



United States
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Congressional Record

PROCEEDINGS AND DEBATES OF THE 79th CONGRESS, FIRST SESSION

SENATE

MONDAY, JULY 2, 1945

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

Eternal God, before whose eyes the ages pass, apart from Thee all the schemes of our devising are as futile as a painted ship upon a painted ocean. The waste of waters through whose mountainous billows we vain would find our way to the desired haven of peace will swallow us up unless Thy winds fill the sails our hands have fashioned. Breathe on us, breath of God; show us Thy way, sober us by Thy chastisements; help us to put off the works of darkness and to put on the armor of light. Through the new unity of nations forged in fires of shared conflict, lead us to a durable peace, just to all mankind and hopeful for all men.

For our Nation we pray, trusted with power to work weal or woe on the earth. Upon our President, all who counsel with him, upon the Congress, and upon all who represent our strength and administer our responsibilities, we crave Thy divine grace. O God, the goal of swords changed to plowshares is still far away; but may our faces, lighted by a new hope, be turned toward the reddening east. In this day of destiny, when, with all upon the earth, we stand in the valley of decision, may we fail not man nor Thee. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, June 30, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

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

On June 29, 1945:

S. 58. An act to amend an act entitled "An act authorizing the temporary appointment or advancement of certain personnel of the Navy and Marine Corps, and for other purposes," approved July 24, 1941, as amended, and for other purposes;

S. 118. An act authorizing the Secretary of the Interior to convey certain lands on the Gila reclamation project, Arizona, to the University of Arizona;

S. 426. An act for the relief of Mr. and Mrs. Walter M. Johnson;

S. 427. An act to repeal section 3 of the act approved April 13, 1938, as amended, relating to hops;

S. 612. An act to amend the National Defense Act, as amended, so as to eliminate provisions for retirement of wing commanders of the Air Corps;

S. 880. An act to provide for designation of the United States Veterans' Administration hospital at Sioux Falls, S. Dak., as the Royal O. Johnson Veterans' Memorial Hospital; and

S. 916. An act to remove the limitation on the right to command of officers of the Dental Corps of the Army which limits such officers to command in that corps.

On June 30, 1945:

S. 807. An act to improve salary and wage administration in the Federal Service; to provide pay for overtime and for night and holiday work; to amend the Classification Act of 1923, as amended; to bring about a reduction in Federal personnel and to establish personnel ceilings for Federal departments and agencies; to require a quarterly analysis of Federal employment; and for other purposes.

MESSAGE FROM THE HOUSE

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

H. R. 3477. An act for the improvement of Savannah Harbor, Ga.; and

H. R. 3607. An act to authorize the President to appoint Gen. Omar N. Bradley to the office of Administrator of Veterans' Affairs, without affecting his military status and perquisites.

SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM

The PRESIDENT pro tempore. The Chair appoints the Senator from Missouri [Mr. BRIGGS] a member of the Special Committee to Investigate the National Defense Program, in place of the Senator from New Mexico [Mr. HATCH], resigned.

MEMORIAL

The PRESIDENT pro tempore laid before the Senate a resolution adopted by the Philadelphia (Pa.) Industrial Union Council, protesting against the enactment of legislation providing for return of the United States Employment Service to the States, which was ordered to lie on the table.

MEDALS FOR CERTAIN MEMBERS OF THE ARMED FORCES

Mr. McFARLAND. Mr. President, I present for appropriate reference and ask unanimous consent to have printed in the RECORD a resolution adopted by Phoenix (Ariz.) Chapter, No. 1, Disabled American Veterans, relating to the issuance of medals to certain members of the armed forces.

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

Whereas the Government has authorized, from time to time, the issuance of medals to the members of the armed forces for various and sundry reasons; and

Whereas among these decorations is one for wounds received in action against the enemy, and even though such wound is not disabling the award recognizes the combat duty performed by the wearer; and

Whereas there are thousands of members of the armed forces who have endured the hardships and hazards of war and as a result of these ordeals have become disabled in line of duty; and

Whereas these comrades who bear the scars of war for years after hostilities have ceased are the forgotten heroes and no suitable award has ever been made to acknowledge the sacrifice they made: Now, therefore, be it

Resolved, That Congress be petitioned to create an award, distinctive in design, to be presented to every member of the armed forces who becomes disabled in line of duty; and be it further

Resolved, That copies of this resolution be sent to our representatives in Congress asking their support for such a law.

