDREWS of New York. I understand the House might choose as a Speaker some person who is not elected from any district of the United States in the same way it can choose a Doorkeeper?

Mr. KEFAUVER. That is probably true, but it is a very academic question, of course. In any event it specifically says that the Speaker is an officer in that section of the Constitution.

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

Mr. KEFAUVER. I yield to the gentleman from Indiana.

Mr. SPRINGER. Does not the pending bill contain the provision that the Speaker would succeed if he were otherwise qualified? That means as to age and citizenship, and so forth, he must possess those requirements before he can advance to the Presidency?

Mr. KEFAUVER. Yes. I thank the gentleman. The bill does provide that. I think if we want to make this change, this is a very excellently prepared bill for that purpose. I have studied it closely. It provides for every contingency that could possibly arise.

The Blount case is cited as evidence that a Member of the Legislature is not an officer. Of course, that was a Senate decision to the effect that he was not an officer under the impeachment section. Of course, Senator Blount was not the President pro tempore of the Senate. He was not the Speaker of the House. Therefore, taking the Senate decision that he was not subject to impeachment as a Senator to mean what the gentleman from New York [Mr. HANCOCK] says it means, it is quite

another thing to say that a Speaker and a President pro tempore are not officers within the meaning of the impeachment section. When you read the other parts of the Constitution it says the Speaker of the House is an officer and the President pro tempore is an officer. There can be no serious doubt about the constitutionality of this measure. The Supreme Court in the *Lamar case* (241 U. S. 107), held a Member of Congress to be an officer of the Federal Government.

Furthermore, may I call your attention to the fact that this House has long since recognized the desirability of having the Speaker of the House the next in line of succession after the Vice President. On April 19, 1940, I filed a bill, H. R. 9462, which provided that in the event the President-elect or the Vice President-elect failed to qualify or if they died or if an election contest came about so that there was no one to act as President on Inauguration Day the Speaker of the House of Representatives should act as President, and if no Speaker had been elected at that time, the President pro tempore should act until a Speaker had been elected.

That is a hiatus which must be taken care of. We are not involved with that at this time in this bill.

The Committee on the Judiciary by a unanimous vote reported that bill and on April 23, 1941, the measure was debated on the floor of the House and was gone into thoroughly. Without a dissenting vote the House named the Speaker as next in line to act as President in the event no President- or Vice-President-elect qualified. Then the bill went over to the Senate where no action was taken on it.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. ROBSION of Kentucky. Did the bill to which the gentleman just referred provide for a special election for President?

Mr. KEFAUVER. May I say to the gentleman that that bill took care of the situation only where nobody qualified to act as President by inauguration day. The bill did not have to do with the succession after we had a President who qualified.

Mr. ROBSION of Kentucky. It had nothing to do with the question of special elections?

Mr. KEFAUVER. It had nothing to do with the matter of a special election.

Therefore, Mr. Chairman, this House of Representatives has recognized that the Speaker of the House is the one who should succeed to the Presidency. The House has recognized the constitutionality of placing him in line for succession to the Presidency.

I think this bill ought to be adopted.

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

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. CURTIS. Will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. CURTIS. I would like to have the gentleman express himself as to the constitutionality of section (f), which calls for a special election for a 2-year term.

Mr. KEFAUVER. In the first place, I will say that in the committee I made a motion to strike out section (f) because I agree with the gentleman from Kentucky [Mr. ROBSION] that it probably would upset things too much within a period of 4 years to have four people fill the office of President—the President, the Vice President, the Speaker of the House—and then have an election to get the fourth person. But I do not think there is any objection to it on the grounds of constitutionality.

Mr. CURTIS. Is it not apparent that the true intent is that after you set up a plan for succession, that person serves the unexpired term?

Mr. KEFAUVER. There is nothing in the Constitution to say that Congress may not provide for a special election.

Mr. CURTIS. But it does say after they are elected they will serve for 4 years.

Mr. KEFAUVER. At a regular election, yes. But we have the right under the Constitution to provide an officer to fill out the unexpired term, and if we want to make him an officer by having a special election I see no constitutional objection to it. The person elected would be the officer provided for in the Constitution.

However, I agree with the gentleman from Kentucky that it should be stricken from the bill.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. HANCOCK. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. GWYNNE].

Mr. GWYNNE of Iowa. Mr. Chairman, I am not for this bill. I believe it is unconstitutional, and wrong and dangerous in principle. However, I shall confine my remarks to the unconstitutional feature of it.

The section of the Constitution which is in question will be found in article II, section 2:

The Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly.

Now the question is, Are the Speaker of the House and the President pro tempore officers within the meaning of that term as used in the Constitution? In my judgment they are not. I would like to call to your attention the use of the word "officer" in the Constitution. For example it is used in article I, section 6:

And no person holding any office under the United States shall be a Member of either House during his continuance in office.

How can you construe that provision to mean anything if a Member of the Congress is an officer under the meaning of the Constitution?

Mr. WALTER. Mr. Chairman, will the gentleman yield at that point?

Mr. GWYNNE of Iowa. I yield.

Mr. WALTER. Does not the gentleman think that disability is removed through the provision in the act that requires the Speaker to resign as Speaker before he becomes President?

Mr. GWYNNE of Iowa. Oh, no, I do not think so.

Not only do they recognize that a Member of Congress is not an officer but they recognize that the two positions are incompatible and cannot be joined.

Again in article II, section 2:

He—

The President—

may require the opinion, in writing, of the principal officer in each of the executive departments.

Obviously, "officer" there refers only to an officer in the executive departments.

Now go to article II, section 2:

He—

The President—

shall appoint Ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States.

The President does not appoint a Member of Congress. Obviously the word "officer" was meant to apply to others than those who were in the Senate or the House.

Article II, section 1. This has to do with electors:

But no Senator or Representative, or person holding an office of trust or profit under the United States shall be appointed an elector.

Under the ordinary use of the word "office" a position in Congress would be an office of trust at least, and theoretically of profit? How can you construe that section if you assume that a Member of Congress is an officer?

Let me read it again:

But no Senator or Representative, or person holding an office of trust or profit under the United States shall be appointed an elector.

Article 2, section 3:

And he—

That is the President—

shall commission all officers of the United States.

A Member of the House is not commissioned by the President. He receives his commission from the governor of his State. A Member of the Senate is not commissioned by the President. His commission comes from the State.

The only time the Speaker is mentioned in connection with the word "office" occurs in article 1, section 2; and that seems to indicate that he is not an officer of the Government, but an officer of the House.

The House of Representatives shall choose their Speaker and other officers.

Another important section is article 2, section 4:

The President, Vice President, and all civil officers of the United States shall be removed from office on impeachment for and conviction of treason, bribery, or other high crimes and misdemeanors.

The question was squarely presented in this Congress in the Blount case as to whether or not a Senator was a civil officer and therefore subject to impeachment, and the Senate expressly decided—they did not go into the merits of the case—they expressly decided they had no jurisdiction. After considering all of these sections I refer to, they decided they had no jurisdiction for the impeachment of a Senator because he was not an officer.

Another feature of the bill that I think is clearly unconstitutional is the one having to do with the special election. There are some provisions in the Constitution for special elections. For example, here is one, article I, section 2:

When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies.

That is the House.

In the case of the Senate the seventeenth amendment to the Constitution provides:

When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: *Provided*, That the legislature of any State may empower the executive thereof to make temporary appointment until the people fill the vacancies by election as the legislature may direct.

Now you come to the President. Article II, section 1; and not only is there no provision for a special election but the wording is such as to indicate that they intended there should be none. Here is what it states:

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years.

In other words, there is no provision in the Constitution for a President elected for other than 4 years. If this bill should be adopted and a President should be elected at one of these special elections grave doubt would be cast upon the term of his office, whether it would be 2 years or 4 years.

Then there is another feature in the Constitution having to do with electors:

The State shall appoint in such manner as the legislature thereof may direct a number of electors.

Let us assume that we pass this bill and this Congress undertakes to promote a special election and some State guided by the advice of its attorney general—rightly, I think, if he did give them that advice—ignored this provision about choosing the electors. You can see the confusion to which this country might be subjected.

Mr. Chairman, I have thought for some years that some committee of this Congress might well look over the entire election laws of the country with a view to eliminating some difficulties in them; but it should be done carefully. I regret now that we bring in a bill like this on which we spent only 45 minutes in the committee, heard one witness, and on which we take only 2 hours to debate it in the House.

What are we doing? We are ignoring the present law which was passed after

careful consideration and going back to the original law which that careful consideration repealed. I trust this will be voted down.

Now, Mr. Chairman, I shall be glad to yield to those persons who have indicated that they wanted to ask questions.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield.

Mr. ROBSION of Kentucky. The gentleman some time ago made an observation touching the provisions of section (1), the holding of a special election provided this vacancy should occur within 90 days or more next before the next regular congressional election. What would have to be done in the country? What election machinery would have to be set up in order to carry out such an election?

Mr. GWYNNE of Iowa. I could not answer the gentleman.

Mr. ROBSION of Kentucky. There would have to be lots of changes made.

Mr. GWYNNE of Iowa. There would have to be tremendous changes made and in some cases the legislatures of the States would have to be called into special session and in some cases the Constitution would have to be amended.

Mr. HANCOCK. The election laws of the 48 States would have to be amended.

Mr. GWYNNE of Iowa. The election laws of all the States would have to be amended possibly. I know in my State they would have to be amended.

Did the gentleman from Massachusetts [Mr. GIFFORD] wish to ask me a question?

Mr. GIFFORD. I did not care to ask a question but I wanted to remind the gentleman that the twentieth amendment to the Constitution was adopted in the House after 3 days of debate. In what form? I happened to have charge of that debate on this side. I just want to ask the gentleman if that had anything to do with his argument?

Mr. GWYNNE of Iowa. No. The twentieth amendment gives no authority for this proposed legislation. That amendment covers only a President-elect.

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

Mr. HANCOCK. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, in approaching this question, which to me is a very important one, may I say at the outset that if it is possible for the Speaker of the House of Representatives to succeed to the presidency as provided in this measure that meets with my entire approval. All think of our present Speaker and his eminent qualifications for any office in the Government of this great Nation. Speaker RAYBURN is eminently qualified to serve as President. But there is a very serious question, which has just been presented, as to whether or not any Member of the Congress or the Speaker of the House of Representatives is an officer of the Government, and there is the provision of the Constitution which has been cited by our distinguished colleague from Iowa [Mr. GWYNNE] by which Members of the House and the Speaker of the House of Representatives are expressly excluded

from that classification of civil officers of the Government.

The Members of Congress are commissioned by their States. They are officers of that commonwealth from which they come, representing the particular district which sent them here and under that provision of the Constitution which was cited they are expressly excluded from that classification of civil officers of the Government.

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

Mr. SPRINGER. I yield to the gentleman from Idaho.

Mr. WHITE. Does not the gentleman look upon the Congress and the membership of the Congress as the board of directors of this great corporation called the United States of America?

Mr. SPRINGER. Be that as it may, when the Constitution expressly excludes them from that classification, by which the civil officers of the Government are mentioned and provided, it certainly excludes the Members of Congress and it certainly excludes the Speaker of the House of Representatives from that particular class of people.

Mr. WHITE. Would the gentleman accept the designation of a policeman as an officer? He is a policeman, but at the same time we call him an officer. Could not the same interpretation be applied to these elected officers of the Government called Congressmen?

Mr. SPRINGER. Of course, the example which the gentleman presents has no application whatsoever here because we are dealing with the provisions of the Constitution of the United States.

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

Mr. SPRINGER. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Following that line of thought, the Constitution sets up three separate and distinct departments of government. The provisions of the Constitution evidently were designed to keep the legislative branch from stepping over into the domain of the executive branch. All the legislation that has heretofore been passed with reference to a successor to the presidency has been confined to the executive branch of the Government.

Mr. SPRINGER. The gentleman is precisely correct, and I thank him for his timely suggestion.

There is another thought that comes to me. I am thinking about what might happen in the event of the death or inability of both the President and Vice President to serve in the capacity of President of the United States of America and the Speaker being elevated immediately, under the provisions of this bill, to that high office. The House would immediately thereafter, or as soon as it is in session, elect a Speaker who would act as Speaker of the House of Representatives. Then let us suppose within a short space of time—and, of course, everyone hopes that contingency may never arise—the Speaker should die, who has ascended to the Presidency, I wonder whether or not the gentlemen who propose this bill can explain whether or not the President pro tempore of the Senate would ever have an opportunity to succeed to the Presidency because

this measure provides specifically that the Speaker of the House of Representatives shall succeed to the Presidency in the event of that occurrence.

There is another thought that comes to my mind in this connection, and this matter has been mentioned by our distinguished colleague the gentleman from Tennessee [Mr. KEFAUVER], that the Speaker of the House of Representatives would merely succeed to the office, he would not really be President if he were elected for a term of less than 4 years.

Let us see what the provisions in the pending bill for this special election are as shown on page 5 under section (f):

The Secretary of State shall forthwith cause a notification of such event to be made to the executive of every State, and shall specify in such notification that electors of a President and Vice President to fill the unexpired term shall be appointed in the several States on the Tuesday next after the first Monday in November in the year in which the next regular election of Representatives to the Congress is to be held.

That means but one thing, and that is we are electing a President, and that also means we are electing a Vice President but not for a term of 4 years as is provided by article II, section 1, of the Constitution, which contains the provision that he shall hold office during the term of 4 years, referring to both the President and the Vice President; in other words, this measure is in complete contravention and violation of section 1 of article II of the Constitution of the United States of America. We cannot elect a President and we cannot elect a Vice President for a term less than that which is provided by the Constitution of the United States of America. The Constitution provides the President "shall hold his office during the term of 4 years."

Let us see what would happen if this bill should be passed and become existing law. Let us see what would happen in the several States of our Nation. In my own State, all Presidential electors are elected in May of each year at the convention. There is no other provision of law for their selection. It would require a special session of the legislature in which that legislature would be compelled to provide for the selection of the delegates to nominate a candidate for President of the United States of America to make this race in the off-year or biennial election. Confusion would reign, I am certain, and the great expense entailed would be enormous. In the case of the death of a President or Vice President we would be seeking then to fill that office for a term less than four full years as provided in the Constitution. The chaos and confusion that would reign throughout the country, because of the requirements made upon the several States, and the officers thereof, would be appalling, in my opinion.

I think we are approaching one of the most serious and important questions that can come before us. This will become permanent legislation if this bill should be enacted into law. No one can tell what the future will bring with respect to involved matters of this character, but I do know that if this special emergency should develop, at any time, it would cause great confusion and much

chaos in the various States of the Union. The several States would receive the notification to select these electors for the purpose of choosing candidates for President and Vice President to be elected for a less term than that provided by our Constitution, and the States would have to comply, if possible. It is my considered judgment that the provision contained in this measure is entirely in violation of the Constitution, it is unconstitutional, and that provision in this measure should be stricken out and eliminated. It is my intention to offer an amendment to this measure to strike out the section which provides for the election of a President for a less term than 4 years, as provided by the Constitution of the United States.

Mr. HANCOCK. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. REED].

Mr. REED of Illinois. Mr. Chairman, when President Truman sent his message to Congress concerning the succession to the Presidency, I felt somewhat elated. I have always felt that second to the President himself the most important official of our Government is the Speaker of the House of Representatives, and to my way of thinking he would be the proper person to succeed to the Presidency rather than the respective Members of the Cabinet. I regret exceedingly that the Committee on the Judiciary of this House had so little time to consider this important subject. The chairman of our committee, who introduced the pending bill, has, I know, made a very thorough study of the subject during the limited time at his disposal.

That part of section 1 of article II of the Constitution which deals with succession to the Presidency contemplated a contingency wherein both the President and the Vice President might die, resign, be removed from office or be unable to act and empowered Congress to provide by law "declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected."

The records will show that seven times in the history of our Nation Vice Presidents have succeeded to the Presidency. Twice there has been situations wherein Presidents are said to have been unable to fulfill the duties of their office: Once when President Garfield had been shot and for many weeks was on a sick bed. Hovering between life and death, he was obviously unable to perform the functions of Chief of State. Yet Vice President Arthur was loath to assume those responsibilities and did not until after the death of President Garfield.

Again in 1919, when President Wilson occupied the White House it was asserted, and not without considerable justification, that his physical and mental condition was such that he, too, was unable personally to exercise his constitutional duties as President of the United States. Again, however, no attempt was made by Vice President Marshall to assume the office, and Mr. Wilson served until the conclusion of his term.

The pending bill provides on page 1 that the Speaker of the House shall, upon his resignation as Speaker and as Rep-

resentative in Congress, act as President until the disability of the President is removed. That means if the President is unable to perform the duties of his office, whether by death or otherwise—and I refer particularly to the word "otherwise"—then the Speaker shall become the Acting President.