Passed by a unanimous vote of Phoenix Chapter, No. 1, Disabled American Veterans, in regular meeting assembled this 19th day of June 1945.

JOSEPH COHEN, *Commander*.

Attest:

PAUL C. STALEY, *Adjutant*.

EQUAL TAXATION

Mr. CAPPER. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted by the executive committee of the Kansas Association of Insurance Agents, Pittsburg, Kans., favoring equal taxation of all forms of enterprise, together with the abolition of all special privileges and the elimination of favoritism in business.

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

Whereas the American people have enjoyed the greatest good, the utmost in opportunities, having achieved the maximum benefits of the combined use of capital and labor under the competitive enterprise system; and

Whereas certain groups seem intent on demoralizing the enterprise system by means of granting certain privileges, favoritisms, and tax advantages to cooperative enterprises; and

Whereas we believe that the preservation of the competitive, American enterprise system of business is essential to the continued well being of our people and will provide, in the future as now, the greatest opportunity for all to enjoy the full fruits of

their efforts and increase the spread of contentment throughout all classes: Now, therefore, be it

Resolved by the Kansas Association of Insurance Agents through its executive committee meeting in Pittsburg, Kans., That we favor equal taxation of all forms of enterprise, together with the abolition of all special privileges, and the elimination of favoritism in business; that a copy of this resolution be spread on the minutes of the association; that a copy be mailed to National Tax Equality Association, and a copy to each Congressman and Senator from Kansas.

KANSAS ASSOCIATION OF
INSURANCE AGENTS,
GEORGE SLOSKOFF, *President*.
ERAN H. BROWNE, *Secretary*.

GOVERNMENT EMPLOYEES' COUNCIL

Mr. CAPPER. Mr. President, I have received a letter from Foster J. Pratt, of the American Federation of Labor, with regard to the formation of a Govern-

ment Employees' Council of the American Federation of Labor, which starts off with a membership of 300,000, comprising 19 unions. The objects of this group are set forth as follows:

BETTER GOVERNMENT

The council holds that making the Government service a better place in which to work means better government, the hope of all thinking taxpayers.

The aims of the Government Employees' Council are in the direction of the legislative and administrative fronts—better laws governing Federal personnel operations and better execution of those laws in the form of regulations and rules and their application to the situations as they affect personnel.

REPORT OF COMMITTEE ON AGRICULTURE AND FORESTRY

Mr. AIKEN, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 2285) to author-

ize the Secretary of Agriculture to grant and convey to Springfield Township, Montgomery County, Pa., certain lands of the United States in Springfield Township, Montgomery County, Pa., for highway purposes and for ornamental-park purposes, reported it without amendment and submitted a report (No. 450) thereon.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of June 1945, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

JUNE 30, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

COMMITTEE ON NAVAL AFFAIRS

names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of June 1945, in compliance with the terms of

Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Capt. James A. Saunders, U. S. Navy (retired).	4105 Oliver St., Chevy Chase, Md.	Office of the Chief of Naval Operations, Navy Department, Washington, D. C.	\$6,000
Chief Yeoman Ferbert S. Atkinson (AA), U. S. Naval Reserve.	2405 Pennington Rd., Trenton, N. J.	do.	1,512

DAVID I. WALSH, *Chairman*.

SENATE NAVY LIAISON OFFICE, ROOM 461, SENATE OFFICE BUILDING

JUNE 30, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the

names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of June 1945, in compliance with the terms of

Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lt. Frederick A. McLaughlin, U. S. Naval Reserve.	317 Lynn Dr., Chevy Chase, Md.	Bureau of Naval Personnel, Navy Department, Washington, D. C.	\$2,400
Lt. Joseph G. Feeney, U. S. Naval Reserve.	2745 29th St. N.W., Washington, D. C.	do.	2,400
Yeoman (2c) Eleanor W. St. Clair, U. S. Naval Reserve.	2134 R St. N.W., Washington, D. C.	do.	1,152
Yeoman (2c) Loretto F. Jochman, U. S. Naval Reserve.	do.	do.	1,512

The above employees are representatives of the Bureau of Naval Personnel, Navy Department, to assist Senators on naval personnel matters.

DAVID I. WALSH.

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. GEORGE:

S. 1217. A bill to provide for the free importation of certain substances by the Board of Trustees of the United States Pharmacopoeial Convention and the Council of American Pharmaceutical Association; to the Committee on Finance.