Section (f), appearing on page 4 of this bill, provides that "if the event by reason of which the Speaker is required by subsection (a) to act as President" shall have occurred more than 90 days immediately preceding the Tuesday next after the first Monday in November in the year in which the next regular election of Representatives to the Congress is to be held, but in which there is to be held no regular quadrennial election of a President and Vice President, the Secretary of State shall forthwith notify the executives of the several States and specify that electors be appointed or elected at such election who shall thereafter meet and elect a President and a Vice President to fill the unexpired term. The action of the Secretary of State and of the governors of the several States in this regard is made mandatory in the pending bill. Political parties must necessarily make nominations, electors must be chosen, and a President and Vice President elected.

Suppose, however, the originally elected Vice President who is serving out the Presidential term has not died or resigned or been removed from office, but is merely incapacitated and is in such a serious mental or physical condition that he cannot perform the functions of his office. Suppose, for instance, that he has made a trip to Europe, as President Truman is now planning, and that while in Europe he is so stricken that he cannot be removed to this country for many months. Certainly his mental or physical condition, coupled with his presence in a foreign country, would preclude him from acting in a Presidential capacity. He would be unable to direct the executive branch of the Government; he would be unable to consider, approve, or veto legislative enactments. Obviously, if the pending bill were the law, the Speaker, very properly, would become Acting President and all branches of the Government would continue to function. However, under section (f) of the pending bill, the Secretary of State would be required to call an election and a new President would be required to be elected. If the incumbent President in the meantime recovered his health and returned to the United States, what would be the situation? Would he be entitled to serve the balance of his term, or would his term be cut off abruptly and would the newly elected President serve for 2 years? No doubt the courts would be called upon to decide these questions. Some will say that such a state of affairs is far-fetched and not likely to happen. But it almost happened with Garfield and Wilson, and it might happen again.

This bill, Mr. Chairman, is being considered by us for the purpose of eliminating contingencies. Why create them? I am heartily in favor of its objective in making the Speaker of the House next in line to the Vice President. But I believe that when he is called upon to act

as President he should so act throughout the balance of the Presidential term or until the disability of the elected Vice President is removed. I believe section (f) should be wholly eliminated. It is impractical; it is cumbersome; it is expensive and of doubtful constitutionality. I shall support the amendment which will be offered by the gentleman from Kentucky [Mr. ROBSON] striking this section from the bill.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, in determining the intention of the framers of the Constitution in the selection of the language adopted in several sections thereof it always seemed to me to be important to examine the discussions that took place at the time of the adoption of that particular language. With that in mind I have examined the discussions at the time of the writing of the section which my distinguished friend, the gentleman from Iowa [Mr. GWYNNE], discussed at some length, the section with respect to the filling of the office of President in the event of vacancy.

The section provides what officer shall act as President and "such officer shall act accordingly until the disability be removed or a President shall be elected."

That language is not the language originally suggested. That language was adopted upon the insistence of Madison who said, in urging that this language be adopted: "Originally it was provided until the time of election of a President shall arise."

Madison said because the original proposal would prevent a supplying of the vacancy by an intermediate election of President. Certainly there could be nothing clearer than that language "would prevent the filling of the office by an intermediate election." It was clearly within the contemplation of the men who selected this language that there would be an intermediate election if it became necessary to fill the vacancy.

It has been argued with some force that the Speaker of the House is not an officer, but bear this in mind, that in 1792 when the first succession act was written, the Speaker pro tempore of the Senate was the officer who, under that statute, would become President of the United States in the event that the President and Vice President were removed or for other reasons could not continue to serve.

If in 1792 it was decided that the President pro tempore was an officer, and the question of the constitutionality had not been raised, then it certainly seems to me that within the minds of those men at least, the President pro tempore of the Senate is an officer.

In that connection it is very important to bear in mind the fact that when the Succession Act of 1792 was written, it was written by many of the men who wrote the Constitution. I do not think there is anything whatsoever to the argument that the Speaker of the House is not an officer. Of course, he is an officer, as is a Senator an officer, and it follows that the President pro tempore and the

Speaker of the House are officers of the Government.

Mr. HANCOCK. Will the gentleman yield?

Mr. WALTER. I yield.

Mr. HANCOCK. In 1797 the Senate decided that one of their Members was not an officer of the Government. That is the Blount case.

Mr. WALTER. No. In the Blount case that was not the decision. The decision held that he was an officer and decided he was an officer of the United States.

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

Mr. HANCOCK. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. ROBSON].

Mr. ROBSON of Kentucky. Mr. Chairman, if we have a Democratic President, I know of no Democrat I would prefer to see President of the United States more than the distinguished gentleman who now occupies the Speaker's chair because of his long experience, character, ability, and training. But no one can say now whether this legislation, if adopted, will benefit Republicans or Democrats. Our first and great concern is to do the thing that is best for our country.

Some Members say the bill is unconstitutional. Others say it is constitutional. I believe the bill as now written is unconstitutional. I shall not take up your time to discuss those features that have been discussed by both sides. I am interested in the practical operation of this bill should it become law.

I regret that a bill of this tremendous importance was introduced on one day, brought before our Judiciary Committee the next day, with only one witness appearing before the committee, and then the bill reported out, and a rule granted to bring it before the House. The matter before us is one of great importance.

I am looking at the practical aspects of it; that is, the election of a President at a special election. Bear in mind you would first have to have these contingencies happen before that came up for consideration: The President dies or becomes disqualified, the Vice President must die or become disqualified, the Speaker of the House must become President. If all these three contingencies occur within 90 days before the regular congressional election in any off year—and that is the reason we are passing this bill—there must be a special election for President of the United States. This will require the changing of the election laws of every State in the Union, and the constitutions of many of them. Think about the shock to the country of the loss of a President, then the Vice President, and then a new President in the Speaker, and on top of that to call upon the American people to elect a President perhaps for 2 years or perhaps for less, maybe for only 22 months. The country would be so upset and disturbed as to amount to almost a calamity. Therefore, as I said in my few remarks on the rule, when the bill is read for amendment I shall offer an amendment to strike out that part of the bill that provides for this special election

for the President. I think it is bad; I think it is unconstitutional. But let it be constitutional; we do not want to have the country thrown into the chaos of a special election after the death of the President and Vice President and the induction of the Speaker as President. It cannot help the country but must result in harm. The President and the Secretary of State do not have to go to Europe in the same plane or on the same ship, as the press and many people tell us. They can go on separate planes or ships. It is much easier for them to change boats and planes than it is for us to change the law.

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

Mr. HANCOCK. Mr. Chairman, I yield 13 minutes to the gentleman from Pennsylvania [Mr. GRAHAM].

Mr. GRAHAM. Mr. Chairman, by way of contrast, may I say that when this bill was before our committee the other day, we were called into session at 11:15. We were on the floor of the House at 12 o'clock. We spent 45 minutes in the consideration of the bill. One witness appeared.

When the bill of 1836, which is now the law of the land, was considered in the Forty-ninth Congress, December 15, 16, and 17 were given over entirely to discussion of that bill. It was carried over into January of the next year, and January 13, 14, and 15 were given to a discussion of the bill. In other words, Senator Hoar and other Senators of that day, men of that caliber, thought that 6 days were not too long to discuss such a bill. We discussed it in 45 minutes.

I cite this to you to show the speed with which we are working today. I emphasize to you that speed is not always for certainty, for clarity, or for good results.

We were told the other day in committee that this is the first time the situation occurred where there was a vacancy in the Vice Presidency and one about to be created in the office of the Secretary of State. I took the trouble to look this up, and I find it is not the fact. Watch these statements closely as I give them to you.

William Henry Harrison was inaugurated on March 4, 1841. He served until April 4, 1841, 30 days, and died, much less time than Franklin Delano Roosevelt served from January 20 to April 12.

Daniel Webster was appointed Secretary of State on March 5, 1841, and he resigned on May 8, 1841. Abel P. Upshur received an interim appointment to succeed Webster on June 23, 1843, but his nomination was not confirmed by the Senate until January 2, 1844. Therefore, for 6 months in one period of the history of our country we had neither a Vice President nor Secretary of State.

The second instance, curiously enough, occurs also in connection with Daniel Webster. On the death of President Zachary Taylor on July 9, 1850, he was succeeded by Millard Fillmore, of New York.

On July 22, 1850, Daniel Webster was appointed Secretary of State and continued as such until his death on October 24, 1852. This left the Cabinet position open a second time until November

6 of the same year when Edward Everett was appointed. So the argument that is made here to increase our momentum and accelerate our speed because this is something unusual that has never occurred before, is not correct. This is the third time it has occurred, and each of the other two instances were longer in period of time.

Another thing, I have taken the trouble to look up the Vice Presidents of the United States. Here are some singular things in connection with the office of Vice President. When James Madison became President of the United States, George Clinton, Vice President, of New York died on April 20, 1812, and Madison served his first term without a Vice President. When Madison was elected the second time, Elbridge Gerry, of Massachusetts was elected Vice President, and he died November 23, 1814, so Madison served two terms without a Vice President for a large part of the time. When John Quincy Adams was elected President, John C. Calhoun resigned as Vice President on December 28, 1832, and stepped down, and there was no Vice President then. Here is another case, and I am not going through the whole list. When James A. Garfield was shot, he died on September 19, 1881, and Chester A. Arthur became President. Arthur was succeeded by Grover Cleveland, and Thomas A. Hendricks, of Indiana was Vice President, and he died November 25, 1885, so out of 8 years that those two men were to serve, for 7 there was no Vice President of the United States.

Who is in a good position to discuss these matters? President Truman has made his statement, and we appreciate it, even though we are members of another political faith and party. As has been said, every Member of this House, irrespective of party, has the utmost confidence in the integrity of our Speaker. Personally I do not know of a man that I would rather see President of the United States from the other party than he, but that is not the point. We are building for time and for the future. Why are we seeking to set aside a law that has been in existence for 59 years? Why the emergency and why the haste? The one man in the United States in his day who could talk on this subject was Andrew Johnson, who was impeached, although it failed in the Senate, and Andrew Johnson took the exact opposite position of President Truman in a message to Congress on July 18, 1868. This is what he said:

The duties of the office should devolve upon an officer of the executive department of the Government, rather than one connected with the legislative or judicial departments. The objections to designating either the President pro tempore of the Senate or the Chief Justice of the Supreme Court, especially in the event of a vacancy produced by removal, are so obvious that they need not be stated in detail. It is enough to state that they are both interested in producing a vacancy, and . . . are members of the tribunal by whose decree a vacancy may be produced.

That is an unanswerable argument. Let me show you some of the inconsistencies that will arise in this situation if this bill becomes the law. Now think of this. Henry Clay was born on

April 12, 1777. He was a Member of this House in 1803 and a Member of the Senate from November 19, 1806, to March 3, 1807. The constitutional requirement is that a Senator must be 30 years of age, but Henry Clay was not 30 years of age, yet he served in the Senate of the United States. Then he came back here and became a Member of this House and served as Speaker from November 4, 1811, to January 19, 1814, and at the time he was Speaker of this House he was 34 years of age, and to be the President of the United States you would have to be 35 years of age under the Constitution.

Then I took a lot of trouble to look up other things. I sat up many a night on this matter. Do you know that at the present time there are in this House 11 men who were born in foreign countries, who are eligible to become Speaker of this House but who after being elected Speaker, could not serve as President of the United States if this bill became law? I will not mention names, for obvious reasons, but we have one man born in Poland, one in Czechoslovakia, one in Sweden, one in Bohemia, one in Ireland, one in Poland, one in Wales, one in Scotland, another in Scotland, one in Poland, one in Vilna, Russia, and two of those men head two of the most important committees of this House. Now think of the unworkable situation of electing a man who is eligible to be elected to the position of Speaker of this great House and then say to the world, "You cannot serve as President."

Why, it is within the memory of some of you Members here that just a few years ago from Pittsburgh, Pa., there came a man elected to this House who could not take his seat because he had not been a resident of this country for 7 years at the time he was elected.

Now what did the framers of our Constitution intend? See what they did intend. Watch their language. People who scoff at the Constitution will some day live to regret it. I have been jeered at and had fun poked at me. Yesterday a Member said, "Here comes the Constitution itself." Be that as it may, the Constitution is not only the sheet anchor of our liberty, but it has been the protection of our Government and our citizens in the creation of this form of free Government.

What does it say? It says:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

What does it say further? It says:

Section 2. The House of Representatives shall be composed of Members chosen every second year—

Now, closely watch this language from this point on—

No person shall be a Representative—

A Member of Congress—

who shall not have attained to the age of 25 years, and been 7 years a citizen of the United States.

It says also:

The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment.

A man who sits in this Chamber as Speaker of the House can vote for an impeachment and oust a man from the Presidency and he can succeed him.

That is an unanswerable argument.

Now, with reference to the Senate the Constitution provides:

The Senate of the United States shall be composed of two Senators from each State—

Elected for 6 years.

The House of Representatives is elected for 2 years and the Members of the Senate are elected for 6 years.

The Constitution further provides:

No person shall be a Senator who shall not have attained to the age of 30 years, and been 9 years a citizen of the United States.

And it provides:

The Senate shall choose their other officers, and also a President pro tempore, in the absence of the Vice President, or when he shall exercise the office of President of the United States.

The Constitution provides:

The Senate shall have the sole power to try all impeachments.

The President pro tempore of the Senate can vote for impeachment and oust the President. You cannot answer that argument.

Consider this situation. Suppose we were in the second session of this Congress and adjourned sine die. Who then is your Speaker? Who is your President pro tempore of the Senate? Why, this is the most peculiar thing that has ever been proposed in this Congress. It was contended in this Senate in 1886 that there was no Speaker or President pro tempore at the time of the assassination of President Garfield and that at the time when Mr. Hendricks died there was no President pro tempore of the Senate, and there was no Speaker of the House.

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

Mr. GRAHAM. I yield.

Mr. HANCOCK. There was a President pro tempore, Ben Wade, who voted to impeach Andrew Jackson.

Mr. GRAHAM. Yes.

When you adjourn sine die you have no Speaker and you have no President pro tempore. There is no succession there.

The Constitution provides with reference to the executive branch that:

The executive power shall be vested in a President of the United States of America. He shall hold his office during the term of 4 years, and together with the Vice President, chosen for the same term, be elected, as follows.

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

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself such time as I may require.

Mr. Chairman, we approach the determination of legislative policy with regard to this matter of Presidential succession recognizing that it is a difficult question. It has always been a difficult question. It was a difficult question when the Congress first began to consider it in its first session. It was a difficult question when the first legislation was enacted in the Second Congress.

The Second Congress, resolving questions in favor of the provision that

the Speaker of the House and the President of the Senate should hold the positions of succession in the event of the death or disability of the President and Vice President. As has been stated to you, a number of people were in that Congress who had sat in the Constitutional Convention.

For nearly a hundred years we operated under what those Members who now oppose this bill, claim was an unconstitutional arrangement. It was again a difficult question in 1888 when the existing legislation was enacted. It becomes a difficult question now when the President is deceased and the Vice President is acting as President and there is no Secretary of State. Not only a difficult question but a serious question confronts the House. I may repeat, you are not going to resolve this question either way without difficulty. There are difficulties arising out of the language of the Constitution, difficulties in providing for an interim election, difficulties in every direction.

I do not hold with the gentlemen who seem to feel it is a violation of the fundamental provisions of our Constitution if instead of arranging, as provided in this bill, for the first in the order of succession, the Speaker of the House and the President of the Senate, somebody away down the line appointed by the President to do an entirely different job from that of general government, the Secretary of the Treasury, the Secretary of the Navy, or the Secretary of War or somebody who has not had anything to do with the general operation of the Government, shall come now in an emergency and assume responsibility as the Chief Executive of this great Nation, assume it in a time like this. That is difficult, too. We are not going to resolve any of these questions without difficulty. We have got a situation which we have to meet. The President is deceased, the Vice President, now acting, is exposed to unusual dangers, and there is no Secretary of State. We might meet it as the Second Congress met it and as is provided in this bill. For almost a hundred years that arrangement remained the law of the land. We can meet it by defeating this bill and leaving the possibility of the succession to some appointed person down the line, we do not know where.

Now, let us look at the objections to which the opposition points. The first is the suggestion that the Speaker of the House and the President of the Senate are not eligible for appointment; that they are not officers within the meaning of the Constitution; not officers of the Federal Government. Well, what are they? Is not the legislative branch of the Government a part of the Federal machinery, and do they not operate that machinery, and does not that make them in fact officers of the Federal Government?

This question came before the Supreme Court of the United States several times. The last time it came the opinion was written by Mr. Chief Justice White, one of the greatest Chief Justices who ever sat on the bench. Mr. Palmer, a Member of Congress at that time had been impersonated, and a man by the name of Lamar was under prosecution.