By Mr. BUSHFIELD:

S. 1218. A bill to confirm the rights of the State of South Dakota in and to its public school lands and the minerals therein; to the Committee on Public Lands and Surveys.

By Mr. BROOKS:

S. 1219. A bill authorizing the city of St. Francisville, Ill., to construct, maintain, and operate a toll bridge across the Wabash River at or near St. Francisville, Ill.; to the Committee on Commerce.

By Mr. JOHNSON of Colorado:

S. 1220. A bill for the relief of Salvator and Flora Scavello; to the Committee on Claims.

(Mr. BUTLER introduced S. J. Res. 81, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

REFERENDUM ON PEACETIME MILITARY TRAINING

Mr. BUTLER. Mr. President, I introduce an appropriate reference a joint resolution providing for a national referendum on the question of universal compulsory peacetime military training. This is a companion measure to a similar bill which already has been introduced in the House of Representatives.

Every Senator is receiving a large amount of mail concerning universal compulsory military training. I am frank to say that most of the letters sent to me from Nebraska put the writers on record as being against such a proposal for peacetime. But I recognize, as does every Senator, that the mail we receive on a particular subject is not always an accurate cross-section of opinion on the subject, whatever it may be. I know that

there are many groups, including those patriotic members of the American Legion, who support strongly the proposed universal military training legislation.

Congress has heard thus far from many opposing groups—leaders in the military, business, and religious world—about compulsory military training legislation, but this testimony is, like the letters, indicative, but not necessarily an accurate reflection of what the average man thinks.

My proposal, as is readily apparent to anyone who reads this bill, provides that, upon adoption of this resolution by the House of Representatives and the Senate, the President of the United States would certify to the governors of the States for submission to the voters in the next congressional election the question:

"Do you favor the passage of a law by the Congress of the United States to compel 1 year of military training for young men in time of peace?"

Under my proposal, the soldiers at home and abroad who are eligible to vote would have as much right to express themselves as civilians. We hear it said often that the soldier is for, or against, universal military training in peacetime, but my proposal would make it possible for us to know—within a year or so, whether the war is over or not—how the soldiers really feel.

This poll would have the effect, I will admit, of delaying a decision on universal military training legislation now being considered by committees of the Senate and the House, but I think it is generally agreed that Congress will not act on these proposals this year, anyway. The delay would not hurt the Nation or any group of persons in the Nation, for it is obvious that under the present Selective Service and Training Act we are going to have plenty of soldiers for some time to come.

Such a referendum as is provided for in this resolution would clear up many doubts in the minds of many Senators about how the people themselves stand on this most vital issue.

I ask that the joint resolution be printed in the *Record*, immediately following my remarks.

There being no objection, the joint resolution (S. J. Res. 81) providing for a national referendum on peacetime military training, introduced by Mr. BUTLER, was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the *Record*, as follows:

Whereas it is proposed to enact a law forthwith which would compel all physically qualified young men to submit to 1 year of military training away from home; and

Whereas millions of citizens at home and in the armed services are deeply and vitally interested, and opportunity for expression of opinion should be afforded them on this important issue; and

Whereas the present war will ultimately end in victory for our beloved Nation, and the urgent need for the pending legislation has not been clearly stated and expression by the people seems highly desirable: Therefore be it

Resolved, etc., That upon adoption of this resolution the President of the United States shall certify to the governor of each State for submission to the voters in the next congressional election the following question:

"Do you favor the passage of a law by the Congress of the United States to compel 1 year of military training for young men in time of peace?" Yes ----- No -----

HOUSE BILL REFERRED

The bill (H. R. 3477) for the improvement of Savannah Harbor, Ga., was read twice by its title and referred to the Committee on Commerce.

INFANTRY DAY ADDRESS BY SENATOR PEPPER

[Mr. MURRAY asked and obtained leave to have printed in the *Record* an address delivered by Senator PEPPER at the Infantry Day exercises, Camp Blanding, Fla., on June 15, 1945, which appears in the Appendix.]

FULL EMPLOYMENT—EDITORIAL FROM THE WASHINGTON POST

[Mr. MURRAY asked and obtained leave to have printed in the *Record* an editorial entitled "Full Employment," from the *Washington Post* of June 23, 1945, which appears in the Appendix.]

THE MISSOURI VALLEY AUTHORITY—ARTICLE BY CARLTON R. BALL

[Mr. MURRAY asked and obtained leave to have printed in the *Record* an article entitled "What the Missouri Valley Authority Proposal Promises for America," by Carlton R. Ball, from the magazine *Social Action*, for May 1945, which appears in the Appendix.]