He raised the question directly, having been indicted for impersonating an officer of the United States, that he was not guilty; that the indictment should be quashed, because as it was contended Mr. Palmer, a Member of the House, was not an officer of the United States.

I quote from the opinion. The Court held that at the time of the enactment of the statute under which Lamar was being prosecuted it was "common understanding that a Member of the House of Representatives was a legislative officer of the United States was clearly expressed in the ordinary, as well as legal, dictionaries," quoting from Webster, Bouvier, and Black, and that "when the relations of Members of the House of Representatives to the Government of the United States are borne in mind and the nature and character of their duties and responsibilities are considered, we are clearly of the opinion that such Members are embraced by the comprehensive terms of the statute," and the statute made penal impersonating "an officer of the United States."

A Member of Congress officiates in operating the legislative machinery of the Federal Government; of course he is an officer; he officiates; he is an officer.

My distinguished friend, the gentleman from Pennsylvania, who just addressed the House said that when the House adjourned sine die there is no Speaker. I believe if my friend will examine the precedents he will discover the fact that the Speaker remains the Speaker of the House of Representatives until the expiration of the Congress, under the terms of the Constitution.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. VORYS of Ohio. Does the gentleman feel that the Speaker must be a Member of the House of Representatives and that therefore this bill is devoted to an exclusive class?

Mr. SUMNERS of Texas. In the first place, this bill provides that nobody may take under the succession who is not qualified to be President. But to say that the Speaker of the House does not have to be a Member of Congress is very far-fetched and purely academic. Insofar as I know the history of legislative government extending through the whole period of our history and that of the House of Commons for more than a thousand years, I have never heard of anybody's being elected Speaker of this House, of the House of Commons, of any State legislature, who was not a member of the body electing him; and I suppose that nobody drafting a constitution or statute under a Constitution would ever imagine or conceive that a situation would arise under which it would be necessary to guard by legislative enactment or constitutional provision against somebody other than a member of a legislative body being elected its presiding officer.

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

Mr. SUMNERS of Texas. I yield.

Mr. DIRKSEN. Would the gentleman comment on the qualifying age limit and also on the requirement that the

President must be a native-born citizen?

Mr. SUMNERS of Texas. Nobody can become acting President unless he has all the qualifications required of an elected President that is provided in this bill.

Mr. DIRKSEN. So that is taken care of.

Mr. SUMNERS of Texas. That is taken care of.

I am not trying to make a speech. I want to be as helpful as I can and yield during the remainder of my time for questioning from those who may wish to interrogate me.

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

Mr. SUMNERS of Texas. I yield to the gentleman from Tennessee.

Mr. COOPER. For information I wish to ask the gentleman whether there is any constitutional provision with respect to age and length of residence in this country for Cabinet officers?

Mr. SUMNERS of Texas. Not that I know of. They could not be appointed under the provisions of this bill, however, unless they meet the qualification requirements for President.

Mr. COOPER. Then under the law as it now stands, if a Secretary were not of constitutional age or were not a native-born citizen of this country he would not be eligible and you would have to pass over him and go to the next man who was eligible.

Mr. SUMNERS of Texas. That is true. There is this interesting thing—I take just a moment for it—the Constitution provides in this line of succession, including the Vice President, that persons who come to assume the responsibilities of the Presidency, do not become the President. The Vice President does not become the President, under the Constitution. He assumes the duties and possesses the power.

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

Mr. SUMNERS of Texas. I yield.

Mr. HANCOCK. Anyone acting as President has all the powers, privileges, emoluments, and salary of the Presidency.

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

Mr. SUMNERS of Texas. I yield to the gentleman from North Carolina.

Mr. FOLGER. Is it not true that subsection (d) on page 4 of the bill reads as follows:

Subsection (a), (b), and (c) shall apply only to such officers as are eligible to the office of President under the Constitution.

Mr. SUMNERS of Texas. Yes.

Mr. FOLGER. Does that not answer the question?

Mr. SUMNERS of Texas. Yes.

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Iowa.

Mr. GWYNNE of Iowa. Does not the present succession law provide that if the Secretary of State should not be eligible for some reason it passes over to the next one?

Mr. SUMNERS of Texas. Yes; that is true. May I make a further observation, and I want to be very candid. This bill embodies as near as draftsmen can

make it the recommendations of the President in his recent message and who contemplates a somewhat hazardous journey soon. The bill is, of course, under an open rule and subject to amendment.

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

Mr. SUMNERS of Texas. I yield to the gentleman from New York.

Mr. HANCOCK. We have had at least one foreign-born Secretary of State, Carl Schurz. He would not have been eligible to succeed to the Presidency.

Mr. SUMNERS of Texas. That is right.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Will the gentleman tell us, would there be a Speaker or a President pro tempore if the House and Senate adjourns sine die?

Mr. SUMNERS of Texas. I think there would be.

Mr. COLE of Missouri. He would carry over to the next term?

Mr. SUMNERS of Texas. The Speaker would be Speaker until the end of the Congress, the end of the period of the existence under the Constitution.

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

Mr. SUMNERS of Texas. I yield to the gentleman from Tennessee.

Mr. COOPER. The Speaker would continue to draw the Speaker's salary until the end of the Congress?

Mr. SUMNERS of Texas. Yes.

Mr. COOPER. Not as a Member but as Speaker.

Mr. SUMNERS of Texas. He would be the Speaker, there is no doubt about that.

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

Mr. SUMNERS of Texas. I yield to the gentleman from Ohio.

Mr. LEWIS. I would like the gentleman to comment on certain of these provisions. What does he have to say concerning the succession coming to the legislative branch instead of going to the executive branch of Government as to its constitutionality?

Mr. SUMNERS of Texas. I do not believe there is any constitutional question involved. I do not think that is involved at all.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. I wonder if the gentleman would give us his view as to what constitutional provision, if any, would authorize us to legislate a special election in order to fill a vacancy?

Mr. SUMNERS of Texas. That is a very close question and a very difficult one, but when you consider the general philosophy of the system we are operating under, which contemplates that it would be better to have somebody elected by the people act as President than an appointive person, the power I believe rests in the Congress to provide for a special election.

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

Mr. SUMNERS of Texas. I yield to the gentleman from Michigan.

Mr. MICHENER. Some stress has been placed on the allegation that if a special election is held and a President elected, he would serve for 4 years rather than until the end of the unexpired term. Does not the gentleman feel that the Constitution provides a set 4-year term, and if it is also legal for the Congress to provide for the filling of a vacancy, when the Congress sets up the machinery to fill a vacancy by way of succession or otherwise, it has complete jurisdiction, but its jurisdiction cannot go beyond the end of the unexpired term? Is not that the answer to this 4-year proposition?

Mr. SUMNERS of Texas. I think the weight is in favor of the position indicated by the gentleman from Michigan. The weight is in favor of Congress being able to do that.

Mr. MICHENER. Along the line of the decisions of the Supreme Court which hold that where the Congress is permitted to enter a certain field to accomplish a certain purpose, it can accomplish that purpose unless it violates some law in so doing?

Mr. SUMNERS of Texas. I repeat, the question is not free from difficulty, but I think we have that power.

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

Mr. SUMNERS of Texas. I yield to the gentleman from New York.

Mr. TABER. The Constitution provides that whoever might be selected for succession must be an officer. This bill provides that the Speaker cannot become President or Acting President without first resigning as Speaker.

Mr. SUMNERS of Texas. Yes.

Mr. TABER. Then he would not be an officer.

Mr. SUMNERS of Texas. I believe he would.

Mr. TABER. He would cease to be an officer when he resigns.

Mr. SUMNERS of Texas. The thing will be simultaneous. I think that is in conformance with our general philosophy.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read, as follows:

Be it enacted, etc., That (a) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is neither a President nor Vice President to discharge the powers and duties of the office of President, then the Speaker of the House of Representatives shall, upon his resignation as Speaker and as Representative in Congress, act as President until the disability be removed, or a President shall be elected.

(2) The same rule shall apply in the case of the death, resignation, removal from office, or inability of an individual acting as President under this subsection.

(3) An individual acting as President under this subsection shall continue to act until a President shall be elected in the manner prescribed in subsection (f), or, if no President shall be so elected, then until the expiration of the then current Presidential term, except that—

(A) if his discharge of the powers and duties of the office is founded in whole or in part on the failure of both the Presi-

dent-elect and the Vice-President-elect to qualify, then he shall act only until a President or Vice President qualifies; and

(B) if his discharge of the powers and duties of the office is founded in whole or in part on the inability of the President, Vice President, or individual acting under this subsection, then he shall act only until the removal of the disability of one of such individuals.

(b) If, at the time when under subsection (a) a Speaker is to begin the discharge of the powers and duties of the office of President, there is no Speaker, or the Speaker fails to qualify as Acting President, then the President pro tempore of the Senate shall, upon his resignation as President pro tempore and as Senator, discharge the powers and duties of the office of President until a President shall be elected in the manner prescribed in subsection (f) or, if no President shall be so elected, then until the expiration of the then current Presidential term, but not after a qualified and prior entitled individual is able to act.

(c) (1) If, by reason of death, resignation, removal from office, inability, or failure to qualify, there is no President pro tempore to discharge the powers and duties of the office of President under subsection (b), then the officer of the United States who is highest on the following list, and who is not under disability to discharge the powers and duties of the office of President, shall discharge such powers and duties: Secretary of State, Secretary of the Treasury, Secretary of War, Attorney General, Postmaster General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, Secretary of Commerce, Secretary of Labor.

(2) An individual discharging the powers and duties of President under this subsection shall continue so to do until a President shall be elected or until a Speaker is qualified in the manner prescribed in subsection (f) or, if no President shall be so elected, then until the expiration of the then current Presidential term, but not after a Speaker of the House is qualified and prior-entitled individual is able to serve, except that the removal of the disability of an individual higher on the list contained in paragraph (1) or the ability to qualify on the part of an individual higher on such list shall not terminate his service.

(3) The taking of the oath of office by an individual specified in the list in paragraph (1) shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to serve as President.

(d) Subsection (a), (b), and (c) shall apply only to such officers as are eligible to the office of President under the Constitution. Subsection (c) shall apply only to officers appointed, by and with the advice and consent of the Senate, prior to the time of the death, resignation, removal from office, inability, or failure to qualify, of the President pro tempore, and only to officers not under impeachment by the House of Representatives at the time the powers and duties of the office of President devolve upon them.

(e) During the period that any individual serves as President under this act, his compensation shall be at the rate then provided by law in the case of the President.

(f) (1) If the event by reason of which the Speaker is required by subsection (a) to act as President shall have occurred more than 90 days immediately preceding the Tuesday next after the first Monday in November in the year in which the next regular election of Representatives to the Congress is to be held but in which there is to be held no regular quadrennial election of a President and Vice President, the Secretary of State shall forthwith cause a notification of such event to be made to the executive of every State, and shall specify in such notification that electors of a President and

Vice President to fill the unexpired term shall be appointed in the several States on the Tuesday next after the first Monday in November in the year in which the next regular election of Representatives to the Congress is to be held. Electors appointed pursuant to such notification shall be appointed in the same manner as is provided by law for the appointment of electors for a regular quadrennial election of a President and Vice President, and shall meet and give their votes on the first Monday after the second Wednesday in December following their appointment, at such place in each State as the legislature of such State shall direct. Except as otherwise provided in this subsection, all provisions of law relating to the choosing of a President and Vice President at a regular quadrennial election shall apply with respect to the choosing of a President and Vice President to fill the unexpired term as provided in this subsection; and the terms of the President and Vice President so chosen shall begin on the 20th day of January immediately following their election.

(f) Sections 1 and 2 of the Act entitled "An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice President", approved January 19, 1886 (24 Stat. 1; U. S. C., 1940 edition, title 3, secs. 21 and 22), are repealed.

Mr. ROBSION of Kentucky. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBSION of Kentucky: After the word "President" in line 18, page 4, strike out subsection (f) on pages 4 and 5, beginning with line 19 on page 4 and ending with line 22 on page 5.

Mr. ROBSION of Kentucky. Mr. Chairman, my amendment proposes to strike from the bill that provision calling for a special election for President in the event of the death or disability of the President, the Vice President, and the elevation of the Speaker as President.

You will observe that if those three contingencies arise, and some say it may not arise, but I say that if we did not have that in mind there would then be no necessity for this bill; we do think that it might happen, that we may lose the President, the Vice President, and the Speaker become President and then we would have to have a special election under the bill as it now stands.

The bill says if that contingency occurs 90 days immediately preceding the Tuesday next after the first Monday in November in the year in which the next regular election of Representatives to the Congress is to be held but in which there is to be held no regular quadrennial election of a President and Vice President, then we would have a special election.

Just think what that would mean. The President, Vice President, may pass away or be disqualified sometime in August, early in August, before the regular election in November for Members of the House. That would be 90 days before the regular election. Therefore, in those 90 days we must prepare and hold a Presidential election. We realize what a shock it would be to the country upon the death of a President. Then soon thereafter, if this bill is enacted, in the event of the death of the Vice President, and the change to the new President in the person of the Speaker, then within 90 days the Nation must be called upon to elect

a President. It may not be the Speaker. Some other person may be elected President because the people might not elect and continue in office the Speaker.

The bill says these electors must meet on the first Monday after the second Wednesday in December and pass upon the question of electing a President.

You have the possibility here of four Presidents in a few months.

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

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

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

There was no objection.

Mr. ROBSION of Kentucky. There is the possibility under this bill of having four Presidents in a few months. Why, that is enough to upset this country from its center to its most outlying border. Such a provision cannot serve any useful purpose, because the country would be more or less in a turmoil and stirred up between the time the election is called and the time the election is held. The Speaker, the man who is occupying the Presidential office, may be defeated, and the country is held up until the end of December, when the newly elected President takes office under this act.

I believe in real representative government by the people. I have always favored a constitutional amendment to do away with the Electoral College and let the American people vote directly for President and Vice President. But after you have gone through all of this, perhaps the man finally elected would not have an opportunity to serve more than 22 months, or less than 2 years.

Mr. SHORT. Will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. SHORT. I was going to ask the gentleman suppose the Speaker of the House, under the proposed legislation, should die 60 days before election, would we go 60 days without any President?

Mr. ROBSION of Kentucky. Now the gentleman has raised another question. If it would be 90 days we would have to have a special election.

Mr. SHORT. But suppose the Speaker dies only 89 days before the next election?

Mr. ROBSION of Kentucky. Well, you would not have a special election.

Mr. SHORT. Who would be President?

Mr. ROBSION of Kentucky. Well, the succession would go on down the line as provided in this bill.

Of course, one of the objections to this bill is that it was introduced on one day, brought before the committee in executive session the next day, and we did not have any hearings, except a brief statement from one witness. We should have had hearings and we should have had a full report covering all of these questions for the benefit of the Members of the House.

Of course, Mr. Chairman, if this amendment prevails there are two other minor amendments to the bill to clarify and bring the whole bill in harmony with this amendment.

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

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

This provision, like all other provisions in this bill, is not free from difficulty. The President's notion seemed to me to be a pretty good notion, that the country ought not to go perhaps 3 years without the people at least having an opportunity to select their Chief Executive. I believe that is a very wholesome attitude. It is better than to take a chance on the Secretary of War or the Secretary of the Navy, or even the Speaker of the House or President pro tempore of the Senate, or anybody else. The President and Vice President are to be elected at this election.

I do not believe it is true that in the history of this country the President and Vice President, elected at the same time, became deceased. Yet it might be so. This very bill proposes to take care of that situation in no small degree, due to the peculiar hazards under which it is contemplated the President and the Secretary of State are to live and work in behalf of the country during the coming weeks and perhaps months.

I hope the amendment offered by my distinguished friend from Kentucky will not prevail. I think this provision in the bill is worth doing something about. As a matter of fact, to be candid with you about it, and you know it yourselves, this bill is going to be worked out in conference.

Mr. HANCOCK. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. HANCOCK. I was wondering if the gentleman from Texas has any idea that this bill will ever reach conference.

Mr. SUMNERS of Texas. It might. I am just trying to get it through the House.

Mr. VORYS of Ohio. Mr. Chairman, I rise in support of this amendment. What we are voting on here is an emergency piece of legislation, the emergency having been created by various circumstances which had not been properly foreseen by preceding Congresses. We do not have time, in order to put through legislation to take care of this emergency, to change the Constitution. We are therefore faced with the proposition that any election for President which would be held in 1946 would be under the present Constitution; and electors are State officials governed by State laws in 48 different States. This special election that might be called 90 days before the election of 1946, if the President and Vice President should both be dead or disabled, could not in my opinion be legally held in my State of Ohio because of the provisions of our election laws as to the nomination of candidates for President, placing their names on the ballot, bids for the ballots, printing of the ballots. You would have an election that would at very best be fraught with great uncertainty.

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

Mr. VORYS of Ohio. I yield.

Mr. EBERHARTER. Exactly the same thing is true in the Pennsylvania

situation; it would be impossible to have a legal election under State law.

Mr. VORYS of Ohio. I thank the gentleman for reminding us that the same thing is true in Pennsylvania as in Ohio.

Mr. ROE of Maryland. The same thing is true of Maryland.

Mr. VORYS of Ohio. The same thing is true of Maryland and I think it would be found to be true in every State.

What are we trying to do here? We have no responsibility for what some other body, the Senate, does; we must draft the best law we can to take care of the situation. Then I hope the Committee on the Judiciary will proceed to review all this thing more deliberately and prepare possible constitutional amendments to take care of it.

What we want to do now is to avoid certain combinations of circumstances that we believe would be, to put it mildly, disastrous for our country in the matter of the Presidential succession. Therefore we put through the first part of this law that puts in office a man we are sure of, that the country is sure of; that is, the present Speaker. If anything happens to him the people can depend upon their elected representatives to choose a proper successor. We can operate under that until we get a better law or a constitutional amendment; and if we have made no change then the people in 1946, will realize clearly what they always ought to realize that in electing a Congressman they are electing a possible Presidential elector in case of emergency. The House now has the responsibility under the Constitution of selecting a President if the electors fail to do so. I hope, therefore, that this amendment will prevail, so that we will get away from this highly unsatisfactory special Presidential election which will be sure to cause great confusion and uncertainty, with technicalities arising as we have heard right now from three States, and I feel sure in all 48 with respect not only as to the election but as to the nomination of a Presidential candidate for the special election. Let us vote this thing down. Remember this, that if we pass the bill carrying this special election provision the conditions would be such that the candidates and the final President would be hand-picked by a small group far more unrepresentative than the House of Representatives. It would have to be done that way in order to get past the difficulties connected with nominating Presidential candidates and getting their names on the ballots. I feel certain that up until 1946 we can depend upon this House, which has already chosen a qualified Speaker, to carry out the succession, to choose another one if dire emergency should arise. In any case, we ought not to pass the buck by creating a special election that will really not be a legal or reliable representation of the people's will.

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

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

Mr. Chairman, since the question has been raised as to the meaning and application of the word "officer" in the bill and in the United States Constitution, I

take this time to give the definition of the word "officer" as defined in Webster's International Dictionary which is kept here in the House of Representatives floor library for the use of the Members.

Mr. Chairman, the definition of "officer" as given in Webster's is, "(1) Charged with a duty; an agent; a minister. (2) One who holds an office: (a) person lawfully invested with an office, whether civil, military, or ecclesiastical, and whether under the State or a private corporation."

I believe that that definition, together with the construction that has been placed on the word "officer" in the dictionary would sustain the interpretation of the Judiciary Committee of the House with reference to a Member of the House of Representatives or the Speaker of the House of Representatives being an officer of the Federal Government.

There is one other thing I want to call attention to. I refer to page 4, line 19, reading as follows:

(f) (1) If the event by reason of which the Speaker is required by subsection (a) to act as President shall have occurred more than 90 days immediately preceding the Tuesday next after the first Monday in November in the year in which the next regular election of Representatives to the Congress is to be held but in which there is to be held no regular quadrennial election of a President and Vice President, the Secretary of State shall forthwith cause a notification of such event to be made to the executive of every State, and shall specify in such notification that electors of a President and Vice President to fill the unexpired term shall be appointed in the several States on the Tuesday next after the first Monday in November in the year in which the next regular election of Representatives to the Congress is to be held. Electors appointed pursuant to such notification shall be appointed in the same manner as is provided by law for the appointment of electors for a regular quadrennial election of a President and Vice President, and shall meet and give their votes on the first Monday after the second Wednesday in December following their appointment, at such place in each State as the legislature of such State shall direct. Except as otherwise provided in this subsection, all provisions of law relating to the choosing of a President and Vice President at a regular quadrennial election shall apply with respect to the choosing of a President and Vice President to fill the unexpired term as provided in this subsection; and the terms of the President and Vice President so chosen shall begin on the 20th day of January immediately following their election.

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

Mr. WHITE. If the gentleman from Michigan can explain the language in that section I shall be pleased to yield to him.

Mr. RABAUT. That is the language in the Constitution.

Mr. WHITE. Mr. Chairman, it seems rather strange to me that a narrow interpretation is placed on the word "officer" in the language of the bill as brought out by the Judiciary Committee of the House, yet we are accepting the language of the Constitution. It is clearly stated in the amendment "appoint" when it should be "elected." If we can take one definition from the Constitution, why can we not take the definition from Webster's Unabridged In-

ternational Dictionary as to what the word "officer" indicates and signifies?

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

Mr. SUMNERS of Texas. Mr. Chairman, I ask unanimous consent to make a brief statement at this point.

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

There was no objection.

Mr. SUMNERS of Texas. Mr. Chairman, I feel I should make the statement to the committee. In my judgment this arrangement in reference to the election of a President would not work without very substantial amendment of State laws due to the reasons which have been assigned. The President favors an election and I favor an elected rather than an acting President. I have had in mind this might go over to the Senate and we would see what could be worked out. But if this bill is passed it will go to the Senate anyway of course. After giving the matter further consideration, I am not in a position to oppose the amendment offered by the gentleman from Kentucky.

Mr. HANCOCK. Would it not be well to recommit the entire bill to the Committee on the Judiciary for more mature study?

Mr. SUMNERS of Texas. No; I do not think it would.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. ROBSON].

The amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I offer a perfecting amendment.

The Clerk read, as follows:

Amendment offered by Mr. SPRINGER: Page 2, line 6, after the word "prescribed", strike out "in subsection (f), or, if no President shall be so elected then" and insert "by law and."

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

Mr. Chairman, I approve the amendment offered by the gentleman from Indiana, but there are some things about this situation that I feel must be impressed upon the Members of this House and must be called to their attention. May I read to you from the Constitution that gives us our authority and that is article II, found at page 52 of the House Rules and Manual?

The Congress may by law provide for the case of removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President—

Listen to this—

and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

On page 30 we find this language:

No person holding any office under the United States, shall be a Member of either House during his continuance in office.

The provision which gives us the power to provide for succession provides that the officer whom we designate shall continue to be that officer while he acts as President. That is just what it says.

Mr. RABAUT. No.

Mr. TABER. That is just what it says, and the gentlemen who feel the other way about it could not have followed me.

Mr. RABAUT. Will the gentleman please read that again?

Mr. TABER. Yes—

declaring what officer shall then act as President, and such officer shall act accordingly, until the disability be removed, or a President shall be elected.

The minute the Speaker resigns as a result of swearing in, under that provision he ceases to be an officer, if he was such officer before, and he has no authority whatever, and this bill would be an entire nullity. I hate to see the Congress get into that situation. It is absolutely indisputable that we are getting nowhere and establishing nothing.

Mr. RABAUT. Mr. Chairman, if the gentleman will yield, is it the gentleman's opinion, if it were to take place today under the system we have that should the Secretary of State become President of the United States the office of Secretary of State could not be filled?

Mr. TABER. It would have to be that way if this language continues in the Constitution as it does.

Mr. RABAUT. I do not think that is anybody's thought.

Mr. TABER. That is what it says.

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

Mr. TABER. I yield to the gentleman from Connecticut.

Mr. TALBOT. When the President of the United States dies the Vice President does not resign. He becomes President when he is sworn in and automatically resigns as Vice President by the swearing in. The Speaker would not resign, may I say to the gentleman from New York. He would be sworn in as President and the swearing in of him as President would automatically resign him as Speaker of the House.

Mr. TABER. Then he would cease to be acting as an officer under this provision of the Constitution. That is the way the Constitution reads. It is the way the thing stands, and if we vote for this bill we are voting for an absolute nullity and something that cannot possibly work.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. SPRINGER].

The question was taken; and on a division (the Chair being in doubt) there were ayes 105, noes 0.

So the amendment was agreed to.

Mr. SPRINGER. Mr. Chairman, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: On page 3, line 19, after the word "prescribed", strike out the remainder of line 19, all of lines 20 and 21, down to and including the word "term" and insert "by law."

Mr. SPRINGER. Mr. Chairman, may I say that this amendment is merely a clarifying amendment. In view of the striking out of section (f), this amendment merely clarifies that portion of the bill.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. SUMNERS of Texas. I understand from my colleague who has been

examining the matter that that is true, it is purely amendatory.

Mr. SPRINGER. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. SPRINGER].

The amendment was agreed to.

Mr. LEWIS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEWIS: Amend by striking out the words in lines 7 and 8 on page 1 as follows: "Upon his resignation as Speaker and as Representative in Congress," and insert in lieu thereof the following: "as hereinafter provided."

Mr. LEWIS. Mr. Chairman, the language of this amendment, I believe, helps to correct a little of the criticism which the gentleman from New York made about this situation when he said we would have an anomalous situation of a Speaker having to resign before becoming President. The language which would take care of that situation is already in the bill provided we strike out the words that this amendment would strike out in lines 7 and 8. The language that covers this is found on page 4, lines 3 to 6, inclusive, and reads as follows:

The taking of the oath of office by an individual specified in the list in paragraph (1) shall be held to constitute his resignation from the office by virtue of the holding of which he qualifies to serve as President.

I should like to point out to my friends on this side of the aisle who were impressed by the reading of the Constitution by the gentlemen from New York that the purpose of that language in the Constitution is merely to designate the person, and once the person is designated by the Congress then, when he takes the oath of office as President, he is the President of the United States. That language in the Constitution is merely to authorize and limit the Congress in designating the line of succession.

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

Mr. LEWIS. I yield to the gentleman from Minnesota.

Mr. JUDD. I do not believe it is true that he then is the President. The Constitution states he "shall then act as President" but he is not the President. It says "such officer shall act" as President, but if he has resigned how can he still be "such officer"?

Mr. LEWIS. My point is that the designation of the man as such officer is merely to point out upon whom the succession shall fall.

Once it has fallen, the mere fact that he has resigned that particular office has no effect upon what occurred when he thereupon took the office of President.

Mr. TABER. The trouble with that argument is this: It says that such officer shall act accordingly. It does not say he shall become President. That is an altogether different proposition.

Mr. LEWIS. That has been pointed out by the gentleman from Minnesota [Mr. JUDD]. I think that is merely a splitting of hairs.

Mr. HANCOCK. Will the gentleman yield?

Mr. LEWIS. I yield.

Mr. HANCOCK. Suppose a man is designated to act as President during the disability of the President. Are there then two Presidents of the United States? During a temporary disability are there two Presidents?

Mr. LEWIS. A temporary disability?

Mr. HANCOCK. Then we would have two Presidents of the United States.

Mr. LEWIS. We would have an Acting President of the United States and a real President who would resume his office when the disability was removed.

Mr. HANCOCK. The Acting President, in my view, never becomes President.

Mr. LEWIS. That is a mere splitting of hairs, I believe. The intent of the Constitution, it seems to me, is plain.

Mr. GEARHART. Will the gentleman yield?

Mr. LEWIS. I yield.

Mr. GEARHART. Suppose the case of a Vice President who has become President, being seized with a disease such as pneumonia and going to the Naval Hospital a few months. The Speaker is called from his chair and he resigns as Speaker. Then the Vice President gets well. What becomes of the Speaker?

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

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

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

There was no objection.

Mr. LEWIS. That is a very interesting question which the gentleman from California has raised. When he assumes the office of President he does resign, as this language provides, as Speaker of the House. In all probability the House would then have to designate a new Speaker.

Mr. GEARHART. How about the President who recovers?

Mr. LEWIS. That is all right, but the Speaker of the House is out as Speaker. The House would then have to deal with that question. That does not affect the constitutionality of what we are doing here at all. It would merely be an embarrassing situation for the man who was Speaker.

Mr. GEARHART. Will the gentleman yield for one further question?

Mr. LEWIS. I yield.

Mr. GEARHART. Suppose the Vice President who became President did not get along with the Speaker and wanted to get rid of him. So when he got the flu or pneumonia or something and went to the hospital he draws the Speaker to the White House, and then he immediately gets well and comes back and sends the Speaker into oblivion.

Mr. LEWIS. Yes; that is a possibility.

Mr. JUDD. Will the gentleman yield?

Mr. LEWIS. I yield.

Mr. JUDD. I do not believe the language in section 6 of article I of the Constitution, where it says "No person holding any office under the United States shall be a Member of either

House," really means what many assume. Would this "officer," acting as the President, be a "person holding office under the United States"? No; he is merely acting as President. Why should he have to resign from Congress or from the Speakership? It is clear a man cannot hold two offices, but he would be holding only one, his seat in Congress, while acting as President. Does acting as President mean he is "holding" that office or not?

Mr. LEWIS. He would resign, by the language of this act.

Mr. JUDD. But if we did not leave that language in the act I do not think he would need to resign as Speaker, or as Member of Congress, under the Constitution.

The CHAIRMAN. The time of the gentleman has again expired.

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

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

There was no objection.

Mr. McCORMACK. Will the gentleman yield?

Mr. LEWIS. I yield.

Mr. McCORMACK. There are many speculative situations that may be created, but the main purpose of this bill is to provide a line of succession.

Mr. LEWIS. That is right.

Mr. McCORMACK. Assuming that in the ordinary course of events in the future, the same things may happen which relate to permanent departure, a permanent vacancy in the office of President?

Mr. LEWIS. That is correct.

Mr. McCORMACK. So we have to keep the substance and the importance of the bill in mind.

Mr. LEWIS. That is correct.

Mr. McCORMACK. Now, coming to the amendment offered by the gentleman, the gentleman is fearful if this language remains in the bill, "upon his resignation as Speaker and as a Member of the House of Representatives," that the act of resignation is first, and then he becomes a private citizen.

Mr. LEWIS. That is correct.

Mr. McCORMACK. Whereas the language on page 4 adequately protects that transition situation in the interests of the country.

Mr. LEWIS. That is exactly the point.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. LEWIS. I yield.

Mr. SUMNERS of Texas. I agree with the gentleman that it would be good strategy if not good legislation to take that language out. But the language which the gentleman is proposing to have inserted, I hope the gentleman has thought about it. "Herein provided." I question the wisdom of putting that language in, because the language with reference to which this deletion is to take place is the language which creates the powers of the Speaker of the House to assume that responsibility. Now, the "hereinafter provided," as our distinguished leader has just indicated, is included in the language.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. SUMNERS of Texas. Mr. Chairman; I rise in opposition to the amendment.

Mr. Chairman, I propound a question to my distinguished friend from Ohio as to whether or not the words "as hereinafter provided" in his mature judgment should remain as a part of the proposed amendment?

Mr. LEWIS. I believe so; I believe it clarifies, because it points out there is a provision hereinafter to take care of the situation. I shall not be a stickler on that point. If the gentleman feels that that language should not be contained in the amendment, I will ask that the amendment be modified accordingly.

Mr. SUMNERS of Texas. Suppose the gentleman deletes it now and we look into it a little further.

Mr. LEWIS. Mr. Chairman, will the gentleman yield to permit me to submit a unanimous-consent request?

Mr. SUMNERS of Texas. I yield.

Mr. LEWIS. Mr. Chairman, I ask unanimous consent that the amendment may be modified by striking out the words "as hereinafter provided."

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

There was no objection.

The CHAIRMAN. The Clerk will read the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. LEWIS: Strike out the words in lines 7 and 8 of page 1, as follows: "Upon his resignation as Speaker and as Representative in Congress."

Mr. FOLGER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if I understand the object of the two amendments, I am of the opinion they do not accomplish what is sought. On page 4, section 3, we find this language:

The taking of the oath of office by an individual specified in the list in paragraph 1 shall be held to constitute his resignation.

Paragraph 1 does not refer to the Speaker nor does it refer to the President pro tempore of the Senate; it refers exclusively to members of the Cabinet.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was agreed to.

The CHAIRMAN. Does the gentleman from Ohio, the author of the amendment just adopted, wish to offer the other part of his amendment?

Mr. LEWIS. No; I will not offer the remainder of the amendment.

Mr. VORYS of Ohio. Mr. Chairman, we have been worrying here about whether we might have too many officers at one time. The real concern of this bill is to make sure that we have a President all the time.

March 4, 1877, happened to come on Sunday and the people in those days did not feel they should have an inauguration on Sunday. There had been some difficulties about the election of President Hayes, so President Grant called President-elect Hayes to the White House on Saturday evening,

March 3, and swore him in as President; and the two of them continued as President all Saturday evening and Sunday up until President Grant's time ran out and they formally and publicly swore in President Hayes on Monday, March 5. I do not know that either of them got in the other's hair those 2 days or that we had any terrific crisis. It seems to me that in preparing for this matter of succession we are safe if we make sure that we have a President and we do not need to be overly concerned as to whether the President we put in, in case some former President should again become qualified will lapse back and get his old job, whether it be Secretary of State, Secretary of the Treasury, or even Speaker of the House of Representatives.