TRIBUTE TO SERVICES OF LOCAL DRAFT BOARDS—ARTICLE BY EDWARD T. LEECH

[Mr. LUCAS asked and obtained leave to have printed in the *Record* an article by Edward T. Leech, entitled "Men Without Medals," paying tribute to local draft boards, which appears in the Appendix.]

ATTITUDE OF ADMINISTRATION TOWARD MONOPOLIES AND LABOR—ARTICLE BY LEO WOLMAN

[Mr. HOEY asked and obtained leave to have printed in the *Record* an article entitled "Administration Fights Monopolies But Fails To Stop That of Labor," by Leo Wolman, from the *Washington Post* of July 1, 1945, which appears in the Appendix.]

NEWSPAPER COMMENT ON PROPOSED FEDERAL LABOR RELATIONS ACT

[Mr. BALL asked and obtained leave to have printed in the *Record* an article by David Lawrence entitled "Hatch-Burton-Ball Bill Seen Signifying Trend," from the *Washington Star* of June 21, 1945, and an article by Mark Sullivan entitled "Industrial Peace Bill," from the *Washington Post* of June 25, 1945, both relating to Senate bill 1171, which appear in the Appendix.]

EDITORIAL COMMENT ON PROPOSED FEDERAL LABOR RELATIONS ACT

[Mr. BURTON asked and obtained leave to have printed in the *Record* an editorial entitled "Putting the Public First," from the *Cleveland Press* of June 22, 1945, and an editorial entitled "A Major Peacetime Problem," from the *Cleveland Plain Dealer* of June 24, 1945, which appear in the Appendix.]

WHY THE DISABLED AMERICAN VETERANS NEED A NATIONAL SERVICE FUND

Mr. WILEY. Mr. President, I should like to take a few moments for a statement on a matter of vital significance with reference to our Nation's disabled ex-servicemen.

Recently I had a very interesting discussion at lunch with Mr. Milton D. Cohn, national commander, and Mr. Millard W. Rice, national service director, of the Disabled American Veterans. I was pleased to get from them a very helpful and informative word picture of the service activities of the DAV.

I believe that the voluminous correspondence received has made all my colleagues well aware of the fact that existing laws, intended for the benefit of service-disabled veterans and their dependents, are not automatically administered. The Veterans' Administration can apply such laws in individual cases only on the basis of proven facts and within the provisions, limitations, and restrictions of the pertinent laws.

Inasmuch as the Veterans' Administration represents the Federal Government in the administration of such laws, it acts as the judge in determining whether or not the claimants have legally and technically established their entitlement to governmental benefits to

which they believe themselves lawfully and equitably entitled.

If such benefits be awarded, the Veterans' Administration, as the defender for the Government, must then administer the benefits thereby declared legally available. It cannot be expected that the Veterans' Administration can also properly act as the prosecutor of the claims of disabled veterans against itself.

At this point the DAV and its full-time, part-time, and volunteer service officers step in to advise and assist individual disabled veterans and their dependents as to their potential rights to benefits provided by law, and as to how properly to prepare, present, and prosecute their just claims for any such benefits. Frequently this process is much more difficult and distressing than "doping out" WPB, OPA, or Internal Revenue regulations and requirements.

The most important war-relief and postwar problem facing America on the home front today is the proper care and rehabilitation of our vast numbers of returning disabled veterans. It is highly important, therefore, that full support be given to the organization which actually has been rendering urgently needed assistance to such veterans since the last war and which actually maintains the most extensive and effective Nation-wide service staff to handle this work. That organization is the Disabled American Veterans, the only congressionally chartered body consisting entirely of war-disabled veterans and specializing in rendering assistance to them and their dependents.

America's war-disabled veterans urgently need the services which this 25-year-old organization, because of its specialization and expertness, is peculiarly qualified to render. It is important, therefore, that our legislators be informed as to the DAV's aims and current activities. Only through the active support of civic, business, and social leaders can the DAV realize the full success of its human and economic reconstruction program on behalf of our disabled ex-servicemen.

The Veterans' Administration, whose work has grown by leaps and bounds since the beginning of World War II, recognizes that the DAV is a most important auxiliary agency.