Mr. DONDERO. Mr. Chairman, will gentleman yield?

Mr. VORYS of Ohio. I yield to the gentleman from Michigan.

Mr. DONDERO. I notice on page 52 of the Manual it is stated that the Congress may provide by law what officer shall act as President.

Now, who is an officer of the United States? Is it the Speaker of the House or is it such people as are appointed by the President as Members of his Cabinet?

Mr. VORYS of Ohio. I think that has been rather thoroughly discussed. The able chairman of the Judiciary Committee pointed out a decision by Chief Justice White, in which it was held, as I understand it, that Congressman A. Mitchell Palmer was an officer and impersonating him violated a penal statute forbidding impersonation of an officer. That decision would seem to me to be persuasive, although I know that earlier in the debate other views have been expressed.

Mr. GWYNNE of Iowa. As a matter of fact the holding in that case was that a Member of Congress is an officer within the meaning of that statute. Our claim is a Member of Congress is not an officer within the meaning of the word as used in the Constitution. That has also been decided by the Supreme Court and never reversed at any time.

Mr. VORYS of Ohio. In reference to this constitutional question I happen to be one of those who agrees with the view that when the President dies the Vice President never does become President, but Acting President. However, from a practical and historic standpoint, it is a distinction without a difference and I do not think we need to worry about that distinction. If events should transpire making the Speaker President of the United States under this law we do not need to worry about having two Speakers any more than we do about the fact that we had two Presidents on Saturday, March 3, and Sunday, March 4, 1877.

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

Mr. VORYS of Ohio. I yield to the gentleman from Oklahoma.

Mr. MONRONEY. It is not also persuasive that only a few years after the adoption of the Constitution, the Congress of the United States with many many members of the Constitutional Convention serving therein, did make the

line of succession go through the Senate and House of Representatives respectively and that that law stood for almost a hundred years on the statute books without question?

Mr. VORYS of Ohio. That would be persuasive to me.

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

Mr. KEFAUVER. Mr. Chairman, I offer a clarifying amendment, which is at the desk.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER: On page 2, line 25, and page 3, line 1, strike out the words "until a President shall be elected in the manner prescribed in subsection (f)."

Mr. KEFAUVER. Mr. Chairman, I ask unanimous consent that the amendment be amended so as to include line 2, page 3, down to the word "then."

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

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as corrected.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER: Page 2, line 25, and page 3, lines 1 and 2, strike out the words "until a President shall be elected in the manner prescribed in subsection (f) or, if no President shall be so elected."

Mr. KEFAUVER. Mr. Chairman, this amendment is necessary in view of the fact that the election provision as contained in subsection (f) has been changed by the committee through an amendment offered by the gentleman from Kentucky [Mr. ROBSION]. This clarifies the bill in conformity with that amendment.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I thought the gentleman from Indiana [Mr. SPRINGER] introduced perfecting amendments which took that language out?

Mr. KEFAUVER. He overlooked one place.

Mr. ROBSION of Kentucky. This simply perfects the bill?

Mr. KEFAUVER. Yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. KEFAUVER].

The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GORE, 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. 3587, to provide for the performance of the duties of the office of President in case of the removal, resignation, or inability both of the President and Vice President, pursuant to House Resolution 306, he reported the bill back to the House with sundry amendments in the Committee of the Whole.

The SPEAKER. Under the rule the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

Mr. HANCOCK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HANCOCK. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read, as follows:

Mr. HANCOCK moves to recommit the bill to the Committee on the Judiciary.

Mr. SUMNERS of Texas. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. HANCOCK) there were—ayes 32, noes 167.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 10 o'clock tomorrow, it being the intention to bring up the OPA conference report at that time.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman tell us what the program for next week is?

Mr. McCORMACK. I will be very glad to. I have nothing assigned for Monday.

I shall ask unanimous consent that the Consent Calendar and the Private Calendar may both be called up on Tuesday.

Wednesday, July 4, there will be no session.

On Thursday we will bring up a tax bill, coming out of the Committee on Ways and Means.

Friday and Saturday business is as yet undetermined. Of course, there may be some unfinished business that we may not be able to complete today and tomorrow, some of which might go over to Monday. But there is no major legislation that I know of.

Mr. MARTIN of Massachusetts. That would depend a good deal on what action is taken in the Senate?

Mr. McCORMACK. Exactly.

Mr. MARTIN of Massachusetts. Will the Carden bill come up on Tuesday?

Mr. McCORMACK. I understand it will not, and that information comes to me from people interested in the bill. That information was conveyed to me subsequent to the talk that I had with the gentleman from Massachusetts [Mr. MARTIN] a little while ago.

That has been done at the request of some who are interested in the bill.

Therefore, there is no reason why the House should not complete its business by the latter part of next week so that

it can take a very substantial adjournment. I am hopeful it will be for at least 2 months.

Mr. MARTIN of Massachusetts. I hope the gentleman's wish comes true.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK] that when the House meets tomorrow it meet at 10 o'clock?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it be in order to call the Consent Calendar on Tuesday next instead of Monday, and also that the Private Calendar be called on Tuesday.

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

There was no objection.

Mr. KERR submitted the following conference report and statement on the bill (H. R. 3550) making appropriations for the Military Establishment for the fiscal year ending June 30, 1946, and for other purposes:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3550) "making appropriations for the Military Establishment for the fiscal year ending June 30, 1946, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1 and 3.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 4, 5, and 6, and agree to the same.

J. BUELL SNYDER,
 JOHN H. KERR,
 GEORGE MAHON,
 W. F. NORRELL,
 JOE HENDRICKS,
 D. LANE POWERS,
 ALBERT J. ENGEL,
 FRANCIS H. CASE,

Managers on the Part of the House.

ELMER THOMAS,
 CARL HAYDEN,
 JOHN H. OVERTON,
 ELBERT D. THOMAS,
 CHAN GURNEY (except
 amendment No. 3),
 C. WAYLAND BROOKS,
 HAROLD H. BURTON,

Managers on the Part of the Senate.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3550) making appropriations for the Military Establishment for the fiscal year ending June 30, 1946, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1: Restores the House provision barring expenditures upon class IV-E conscientious objectors under certain specified conditions.

Amendment No. 2: Strikes out the House provision denying payment of special allowances to War Department personnel, civil

or military, for performance of service in the State, Territory, or island of legal residence, as proposed by the Senate.

Amendment No. 3: Restores the House provision barring expenditures upon educating persons in medicine (including veterinary) or dentistry if not receiving such education as an expense to military appropriations prior to June 7, 1944.

Amendments Nos. 4 and 5, relating to the appropriation "Engineer Service, Army": Appropriates \$158,497,630, as proposed by the Senate, instead of \$37,879,000, as proposed by the House.

Amendment No. 6: Provides for a 10-percent appropriation interchange as to certain appropriations, subject to a 10-percent increase of any appropriation thereby, as proposed by the Senate, instead of a 5-percent interchangeability subject to a 10-percent increase of any appropriation thereby, as proposed by the House.

J. BUELL SNYDER,
JOHN H. KERR,
GEORGE MAHON,
W. F. NORRELL,
JOE HENDRICKS,
D. LANE POWERS,
ALBERT J. ENGEL,
FRANCIS H. CASE,

Managers on the Part of the House.

Mr. KERR. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 3550) making appropriations for the Military Establishment for the year ending June 30, 1946, and for other purposes.

The Clerk read the title of the bill.

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

There was no objection.

Mr. KERR. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

Mr. KERR. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL of Michigan. Mr. Speaker, had it not been for the fact that this conference report has to be adopted by both the House and the Senate, and the bill signed by the President before tomorrow night, the end of the fiscal year, I would not have signed the report and would have opposed its adoption.

The reason I would have opposed the report is because of the fact that the Senate restored the 10-percent transferability clause and the House conferees concurred in the Senate amendment. In other words, this bill now gives the War Department the power to transfer 10 percent at will from any fund to another fund instead of 5 percent as passed by the House. Last year they had transferability up to 20 percent. They actually transferred up to the time of the consideration of the bill under that clause, \$2,774,000,000, and they anticipated they would transfer before the end of the fiscal year a total of nearly \$3,500,000,000. Mr. Speaker, that means that the War Department had \$3,500,000,000 to spend for purposes which were not justified before any congressional committee. This is the first time since I have been a

Member of Congress than an Under Secretary of War appeared before a conference committee. He told the conferees that they had had 10 percent transferability since 1942. He is right. It was under that 10-percent clause that the Under Secretary of War, Mr. Patterson, transferred \$25,000,000 out of the fund we gave him to expedite production, to the building of the Pentagon, the white elephant across the river.

Under that same clause the Army transferred \$16,000,000 more from the Engineer Service fund to build the same building. That money, together with \$10,000,000 taken from the highway fund, enabled them to spend \$86,000,000 on the Pentagon Building in spite of the fact that the Congress had adopted a report by our committee limiting them to \$35,000,000.

I have before me their expenditures. In 1945 they came before our committee and said they had \$32,000,000,000 more than they could obligate. I asked them at that time whether they could not transfer two or three billion more. They said, "Oh, no. We cannot do that," but they came back that year and had \$13,000,000,000 more, making a total of approximately \$46,000,000,000 which they could not obligate. I was willing to give them 5-percent transfer clause. This bill carries \$39,000,000,000. The Army has made provision for 7,000,000 men. If the Army is reduced 10 percent or 700,000 men they will have a potential \$4,000,000,000 to play with.

It is time that Congress insist that these departments, War Department and Navy Department included, come before some congressional committee and justify every dollar that we are giving them to spend.

It was the 10 percent transferability clause that the Under Secretary referred to that made it possible for them to spend part of that money which was transferred to the Canadian Canol oil project, where they spent \$140,000,000 for oil they never got and which they are now turning over to the Standard Oil Co. of Canada and the Canadian Government free. It was the same clause that enabled them to transfer money to the Alaskan Highway, where they paid \$300 a month for common labor, without regard to whether the man worked a day or not, and where they spent \$100,000 a mile to build gravel road and were spending \$8,000 a mile for maintaining it. These are only a few of the instances where the Army has used this clause to throw money down a rat hole. I shall continue to oppose this sort of thing as long as I am in Congress. The European war is over. I am getting sick and tired of voting lump sums and watching this outrageous waste of the taxpayers' money.

I told the Under Secretary of War, both in committee and in conference this morning, "I am willing to give you every dollar the expenditure of which you can justify in this war. I am not willing to give you one dime, the expenditure of which you will not or cannot justify."

It is only because of the fact that this bill must be signed by the President by tomorrow night that I signed the conference report.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. KERR. Mr. Speaker, I yield 3 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, the gentleman from Michigan [Mr. ENGEL] has made a vigorous and a hard fight to eliminate the 10 percent transferability carried in the military appropriation bill. Personally, I think the gentleman from Michigan is right and should be respected for the fight he has made. It is certainly a step in the direction of closer appropriations by the Congress. In signing the report, however, we were impelled by the practical consideration cited by the gentleman from Michigan, the fact that the end of the fiscal year comes tomorrow and that action on the bill should be completed.

In connection with the matter, however, the RECORD should probably show that the bill as a whole represents closer appropriating for the War Department than has been the case hitherto. The heads of the various branches of the War Department originally asked for approximately \$52,000,000,000. The War Department itself cut these requests down to approximately \$41,000,000,000, and then the Bureau of the Budget cut them down to approximately \$39,000,000,000, and the Committee made still further cuts of approximately half a billion dollars so that the total funds available for the new fiscal year are about \$38,500,000,000. The bill was increased in the Senate slightly to provide for some emergency hospital construction and ammunition storage. We have concurred in that. Now, out of the \$38,500,000,000, only twenty-one billion some-hundred-million are new money. About \$8,000,000,000 represents anticipated recoveries and \$8,000,000,000-plus represent reappropriations.

The reason the War Department gave for asking continuation of the 10-percent transferability was that the \$8,000,000,000 of anticipated recoveries is not a certainty. Of course, no one can predict absolutely that the War Department will be able to recover the \$8,000,000,000-plus in repricing of contracts, in termination of contracts, or through renegotiation. The fact that the War Department was willing to accept a charge-off in the amount of these anticipated, but uncertain, recoveries indicates an attempt at closer appropriating now that the theaters of operation are reduced. It will be understood, I am sure, that the greater the number of operating zones, the larger the number of finance pools in which reserves must be maintained.

Mr. ENGEL of Michigan. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. ENGEL of Michigan. In case of a deficiency if they should run out of money is there any reason why they could not come before the Deficiency Subcommittee on Appropriations? I am sure they would be treated just like any other department.

Mr. CASE of South Dakota. I have agreed with and supported the position of the gentleman from Michigan, and do.

The War Department should be able to come before the Deficiency Committee in an emergency and would get the additional funds they might need. I merely wish the RECORD to show the plausibility of the position of the War Department which led us to sign the conference report although we were outvoted on the 10-percent proposition.

The SPEAKER. The time of the gentleman from South Dakota has expired.

Mr. KERR. Mr. Speaker, I yield one additional minute to the gentleman from South Dakota.

Mr. CASE of South Dakota. It also should be mentioned that as a result of the amendment adopted here in the House, and which was accepted by the Senate, the War Department will come before the Congress with a report at the middle of the fiscal year, on the 3d of January, showing the state of their funds at that time. That would give them an opportunity to justify any changes needed and, in all probability few if any transfers would be needed in the first half of the year. The 5 percent should cover that, it would seem. In view of the fact, however, that the war is still going on and that war is fluid and often unpredictable, a majority of the conferees did assent to the Senate's position and agreed to continue the 10 percent transferability; but I believe I state a fair proposition when I say that the House Committee is opposed to the 10 percent transferability as a general rule and when the war is over we shall all insist upon limiting transferability to 5 percent, or eliminating it entirely. This should be the last bill that permits 10 percent transferability.

Mr. KERR. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mrs. NORTON asked and was given permission to extend her remarks and include an article from the New York Times.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks and include a newspaper article.

LABOR, FEDERAL SECURITY APPROPRIATION BILL, 1946—CONFERENCE REPORT

Mr. HARE. Mr. Speaker, I call up the conference report on the bill (H. R. 3199) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1946, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

The Clerk read the statement of the managers on the part of the House.

Mr. HARE (interrupting the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

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

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3199) "making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1946, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 12, 13, 19, 34, and 35.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 14, 18, 20, 21, 23, 24, 25, 26, 27, 30, 31, 36, 42, 43, 52, and 53, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$395,691"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$167,502"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$1,058,200"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$294,790"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$2,356,876"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$79,365"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Salaries: For personal services in the District of Columbia, \$386,955."

And the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows:

"General expenses: For general expenses of the Office of Education, including law-books, books of reference, and periodicals; and for the operation, maintenance, and repair of one passenger-carrying automobile; purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of

foreign and domestic systems and methods of education, and repairing the same, \$39,650."

And the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: "Provided further, That no school or school system shall be required to surrender possession or use of any property or equipment which it is using in its educational or training programs"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: "and the development and prosecution of a program for the control of communicable diseases"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following: "\$1,688,000, of which \$100,000 shall be available for grants-in-aid in accordance with the provisions of Public Law 410, section 301 (d)"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$2,735,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment, as follows: In lieu of the matter stricken out and inserted by said amendment, insert the following: "and purchase and distribution of educational films (not to exceed \$30,000); \$427,988"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$61,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$1,780,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$464,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$210,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$473,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$192,500"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows:

In lieu of the sum proposed insert "\$1,116,666"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$11,732,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$550,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 16, 32, 44, 48, 49, 50, and 51.

BUTLER B. HARE,
M. C. TARTER,
ALBERT THOMAS,
MICHAEL J. KIRWAN,
ALBERT J. ENGEL,
FRANK B. KEEFE,
H. CARL ANDERSEN.

Managers on the Part of the House.

KENNETH MCKELLAR,
JAS. M. MEAD,
ABE MURDOCK,
CARL HAYDEN,
HAROLD H. BURTON,
JOSEPH H. BALL,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3199) making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1946, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying report, as to each of such amendments, namely:

DEPARTMENT OF LABOR

Office of the Secretary

Amendment No. 1. Salaries: Appropriates \$395,691, instead of \$406,040 proposed by the Senate and \$385,342 proposed by the House.

Amendment No. 2. Contingent expenses: Appropriates \$167,502, instead of \$168,780 proposed by the Senate and \$166,225 proposed by the House.

Amendment No. 3. Traveling expenses: Appropriates \$1,058,200, instead of \$1,061,800 proposed by the Senate and \$1,054,600 proposed by the House.

Amendment No. 4. Printing and binding: Appropriates \$294,790, instead of \$302,300 proposed by the Senate and \$287,280 proposed by the House.

Amendment No. 5. Salaries and expenses (national defense): Appropriates \$2,345,440, instead of \$3,045,440 proposed by the Senate and \$1,668,313 proposed by the House.

Children's Bureau

Amendment No. 6. Salaries and expenses, maternal and child welfare: Appropriates \$379,365, instead of \$433,400 proposed by the Senate and \$364,365 proposed by the House.

Women's Bureau

Amendment No. 7. Salaries and expenses: Appropriates \$172,580, as proposed by the Senate, instead of \$161,080 proposed by the House.

TITLE II—FEDERAL SECURITY AGENCY

Office of Education

Amendment No. 8. Library service: Reinstates language carried in House bill which the Senate proposed to eliminate.

Amendment No. 9. Services for the blind: Reinstates language carried in House bill.

Amendment No. 10. Salaries: Reinstates language carried in House bill; appropriates \$386,955 instead of \$296,955 proposed by the House.

Amendment No. 11. General expenses. Reinstates language carried in House bill; appropriates \$39,650 instead of \$29,650 proposed by the House.

Amendment No. 12. Salaries and expenses: Reinstates language carried in House bill.

Amendment No. 13. Salaries and expenses: Eliminates all language proposed by the Senate to replace language mentioned in amendments Nos. 8, 9, 10, 11, and 12, above.

Amendment No. 14. Permits expenditure as proposed by the Senate up to \$25,000 for traveling expenses of WAE employees at not to exceed \$10 per diem, instead of \$10,000 for the same purpose as proposed by the House.

PUBLIC HEALTH SERVICE

Amendment No. 16. Venereal disease (national defense): Reported in disagreement.

Amendment No. 17. Health and sanitation activities, war and defense areas (national defense): Provides for the carrying out of section 604 of the act approved July 1, 1944, Public, No. 410, but eliminates the designation of Liberia since there is authority in the law to perform work outside the limits of the United States.

Amendment No. 18. Health and sanitation activities, war and defense areas (national defense): Provides for the deletion of the words "maintenance and operation of one airplane," which are restated under the item for "Malaria and diseases of tropical origin (national defense)" where the airplane is to be used.

Amendment No. 19. Health and sanitation activities, war and defense areas (national defense): Appropriates \$2,615,000 proposed by the House instead of \$2,500,000 as proposed by the Senate.

Amendment No. 20. Malaria and diseases of tropical origin (national defense): Restates the wording "hire, maintenance, and operation of aircraft" which was eliminated under Amendment No. 18.

Amendment No. 21. Hospitals and medical care: Proposed to add the words "and transporting" in connection with expenses of preparing remains for burial of a patient dying away from home.

Amendment No. 22. National Institute of Health, operating expenses: Appropriates \$1,688,000 instead of \$1,588,000 proposed by the House, and includes the provision that "of which \$100,000 shall be available for grants-in-aid in accordance with the provisions of Public Law 410, section 301 (d)," in lieu of the wording, "of which \$100,000 shall be allocated to the University of Utah as a grant-in-aid in accordance with the provisions of Public Law 410, section 301 (d) for a thorough study of a paralytic disease called progressive muscular dystrophy."

Saint Elizabeths Hospital

Amendment No. 23. Salaries and expenses: Appropriates \$2,861,000 proposed by the Senate in lieu of \$2,114,400 as proposed by the House.

SOCIAL SECURITY BOARD

Amendment No. 24. Grants to States for old-age assistance, aid to dependent children, and aid to the blind: Appropriates \$431,000,000 proposed by the Senate instead of \$416,000,000 as proposed by the House.

Amendment No. 25. Salaries, Bureau of Employment Security: Appropriates \$642,474 proposed by the Senate instead of \$545,800 as proposed by the House.

Amendment No. 26. Salaries, Bureau of Old-Age and Survivors Insurance: Appropriates \$15,750,000 proposed by the Senate instead of \$15,335,685 as proposed by the House.

Amendment No. 27. Salaries, offices of the Social Security Board: Appropriates \$2,928,000 proposed by the Senate instead of \$2,861,052 as proposed by the House.

Amendment No. 28. Miscellaneous expenses, Social Security Board: Appropriates \$2,735,000 instead of \$2,751,000 proposed by

the Senate and \$2,675,559 proposed by the House.

Amendment No. 29. For general administrative expenses: Appropriates \$427,988 instead of \$499,500 proposed by the Senate and \$356,477 as proposed by the House, and includes the following language, "and purchase and distribution of educational films (not to exceed \$30,000);".

Office of the Administrator

Amendment No. 30. Salaries: Appropriates \$174,000 proposed by the Senate instead of \$160,650 as proposed by the House.

Amendment No. 31. Salaries: Proposes \$10,000 for use by the Administrator for temporary employment of persons, in lieu of \$2,500 proposed by the House.

Amendment 32. Community War Services: Reported in disagreement.

Amendment 33. Temporary aid to enemy aliens and other restricted persons: Appropriates \$61,000 instead of \$82,000 proposed by the Senate and \$40,000 as proposed by the House.

Amendment 34. Salaries, Division of Personnel Management: Appropriates \$95,000 proposed by the House instead of \$113,000 as proposed by the Senate.

Amendment 35. Salaries, Division of Service Operations: Appropriates \$220,000 proposed by the House instead of \$243,000 proposed by the Senate.

Amendment 36. Salaries, Office of the General Counsel: Appropriates \$528,000 proposed by the Senate instead of \$512,582 as proposed by the House.

NATIONAL LABOR RELATIONS BOARD

Amendment No. 37. Salaries: Appropriates \$1,780,000 instead of \$1,830,000 proposed by the Senate and \$1,730,000 as proposed by the House.

Amendment No. 38. Miscellaneous expenses: Appropriates \$464,000 instead of \$478,000 proposed by the Senate and \$450,000 as proposed by the House.

Amendment No. 39. Printing and binding: Appropriates \$210,000 instead of \$220,000 proposed by the Senate and \$200,000 as proposed by the House.

Amendment No. 40. Salaries and expenses (national defense): Appropriates \$473,000 instead of \$546,000 proposed by the Senate and \$400,000 as proposed by the House.

Amendment No. 41. Salaries and expenses: Appropriates \$192,500 instead of \$235,000 proposed by the Senate and \$150,000 as proposed by the House.

NATIONAL MEDIATION BOARD

Amendment No. 42. Salaries and expenses: Appropriates \$243,300 proposed by the Senate instead of \$218,300 as proposed by the House.

Amendment No. 43. Salaries and expenses: Proposes a limitation of \$176,950 for personal services in the District of Columbia instead of \$159,950 as proposed by the House.

WAR MANPOWER COMMISSION

Amendment No. 44. General administration: Reported in disagreement.

Amendment No. 45. General administration: Proposes limitation of \$1,116,666 for travel expenses instead of \$1,350,000 proposed by the Senate and \$1,000,000 as proposed by the House.

Amendment No. 46. General administration: Appropriates \$11,732,000 instead of \$14,000,000 proposed by the Senate and \$10,598,000 as proposed by the House.

APPRENTICE TRAINING SERVICE

Amendment No. 47. Apprentice training service: Appropriates \$550,000 instead of \$683,000 proposed by the Senate and \$520,000 as proposed by the House.

EMPLOYMENT OFFICE FACILITIES AND SERVICES

Amendment No. 48. Reported in disagreement.

Amendment No. 49. Employment office facilities and services: Reported in disagreement.

Amendment No. 50. Training within Industry Service, War Manpower Commission (national defense): Reported in disagreement.

Amendment No. 51. Migration of workers: Reported in disagreement.

GENERAL PROVISIONS

Amendment No. 52. Restricts the purchase of passenger-carrying vehicles to used or Federal surplus motor vehicles.

Amendment No. 53. Corrects section number from 804 to 805.

AMENDMENTS REPORTED IN DISAGREEMENT

Following is a statement of the amendments reported in disagreement and such motion as may have been authorized by the managers on the part of the House to be made in regard to each:

Amendment No. 16. Venereal diseases (national defense): A motion to concur in the Senate amendment will be offered.

Amendment No. 32. Community War Services: A motion to concur in the Senate amendment, with an amendment reducing the amount proposed from \$900,000 to \$450,000, will be offered; the amount of \$450,000 to be used for services for the United States Organization and for the Social Protection Division.

Amendment No. 44. General Administration, War Manpower Commission:

A motion to concur in the Senate amendment will be offered.

Amendment No. 48. Employment offices: A motion to concur in the amendment with an amendment to appropriate \$54,091,363 in lieu of the sums proposed by the House and Senate will be offered.

Amendment No. 49. Employment office facilities and service: A motion to concur in the Senate amendment will be offered.

Amendment No. 50. Training Within Industry Service, War Manpower Commission (national defense): A motion to concur in the Senate amendment, with an amendment on page —, line —, after the semicolon insert the following: "including the final liquidation of the service by December 31, 1945", and a further amendment reducing the amount proposed from \$1,200,000 to \$600,000, will be offered.

Amendment No. 51. Migration of workers: A motion to concur in the Senate amendment, with an amendment reducing the amount proposed from \$1,600,000 to \$800,000, and a further amendment at the end of the section as follows: "Provided, That no part of the funds herein appropriated shall be available for any transportation of railroad workers", will be offered.

BUTLER B. HARE,
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H. CARL ANDERSEN,

Managers on the Part of the House.

Mr. HARE. Mr. Speaker, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Speaker, I take this time because many questions have been asked members of the conference committee on this bill with respect to a few of the items in the report. I think the Members should understand just what the conference has done. I shall not attempt to discuss in this brief time any of the inconsequential items.

I have had a good many questions asked by Members of Congress as to the action taken with respect to the Office of Education in reference to its program of expansion. You will recall it was stated when this bill was before the

House originally that the Office of Education had made a proposal which was grandiose in character for the reorganization of the Office of Education. The subcommittee of the Appropriations Committee took the position that before we would make appropriations to carry that 5-year plan into operation we should have the advice of the legislative Committee on Education of the House. So we refused to provide the funds, when the bill was before the House, as contemplated by the Office of Education to carry into effect this proposed reorganization scheme which, if carried out, would have meant a tremendous expansion in the Office of Education.

If you are acquainted with this bill you will know that the House has for years carried various items for the Office of Education, all specifically appropriated for. Under the amendment offered in the Senate and adopted by that body, there was stricken out all of the language that the House had put in the bill and there was a lot of new language inserted which in effect would have permitted the carrying out in part, at least, of this reorganization plan which the Office of Education submitted to the House committee.

After considerable discussion in conference it was agreed that the language of the House bill is more preferable and that if the amendment offered by the Senate had been adopted, a lump sum appropriation would have been made to the Office of Education, which would have permitted the Commissioner of Education to even handle the funds in his own discretion as he wanted to that have always been set up for the administration of vocational education.

Reference to page 19 of the bill will disclose that we have always set up in a separate fund for the protection of vocational education in this country the money to administer the Federal grants. Had the Senate amendment been carried through, it would have wiped out that allocation and designation of funds from the bill, and would have given a lump-sum appropriation to the Commissioner so that he could have used his discretion in the utilization of funds for the administration of vocational education.

Those of you who are interested in the vocational education system of this country as operated in the various States ought to be pleased to know that your subcommittee has been alert enough to see to it that in bringing this bill back to you we have protected very definitely the administrative funds for the vocational education system of the country and there is no possibility of those funds being transferred or used for some other purpose.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I think the House as a whole will appreciate the attention that the gentleman has given to this and the action taken. Will the gentleman tell us something with reference to the amendment placed in the bill by the Senate making specific proviso that within 90 days after the close

of the war employment offices shall close?

Mr. KEEFE. I will be glad to come to that. That is in another part of the bill. I am answering these questions that have been submitted.

You will recall that the Public Health Service is now in charge of the venereal control activities of this country, directly but largely in cooperation with the States. The House of Representatives, and especially the subcommittee in charge of this appropriation, has been very much impressed by the work of the Public Health Service in this field. As a matter of fact, the Public Works Agency, in cooperation with the Public Health Service, has established a large number of rapid treatment centers throughout the country that have been carried on and paid for from so-called Lanham Act funds. Under this bill, pursuant to an amendment put in by the Senate which reached us too late for our committee to consider, we have turned over to the Public Health Service the operation of these rapid treatment centers that heretofore have been carried on by the Public Works Agency and we have provided funds in this bill so that the Public Health Service may carry on that very great work.

Many people were interested in that provision of the bill. May I say also that there are one or two little changes in the bill that we agreed to. One of them is that we have provided some further and additional funds in this bill over what were provided in the original House bill for St. Elizabeths Hospital. Without going into a great deal of detail, may I say that the burden upon this hospital has been so tremendous and so large that they have been compelled to send some of their patients out to other hospitals in the country, for which St. Elizabeths must remunerate and reimburse these other hospitals. Because of that their funds ran low, and in order that those patients may be properly taken care of we have provided additional funds in this bill, and that is amendment 23 as it will be presented to you.

In connection with the question that was asked by the gentleman from South Dakota with respect to the employment offices, let me discuss that for just a moment. You will recall that the request of the Federal Security Agency was for about sixty-five million to run the employment offices of this country. Some fifteen or sixteen million dollars of that was to be devoted to a program of expansion by which they were to open some 600 new offices scattered throughout the country. I have a complete list of them in the United States. It is the most ridiculous program, in my judgment, that I have ever heard of. I went to the trouble to get communications from the Director of Employment Security from every State in the Union, and from many Governors and with few exceptions they were unanimous in the expression of their opinion that this would be the most unwarranted expenditure of money that could be conceived of. The establishment of employment offices under the jurisdiction of the Federal Security

Agency in many towns of this country of 500 population, out at the crossroads cannot be justified. I can say to you that the matter was thoroughly discussed in the conference yesterday. The Senate gave them the money. We, in the House, refused to go along with that program, and in conference yesterday the Senate receded and adopted the House provision.

The SPEAKER. The time of the gentleman from Wisconsin has expired.

Mr. HARE. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Mr. Speaker, I would like to have the RECORD show at this point that it was due largely to the intensive study made by the gentleman from Wisconsin relative to the proposed establishment of employment centers that he was able to convince the members of the conference from the other body to the effect that we could justifiably knock \$11,000,000 out of this particular appropriation.

Mr. KEEFE. I want to thank my good friend from Minnesota for his courtesy. May I say in return that the gentleman, because of his great modesty, has not credited himself with masterful efforts and support in this very important matter. He has rendered most conspicuous service to the people of the country in connection with this entire bill.

I may say in further answer to the gentleman from South Dakota that the Senate unanimously placed an amendment in this bill which requires the return of these employment offices to the States from which they were taken within 90 days after the termination of hostilities, as evidenced by proclamation issued by the President or the adoption of a concurrent resolution by the Congress. That will carry out the will of the people of this country as has been expressed by 44 Governors who have asked the President of the United States to turn these offices back to the States and let them operate under the only authority of law, and that is the Wagner-Peyser Act. Under that act these offices were and are intended to be under State control. You can be assured they will operate with efficiency and economy when they are turned back to the States.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. The conference action confirms that position.

Mr. KEEFE. The conference action confirms that amendment. We have a unanimous report, and we will ask for concurrence in the Senate amendment.

There is one other item in this bill that I have received many questions about, and that is the Community War Service facilities in the Federal Security Agency. The House cut that item out completely. That was the organization that had two branches, one sending people out through the country to aid in the establishment of community facilities;

the other part of its activities being the so-called social protection in the venereal disease field. The House cut it out entirely and said it ought to be suspended. As the result of the conference yesterday on the Senate amendment which restored the funds asked for by the Federal Security Agency, it was unanimously agreed that we would give them \$450,000 to enable the Office of Community War Services to carry on the social-protection work which they are presently engaged in.

I personally have come to the belief that perhaps that appropriation can be well expended in view of the fact that millions of soldiers are coming back home and coming to those cities.

Fifty thousand dollars of the sum has been put into the appropriation to enable the Federal Security Agency to audit, inspect, and look after USO funds, which is a very necessary thing to be done.

Another particular item in which people were interested in connection with this bill was the training-within-industry service. If you will recall, we cut out all of this training program in the House bill, including the training-within-industry service. It was felt that these war-training programs ought to cease; that they served their purpose and had performed more or less efficiently. But they have cost untold sums of money.

We felt, in view of the present status of the war, that the training-within-industry service ought to be stopped. The Senate disagreed. They put in an amendment giving them \$1,200,000 to continue their work for the next fiscal year. The action of the conference was to cut that sum in two, to wit, to \$600,000, and a provision at the suggestion of my good friend the gentleman from Georgia [Mr. TARVER] was written into the bill which requires that service to be terminated or liquidated by December 31, 1945. I think that is perhaps a good solution to the situation.

Those are the principal things except this question of migration of workers. You will recall that there was a proposal submitted to the committee which would have asked the Congress of the United States to pay to the railroads running into Mexico the cost of transporting these workers. These railroads have for years hired their employees in Mexico and the proposal would have required the taxpayers of the United States to pay the transportation cost of all of these workers, most of whom are carried over the lines of the railroads themselves which run down into Mexico. We just refused to do it. It is not going to be done under the terms of this bill.

Mr. Speaker, I have covered all of the important points, I believe, in the entire bill, so that there ought not to be many questions arising on the conference report.

Mr. HARE. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, the principal matters contained in this conference report have been ably discussed. There is only one thing I wish to direct the attention of the House to, and that is amendment No. 15 in the paragraph

providing for the liquidation of the program for education and training of defense workers. In that program millions of dollars worth of machinery and equipment has been furnished to the schools throughout the United States. The subcommittee were kind enough to insert in the bill a provision which I suggested, reading as follows:

Provided further, That no school or school system shall be required to surrender the possession of or the use of any property or equipment for which it claims need in its educational or training program.

The purpose of that amendment, of course, as you can readily observe, was to see to it that these schools which had been furnished with this machinery and equipment shall be allowed to retain it where they have need for it, or, as that proviso stated, "for which it claims need."

The Senate struck out that proviso. In conference it was restated in this language:

Provided further, That no school or school system shall be required to surrender the possession or use of any property or equipment which it is using in its educational or vocational training programs.

I thought I ought to call your attention specifically to this amendment as all of you have schools in your districts which have been furnished with this machinery and equipment and in order that you may advise them upon their communicating with you that they have the right to retain it provided they are using it in their vocational or educational programs.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I think it should be stated to the House and it should appear in the RECORD that the distinguished gentleman from Georgia is personally responsible for the original suggestion in putting this language in this bill. It is one of the finest things and will be of the greatest benefit to the entire school system of this country and to the schools that have had this large amount of equipment in their vocational schools through this training program which they are now using, and which under the language suggested by the gentleman from Georgia they will be permitted to keep. Thus, if this bill becomes law, this equipment will not be taken away from them.

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

Mr. HARE. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. SUMNERS] to make a unanimous-consent request.

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent that the enrolling clerk be authorized to strike out the words "in the list in paragraph 1" on page 4, line 4, of the bill H. R. 3587, and insert the word "herein."

I have spoken to the Republican leader about it, and it is necessary because of another amendment that was made on the bill.

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

There was no objection.

Mr. HARE. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL of Michigan. Mr. Speaker, I am taking this time to keep the record straight.

It is not my purpose to criticize and it is not permitted by the rules of the House to criticize the other body, but we continuously read press reports giving the other body credit for savings made in appropriation bills.

An investigating committee on the other side of the Capitol published a report recently in which they used the following language:

The following savings were made as a direct result of the recommendation of this committee.

Then followed a page of items showing savings to the Government. In looking over those items I found that practically every item which they enumerated was cut by the Appropriations Committee in this House and a great majority of them were restored by the other body. The saving was only made after a fight in conference.

Mr. Speaker, this bill is typical. The House Appropriations Committee cut this bill \$39,000,000 below the Budget estimate. The Senate restored \$37,000,000 of the cut made by the House. After a conference which continued for several hours we finally brought back a bill with a net cut of approximately \$25,000,000 instead of \$39,000,000 below the Budget estimate and \$23,000,000 below what the Senate had provided. After some argument we were able to restore \$23,000,000 of the \$39,000,000 savings which the House had made and compromised and concurred to Senate increases in the amount of \$14,526,585.

When these House appropriation bills come up on the floor of the other body I often wonder where, oh, where, are the members of the famous Senate committee who claim credit for every cut made in appropriation bills.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. HARE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

Amendment No. 16: Page 22, line 12, insert:

"Venereal diseases (national defense): For the operation and maintenance of centers for the diagnosis, treatment, support, and clothing of persons afflicted with venereal diseases, including travel; printing and binding; transportation and subsistence of such persons and their attendants to and from the place of treatment or allowance in lieu thereof; diagnosis and treatment (including emergency treatment for other illnesses) of such persons through contracts with physicians and hospitals and other appropriate institutions without regard to section 3709 of the Revised Statutes; fees for case finding and referral to such centers of voluntary

patients; reasonable expenses of preparing remains or burial of deceased patients; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; recreational supplies and equipment; leasing of facilities and repair and alteration of Government-owned or leased facilities without regard to section 3709 of the Revised Statutes and section 322 of the act of June 30, 1932, as amended (40 U. S. C. 278a); purchase of 20 passenger automobiles; and for grants of money, services, supplies, equipment, and use of facilities to States, as defined in the act, and with the approval of the respective State health authorities, to counties, health districts, and other political subdivisions of the States, for the foregoing purposes, in such amounts and upon such terms and conditions as the Surgeon General may determine; \$4,644,000: *Provided*, That the Administrator of the Federal Works Agency shall, without transfer of funds by the Federal Security Agency, transfer to the Federal Security Agency all records, equipment, furnishings, and supplies under the jurisdiction of the Federal Works Agency which have been used primarily in the treatment of venereal diseases; *Provided further*, That funds may be transferred with the approval of the Bureau of the Budget to this appropriation from the appropriation "Control of venereal diseases, Public Health Service," in an amount not exceeding \$356,000, and shall be consolidated with this appropriation and the whole administered and accounted for as one fund."

Mr. HARE. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 16 and agree to the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement. The Clerk read as follows:

Senate amendment No. 32: Page 40, line 8, insert:

"Community War Services: For all expenses necessary to enable the Federal Security Administrator to carry out the functions transferred from the Offices of Defense Health and Welfare Services by Executive Order 9338, dated April 29, 1943, including personal services in the District of Columbia and elsewhere; not to exceed \$15,000 for the temporary employment of persons by contract or otherwise without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; acceptance and utilization of voluntary and uncompensated services; printing and binding; maintenance, operation, and repair of passenger-carrying motor-propelled vehicles; and traveling expenses, including expenses, when specifically authorized by the Administrator, of attendance at meetings concerned with the purposes of this appropriation; \$900,000."

Mr. HARE. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. HARE moves that the House recede from its disagreement to the amendment of the Senate No. 32, and agree to the same with an amendment, as follows: In lieu of the sum of "\$900,000" proposed in said amendment insert "\$450,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement. The Clerk read as follows:

Senate amendment No. 44: Page 50, line 12, after "including", insert "one Deputy Chairman and one Executive Director at \$9,000 each per annum."

Mr. HARE. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 48: Page 53, line 1, strike out "\$50,000,000" and insert "\$65,322,000."

Mr. HARE. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. HARE moves that the House recede from its disagreement to the amendment of the Senate No. 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed insert "\$54,091,363" and in lines 2 and 3, page 53 of the engrossed bill, strike out "(except section 602)" and insert in lieu thereof "section 602."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 49: Page 57, line 5, after the word "interruption", insert "": *Provided further*, That the Employment Service facilities, property, and personnel loaned by the States to the United States Employment Service, shall be returned to the States not later than 3 months after the termination of hostilities in the war with Japan as determined by Presidential proclamation or by concurrent resolution of Congress."

Mr. HARE. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 50: Page 57, line 18, insert:

"Training Within Industry Service, War Manpower Commission (national defense): For all expenses necessary to enable the Chairman of the War Manpower Commission to promote and facilitate on-the-job training and maximum utilization of workers by industries and activities essential to the war by affording training to supervisory personnel; including the temporary employment of persons by contract or otherwise without regard to section 3709 of the Revised Statutes and the civil-service and classification laws; reimbursement, at not to exceed 3 cents per mile, for official travel performed by employees in privately owned automobiles within the limits of their official stations; printing and binding (not to exceed \$3,500); and travel expenses (not to exceed \$200,000); \$1,200,000."

Mr. HARE. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. HARE moves that the House recede from its disagreement to the amendment of the Senate No. 50, and agree to the same with an amendment, as follows: In the sixth line of said amendment, after the semicolon, insert the following: "including the final liquidation of the service by December 31, 1945," and a further amendment that in lieu of the sum of \$1,200,000 proposed in said Senate amendment that there be inserted "\$600,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 51, page 58, line 7, insert:

"Migration of workers: To enable the War Manpower Commission to provide, in accordance with regulations prescribed by the chairman of said Commission for the temporary migration of workers from foreign countries within the Western Hemisphere (pursuant to agreements between the United States and such foreign countries), for employment in the continental United States with industries and services essential to the war effort, including the transportation of such workers from points outside the United States to point of entry or reception centers in the United States and return (including transportation from place of employment in the United States to reception centers or point of departure from the United States in any case of default by an employer to provide such transportation to a worker, in which event the employer shall be liable to the United States for the cost thereof); cost of temporary maintenance of workers in reception centers in foreign countries and in the United States, including transportation of workers in connection therewith when necessary; reasonable subsistence and emergency medical care of such workers from the time of reporting for transportation to the United States or return to the country of origin until arrival at the destination; necessary assistance to meet emergency health and welfare problems while in the United States, when such assistance is not otherwise available to such persons; expenses (not to exceed \$125 in any one case) of preparation of remains and burial of workers dying in the United States; and guaranties of employment while in the United States to the extent agreed upon with the foreign country from which the workers are imported; \$1,600,000, of which not to exceed \$91,000 shall be available for all administrative expenses necessary for the foregoing, including payment for the rental of office space and utility services outside the continental United States without regard to section 3648, Revised Statutes (31 U. S. C. 529); not to exceed \$20,000 for temporary employment of administrative personnel outside continental United States; not to exceed \$2,000 for printing and binding outside continental United States without regard to section 3709 of the Revised Statutes and section 11 of the Act of March 1, 1919 (44 U. S. C. 111); and not to exceed \$18,800 for travel expenses: *Provided*, That no transportation of workers shall be allowed hereunder unless the employer and the worker have entered into a contract for employment approved by said chairman or his designee, and unless said chairman certifies that reasonably adequate use is being made of local labor supply: *Provided further*, That this appropriation shall remain available after June 30, 1946, for the purpose of fulfilling guaranties and other obligations theretofore incurred with respect to such foreign workers and for all other purposes connected with the protection and ultimate return of any workers theretofore transported: *Provided further*, That no part of this appropriation shall be available for the recruitment or transportation of workers for employment in agriculture (Act of June 28, 1944, Public Law 373)."

Mr. HARE (interrupting the reading of the amendment). Mr. Speaker, I ask unanimous consent that the further reading of the amendment be dispensed with, and that it be printed in the RECORD.

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

There was no objection.

Mr. HARE. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. HARE moves that the House recede from its disagreement to the amendment of the Senate No. 51, and agree to the same with an amendment, as follows: In lieu of the sum of "\$1,600,000" proposed in said amendment insert "\$800,000" and at the end of the amendment insert the following: "*Provided*, That no part of the funds herein appropriated shall be available for any transportation of railroad workers."

Mr. HARE. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, I take this time in order that there may appear in the RECORD a statement of the agreement that was reached in conference and which was to have been included in the conference report but was inadvertently omitted therefrom by the clerks preparing the report.

The gentleman from Wisconsin [Mr. KEEFE] has already explained the very valid objections which exist to the carrying on of this program, particularly the part thereof which relates to the importation of railroad workers. That, of course, has been eliminated by the express language of the amendment. However, in the estimate of \$1,600,000, \$800,000 was proposed for the supervision of and expenses incurred in connection with the further importation of various types of workers in industry, and it is that \$800,000 which has been eliminated. There was to have been included in the conference report a statement that none of this \$800,000 which is carried in the amendment offered by the gentleman from South Carolina [Mr. HARE] should be used for the importation of any additional workers into the United States. I read to you the items which were sent up from the Budget that have been allowed and which constitute the \$800,000 which it is proposed to spend: Administration, \$70,200; printing and binding, \$2,000; travel, \$18,800; to continue laborers already at work in the United States, \$709,000; making a total of \$800,000.

It is expected this money will be used for these purposes and for these purposes only, and that the further importation of labor into the United States will not be had. Our subcommittee of the House Appropriations Committee was very strongly of the opinion that employment conditions which are likely to exist in the country after the discharge of 2,000,000 or more men from the armed services will not be such as to justify continuance of this program.

Mr. KEEFE. Will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Wisconsin.

Mr. KEEFE. The gentleman has made a very clear, distinct statement as to the agreement reached, and I am glad that he has placed these items in his statement showing just what is covered by this \$800,000; however, because there might exist in the minds of some present on the floor misapprehension as to the question of restricting the further importation of workmen, I think it should be made to appear that the re-

striction applies only to those workers who are being brought in pursuant to the provisions of this appropriation, and those are industrial workers, not agricultural workers.

Mr. TARVER. The gentleman is entirely correct. That program is carried under the appropriation for the Department of Agriculture.

May I ask the chairman of the subcommittee whether or not the statement I have made is in his judgment correct and whether it does represent the agreement reached in conference?

Mr. HARE. With the understanding expressed by the gentleman from Wisconsin, I am sure that that was the intention of the committee.

Mr. TARVER. I thank the gentleman.

The SPEAKER. The question is on the motion offered by the gentleman from South Carolina.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Gatling, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 3278. An act to amend section 204 of the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, to increase the amount authorized to be appropriated therein, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 905) entitled "An act for the relief of Paul T. Thompson."

EXTENSION OF REMARKS

Mr. RANDOLPH asked and was given permission to extend his remarks in the RECORD and to include certain material in connection with a bill that he presented today to create a Department of Peace within the Government of the United States.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD on two different subjects and to include a letter and some resolutions.

Mr. REES of Kansas asked and was given permission to extend his remarks in the RECORD and to include copies of two letters he has written.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD on two subjects and to include certain excerpts.

Mr. BROWN of Ohio asked and was given permission to extend his remarks in the RECORD and to include an editorial which appeared in the Council Bluffs Nonpareil, written by A. M. Piper, editor, who is one of the most outstanding editors of America.

PERMISSION TO ADDRESS THE HOUSE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes tomorrow after disposition of business on the Speaker's desk

and at the conclusion of any special orders heretofore entered.

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

There was no objection.

COMMITTEE TO INVESTIGATE FOOD SHORTAGE

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent that the special House Committee to Investigate Food Shortages may have until midnight tonight to file its third report.

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

There was no objection.

AUTOMOBILE USE STAMP

Mr. BENDER. 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. BENDER. Mr. Speaker, the present automobile use stamp which must be purchased by July 1 is one of those nuisance taxes for which there is no justification whatever. Today, with hundreds of thousands of automobile drivers strictly limited to A-card driving, the tax adds insult to injury. There is neither revenue or a supervisory purpose behind this tax. Federal officials openly admit that they lack the means of enforcing it. Under the circumstances, I am calling upon Congress to act at once for the repeal of this utterly unnecessary nuisance tax. It would take up only a few minutes to end a burden which is totally unjustifiable. We should not hesitate to take this step.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from New Jersey.

Mr. CANFIELD. I agree with the gentleman 100 percent. I think we would be serving the cause of good government if we repealed this tax immediately.

Mr. BENDER. That bill is now pending, and I trust it will pass.

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. HAVENNER] is recognized for 10 minutes.

CALIFORNIA POWER RATES

Mr. HAVENNER. Mr. Speaker, yesterday the gentleman from California [Mr. ELLIOTT] made a statement to the House during the debate on the Conference Report on the Interior Department appropriation bill. In the course of his remarks the gentleman from California, Representative ELLIOTT, made certain statements concerning my record when I was a member of the California Railroad Commission. I quote from the CONGRESSIONAL RECORD of June 28, 1945, page 6946:

No one has ever attempted to give my farmers cheap electric energy. Time and again my people and I appeared before the railroad commission and the power companies in the interest of getting some relief.

At this point I asked the gentleman to yield.

The gentleman from California [Mr. ELLIOTT] replied as follows:

I decline to yield. You served as chairman of that board and did not do anything about it and my people suffered; but did anybody give them relief? No.

Again the gentleman from California [Mr. ELLIOTT] declined to yield to me.

So, Mr. Speaker, I am taking this time to make a statement on this subject which I was not permitted to make during the debate yesterday.

Further on in his remarks the gentleman from California [Mr. ELLIOTT] made the following statement, and I quote from the CONGRESSIONAL RECORD containing the official proceedings of yesterday:

The irrigation water users of the southern San Joaquin Valley cannot receive project power on account of distance. They are asked to pay high water rates, to subsidize large users of power in the San Francisco Bay region where most of it must be sold.

We hear complaints about the cost of power in the city of San Francisco. Utility rates in San Francisco for average family use are the cheapest of 25 large cities in the United States. The average monthly bill in San Francisco is \$7.20; in New York it is \$15.30.

My people are going to pay for the water they get from the canals when they are constructed; and we are going to have to pay for the laterals and all the ditches to get it over to our farms. We are not asking the people in the San Francisco and the bay area, and Los Angeles to pay the cost.

My people have been misled from time to time. They have been lied to.

Mr. Speaker, the gentleman from California [Mr. ELLIOTT] is either in ignorance of the long established policy of the California Railroad Commission in fixing electric rates for the farmers and agricultural users of electricity in California, or for some other reason he has misinformed the Members of the House concerning the commission.

According to the Edison Electric Institute in the year 1943 rural users of electric service throughout the Nation paid an average of more than 2½ cents a kilowatt hour while in California the rural users paid less than 1¾ cents, a difference of 30 percent in favor of California.

For agricultural pumping service, to which the gentleman from California [Mr. ELLIOTT] referred, the average rate is still lower in our State, as compared to the national average. It should be known by the gentleman from California [Mr. ELLIOTT] that the favorable gas rates for his pumping engines were fixed by the same railroad commission that fixed electric rates in his district.

Every dollar invested in transmission lines and a standby plant will augment the earnings of the Central Valley project as a whole, and the additional earnings may be reflected either in lower electric rates to the consumers, or assigned in part to reduce irrigation water rates. In any event the users of Central Valley service will be the beneficiaries.

In order that the statements which I have made today may not be considered as mere personal opinions, and therefore subject to challenge on the ground of

inaccuracy, I desire to quote from a very eminent authority on the subject of utility rates in California, namely, the California State Supreme Court.

About a decade ago the city of Tulare, Calif., which happens to be the home city of the gentleman from California, Representative ELLIOTT, asked the California Railroad Commission to fix a valuation upon the distribution properties of the Southern California Edison Co., located in the city of Tulare, which the city at that time was proposing to acquire. The Southern California Edison Co. disputed the value fixed by the railroad commission and carried the case to the State supreme court on the ground that the commission's value of the distribution system was too low.

The State supreme court sustained the value fixed by the commission in its decision, which was unanimous, made the following statement concerning the commission's policy in fixing electric rates for urban and rural consumers of electricity:

In over 20 years of regulation the commission has developed a very definite policy of rate fixing for such utilities, under which electric rates are not fixed for each unit of the system, but are fixed for the system as a whole, including both urban and rural territory. There have been minor variations from this general policy, but they are relatively unimportant. It has apparently been the theory of the commission that it is sound State economics to require that the city consumers of an electric utility should bear a greater portion of the burden than the rural consumers. In other words, the commission in fixing rates has determined what the rates must be on the system as a whole, in order to give the utility a fair return on its investment. Consideration has been given by the commission in the past to the fact that under this method the rate of return on the investment in the cities will be very high, while the rate of return on the rural investment will be very low. Thus, in many cases the commission has fixed rates for a utility system under which the rate of return on the investment in urban property is, as here, as much as 20 percent per annum in order to make up the loss or lower rate of return on the investment in rural property. Apparently the basis of this theory of rate fixing is that the extension of electrical service to the rural territory surrounding the cities, even at the expense of the urban consumers, is to the benefit of the cities and the State as a whole.

Mr. Speaker, a careful analysis of the statements made by the gentleman from California [Mr. ELLIOTT] yesterday discloses many fantastic contradictions. On the one hand, he complains that the electric rates paid by the farmers of California are inordinately high, and on the other he asserts that the utility rates in San Francisco are the cheapest, of 25 large cities in America.

Let us contrast these statements with the declaration of the California Supreme Court:

It has apparently been the theory of the commission that it is sound State economics to require that the city consumers of an electric utility should bear a greater portion of the burden than the rural consumers. Consideration has been given by the commission in the past to the fact that under this method the rate of return on the investment in the cities will be very high, while the rate of return on the rural investment will be very low.

In other words, if the statement of the California Supreme Court is correct, the electric rates in San Francisco, which the gentleman from California [Mr. ELLIOTT] describes as the cheapest of 25 large cities in America, would be still lower if they were not arbitrarily maintained at the present level in order to subsidize low rates for the farmers of California.

Mr. Speaker, if my colleague the gentleman from California [Mr. ELLIOTT] intends to lead the farmers of his district into a rate war against the cities of our State, in my opinion, he will be leading them into a campaign fraught with grave danger to their own economic and financial interests.

Because, Mr. Speaker, the cities of California do have a very costly stake in the rates presently charged for electricity in the rural areas of our State. And if the question is ever raised in court in the manner in which the gentleman from California [Mr. ELLIOTT] has presented it to this House, the result might be that the city rates would be further reduced, while the rural rates would have to go up if the utility companies are permitted to earn their present rate of return.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Messrs. REED of Illinois, KEFAUVER, GWYNNE of Iowa, TALBOT, and CRAVENS, for 1 week, on account of official business.

To Mrs. DOUGLAS of California, for 1 week, on account of important business.

To Mr. WEISS (at the request of Mr. EBERHARTER), for an indefinite period, on account of illness in the family.

SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. C5. Joint resolution to transfer to the Reconstruction Finance Corporation the functions, powers, duties, and records of certain corporations.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 378. An act authorizing an appropriation to carry out the provisions of the act of May 3, 1923 (45 Stat. 484), and for other purposes;

H. R. 688. An act to amend the joint resolution of January 27, 1942, entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute";

H. R. 802. An act for the relief of camp No. 1, Alaska Native Brotherhood, Sitka, Alaska;

H. R. 892. An act for the relief of Madeline J. MacDonald;

H. R. 912. An act for the relief of William H. Shultz;

H. R. 993. An act for the relief of Mrs. Ellen C. Burnett;

H. R. 1038. An act for the relief of Daniel B. Johnson;

H. R. 1044. An act for the relief of Marlin-Rockwell Corp. with respect to the jurisdic-

tion of The Tax Court of the United States to redetermine its excessive profits for its fiscal year ending December 31, 1942, subject to renegotiation under the Renegotiation Act;

H. R. 1055. An act for the relief of the Realty Bond & Mortgage Co. and Robert W. Keith;

H. R. 1058. An act for the relief of W. A. Smoot, Inc.;

H. R. 1059. An act for the relief of Leonard D. Jackson and Elsie Fowkes Jackson;

H. R. 1091. An act for the relief of Harold J. Grim;

H. R. 1243. An act for the relief of Mrs. C. J. Rhea, Sr.;

H. R. 1320. An act for the relief of M. Elizabeth Quay;

H. R. 1328. An act for the relief of Mrs. Cecilia M. Tonner;

H. R. 1453. An act for the relief of Edith M. Powell;

H. R. 1482. An act for the relief of the legal guardian of Samuel Wadford;

H. R. 1488. An act for the relief of Austin Bruce Bowen;

H. R. 1599. An act to confer jurisdiction upon the United States District Court for the Eastern District of Virginia to hear, determine, and render judgment upon the claim of Norfolk-Portsmouth Bridge, Inc.;

H. R. 1611. An act for the relief of Charles E. Surmont;

H. R. 1617. An act for the relief of Hugh M. Gregory;

H. R. 1677. An act for the relief of Hires-Turner Glass Co.;

H. R. 1678. An act for the relief of Mrs. Ada Wert Ililnic;

H. R. 1756. An act for the relief of the estate of the late Demetrio Caquias;

H. R. 1792. An act for the relief of the White Van Line, Inc., of South Bend, Ind.;

H. R. 1812. An act to authorize an award of merit for uncompensated personnel of the Selective Service System;

H. R. 1891. An act for the relief of the Grandview Hospital;

H. R. 2001. An act for the relief of Betty Ellen Edwards;

H. R. 2002. An act for the relief of Joseph Wyzynski;

H. R. 2003. An act for the relief of the legal guardian of Stewart Martin, Jr., a minor;

H. R. 2113. An act to amend the Federal Farm Loan Act, the Emergency Farm Mortgage Act of 1933, the Federal Farm Mortgage Corporation Act, the Servicemen's Readjustment Act of 1944, and for other purposes;

H. R. 2125. An act to amend the Canal Zone Code;

H. R. 2158. An act for the relief of the Cowden Manufacturing Co.;

H. R. 2286. An act for the relief of Jane Thayer;

H. R. 2322. An act to provide for the issuance of the Mexican Border Service Medal to certain members of the Reserve forces of the Army on active duty in 1916 and 1917;

H. R. 2552. An act to amend paragraph (c) of section 6 of the District of Columbia Traffic Act, as amended by act approved February 27, 1931;

H. R. 2700. An act for the relief of Alice Walker;

H. R. 2721. An act for the relief of the Tobey Hospital;

H. R. 2727. An act for the relief of the estate of Herschel Adams, deceased, and Pleas Baker;

H. R. 2730. An act for the relief of Mrs. Jane Strang;

H. R. 2754. An act to validate titles to certain lands conveyed by Indians of the Five Civilized Tribes and to amend the act entitled "An act relative to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma," approved January 27, 1933, and to validate State court judgments in Oklahoma and judgments of the United States district courts of the State of Oklahoma;

H. R. 2839. An act to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia;

H. R. 2875. An act to amend an act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia";

H. R. 2925. An act for the relief of Nelson R. Park;

H. R. 2944. An act to continue in effect section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities;

H. R. 2949. An act to extend 5-year-level-premium-term policies for an additional 3 years;

H. R. 3035. An act to reclassify the salaries of postmasters and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes;

H. R. 3059. An act authorizing the Postmaster General to continue to use post-office clerks and city letter carriers interchangeably;

H. R. 3074. An act for the relief of the heirs of Henry B. Tucker, deceased;

H. R. 3193. An act to permit waiving of the bonds of Navy mail clerks and assistant Navy mail clerks, and for other purposes;

H. R. 3232. An act to amend section 3 of the act entitled "An act to authorize the President to requisition certain articles and materials for the use of the United States, and for other purposes," approved October 10, 1940, as amended, for the purpose of continuing it in effect;

H. R. 3233. An act to permit members of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, Public Health Service, and their dependents, to occupy certain Government housing facilities on a rental basis without loss of rental allowances;

H. R. 3234. An act to amend the act entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States," approved October 16, 1941, as amended, for the purpose of continuing it in effect;

H. R. 3306. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1946, and for other purposes;

H. R. 3395. An act to extend through December 31, 1945, the termination date under the Renegotiation Act;

H. J. Res. 136. Joint resolution to provide for the establishment, management, and perpetuation of the Kermit Roosevelt Fund; and

H. J. Res. 184. Joint resolution to continue the temporary increases in postal rates on first-class matter, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 32 minutes p. m.), under its previous order, the House adjourned until tomorrow, Saturday, June 30, 1945, at 10 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold an executive hearing at 10 a. m. on Monday, July 2, 1945.

COMMITTEE ON THE JUDICIARY

There will be a meeting of Subcommittee No. 4 of the Committee on the

Judiciary beginning at 10 a. m., on Monday, July 2, 1945, to continue hearings on the bill, H. R. 2788, to amend title 28 of the Judicial Code in regard to the limitation of certain actions, and for other purposes. The hearing will be held in room 346, House Office Building.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. MAY: Committee on Military Affairs. Report pursuant to House Resolution 20. A report on investigations of the National War Effort (Rept. No. 839). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of New Mexico: Special Committee to Investigate Food Shortages. Additional report pursuant to House Resolution 195. A resolution to investigate food shortages (Rept. No. 842). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. CHENOWETH: Committee on Claims. H. R. 1955. A bill for the relief of the Revere Sugar Refinery; with amendment (Rept. No. 837). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. S. 311. An act for the relief of Philip Kleinman; without amendment (Rept. 838). Referred to the Committee of the Whole House.

Mr. SPARKMAN: Committee on Military Affairs. H. R. 3607. A bill to authorize the President to appoint Gen. Omar N. Bradley to the office of Administrator of Veteran's Affairs, without affecting his military status and perquisites; without amendment (Rept. No. 840). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ANDREWS of New York:

H. R. 3625. A bill to amend the Mustering-Out Payment Act of 1944, as amended, to provide mustering-out payments for certain persons discharged or relieved from active service in the armed forces to accept employment; to the Committee on Military Affairs.

By Mr. LANDIS:

H. R. 3626. A bill providing direct Federal old-age assistance at the rate of \$40 per month to citizens 60 years of age or over; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 3627. A bill to amend parts VII and VIII of Veterans Regulation No. 1 (a), as amended, to liberalize and clarify vocational rehabilitation and education and training laws administered by the Veterans' Administration, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. RANDOLPH:

H. R. 3628. A bill to create a Department of Peace; to the Committee on Foreign Affairs.

By Mr. MALONEY:

H. R. 3629. A bill to authorize the erection of a Veterans' Administration general medical and surgical hospital and domiciliary

facility in or near New Orleans, La., for women veterans of any war; to the Committee on World War Veterans' Legislation.

By Mr. SIKES:

H. R. 3630. A bill to amend the definition of "Veterans' Administration facilities" to authorize generally hospital care under contract; to the Committee on World War Veterans' Legislation.

H. R. 3631. A bill relating to the applicability of the War Labor Disputes Act to railroads and railroad employees; to the Committee on Interstate and Foreign Commerce.

H. R. 3632. A bill to repeal the Hatch Act; to the Committee on the Judiciary.

By Mr. DOUGHTON of North Carolina:

H. R. 3633. A bill to facilitate reconversion, and for other purposes; to the Committee on Ways and Means.

By Mr. RANDOLPH:

H. R. 3634. A bill to prohibit any Government agency from entering into any contract for construction in the United States with an alien or with any corporation, partnership, or other business association any officer of which is an alien; to the Committee on the Judiciary.

By Mr. SIKES:

H. R. 3635. A bill to provide that certain former widows of veterans of World War I and World War II shall be entitled to compensation or pension under the laws administered by the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. SMITH of Virginia:

H. R. 3636. A bill relating to the sale in the District of Columbia of certain small rockfish; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BUCKLEY:

H. R. 3637. A bill for the relief of Irving Goldberg, a minor; to the Committee on Claims.

By Mr. HARRIS:

H. R. 3638. A bill to confer jurisdiction upon the United States District Court for the Western District of Arkansas to hear, determine, and render judgment upon the claim of Gordie M. Herren; to the Committee on Claims.

By Mr. HEBERT:

H. R. 3639. A bill for the relief of Alexander D. Irwin and Archibald O. Leighton, trading as Irwin & Leighton; to the Committee on Claims.

By Mr. LESINSKI:

H. R. 3640. A bill for the relief of Joaquim Santos Valente; to the Committee on Immigration and Naturalization.

By Mr. THOMAS of New Jersey:

H. R. 3641. A bill for the relief of Mr. Martin Turpanjian; to the Committee on Claims.

By Mr. WICKERSHAM:

H. R. 3642. A bill granting a pension to J. F. Perfect; to the Committee on Pensions.

PETITIONS, ETC.

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

1033. By Mr. ADAMS: Petition from Dorothy J. Littlefield and sundry other residents of New Hampshire, urging the passage of House bill 2082 introduced by Hon. JOSEPH R. BRYSON, of South Carolina; to the Committee on the Judiciary.

1034. By Mr. COCHRAN: Petition of Roy A. Mitchell and 317 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

1035. Also, petition of Eldon Maddox and 298 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

1036. By Mr. GOODWIN: Petition of Peter A. Meister and sundry other residents of the Eighth Massachusetts Congressional District favoring the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

SENATE

SATURDAY, JUNE 30, 1945

(Legislative day of Monday, June 25, 1945)

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:

Most high God, who givest unto every people its heritage to enrich the commonwealth of mankind, at the day's beginning we would bow in humble penitence for our part in the fiery terror of the world's tangled tragedy fed by greed and pride and lust for power. Make pure our motives, ridding us as a nation of all base desire for self-advantage which does not include the weal of all lands. Be Thou the companioning Presence of our daily lives, going with us where we go, sustaining, guiding, correcting, empowering until our day's work is over and sunset comes to find us undishonored, undefeated, and unashamed. In the dear Redeemer's name. Amen.

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, June 29, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT— APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on June 23, 1945, the President had approved and signed the act (S. 502) to permit the continuation of certain subsidy payments and certain purchase and sale operations by corporations created pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended, and for other purposes.

NOTICE OF PROCEDURE IN THE CON- SIDERATION OF THE UNITED NATIONS CHARTER

Mr. BARKLEY. Mr. President, I wish to make an announcement to the Senate as a result of the meeting of the Committee on Foreign Relations this morning pertaining to the San Francisco Charter. The committee was in session to determine the program to be followed so far as hearings are concerned in connection with the treaty signed at San Francisco, which will be submitted to the Senate next Monday by the President.

In that connection, I wish to state that the President will personally present the treaty to the Senate at 1 o'clock on Mon-