Congress, recognizing the necessity for the assistance of such a nongovernmental agency as the Disabled American Veterans, has specifically authorized the Veterans' Administration to utilize the cooperation of experienced organizations which have been rendering expert liaison service as attorney-in-fact for veterans.

Outstanding among the handful of organizations so qualified is the Disabled American Veterans, which, for more than a quarter of a century, has been saving disabled veterans from bitterness and frustration and which has been restoring them to health and usefulness. Working in close collaboration with the Veterans' Administration, the national service officers of the DAV occupy space in the central office of the Veterans' Administration, and in its field stations throughout the country. There they assist disabled veterans by telling them what to do and

how to do it. Many times they bring to the attention of the veteran benefits which he has a right to claim, but of which he did not know or had overlooked. They assist disabled veterans in the preparation, presentation, and prosecution of just claims for governmental benefits and the solution of other rehabilitation problems.

Thus the DAV does a splendid twofold job. It greatly facilitates the work of the Veterans' Administration and renders invaluable assistance to our maimed ex-servicemen and their dependents. It is most effective in translating the letter of the law in just benefits for our disabled defenders. Prof. Charles A. Beard, the great historian, has aptly stated: "Rights are not self-enforcing and we must keep battling for them to make real in life any rights proclaimed on paper."

FORMATION OF DAV

Formed in 1920 and chartered by Congress in 1932, to render service to, for, and by America's disabled war veterans, the Disabled American Veterans has been generally recognized as the official spokesman for America's disabled defenders.

According to its congressional charter of incorporation, Public Law No. 186, approved June 17, 1932, as amended by Public Law No. 668, approved July 15, 1942—active membership in the DAV can be obtained only by those Americans whose bodies bear the scars of wounds and injuries, or the blight of ailments or disabilities, incurred during or by reason of active war service in the armed forces of the United States, or of some country allied with it, during time of war.

President Truman has stated that "our debt to the heroic men and valiant women in the service of our country can never be repaid." That is particularly true as to our disabled defenders.

The following official definition of the DAV appears in the United States Government issued Handbook for Servicemen and Servicewomen of World War II and Their Dependents:

Organized in 1920, the Disabled American Veterans is a congressionally chartered organization of American citizens who were wounded, gassed, injured, or disabled as a result of their honorable service in the armed forces of the United States or of some country allied with it, during time of war. The purpose of the Disabled American Veterans is to restore, as far as possible, war-disabled veterans to as good a position as they would have enjoyed had they not been disabled, and to make them better and happier citizens, through sympathetic understanding and comradely assistance in solving their problems. Toward this end, the Disabled American Veterans endeavors to secure fair and just compensation, adequate and sympathetic medical care, and honest and profitable employment for those who are employable.

FUND DRIVE LAUNCHED

Up until now, the service activities of the DAV have been maintained out of the membership dues of disabled veterans themselves, and by occasional donations from public-spirited Americans. To expand and maintain these services, adequately to take care of returning dis-

abled veterans of World War II, additional full-time paid service officers are needed—1 to 5 in each of the regional offices—now 54—and hospital facilities—now 94—of the Veterans' Administration, and in all of the discharge centers of the Army and Navy.

A capital fund of \$10,000,000 is required to guarantee the continuance of this work over a period of years.

To raise this fund, the Disabled American Veterans have organized a National Service Fund to conduct the DAV's first national appeal for funds in its 25-year history.

The DAV can assume the obligation of training and maintaining national service officers only on the basis of such financial reserve as will enable it to provide full employment to these handicapped veterans after they have been qualified as full-time national service officers.

While the DAV has been able to finance itself to handle its full responsibility in connection with the disabled of World War I, it is not financially able to expand and maintain its Nation-wide service set-up sufficiently to take care of its greatly increased responsibility due to World War II casualties.

A national service fund luncheon meeting, historic in the affairs of the Disabled American Veterans, was held in the grand ballroom of the Commodore Hotel, New York City, on May 23. It was addressed by the heads of the three departments of the Government best informed on the subject of disabled veterans—the Administrator of Veterans' Affairs, the Deputy Surgeon General of the Army (who also spoke for the Surgeon General of the Army), and the Surgeon General of the Navy. Charles Shipman Payson, New York chairman of the National Service Fund of the Disabled American Veterans, which has national headquarters at 41 East Forty-second Street, New York City, announced that this meeting marked the official opening of the \$1,000,000 New York City drive of the \$10,000,000 national campaign.

All of the principal speakers heartily endorsed the work of the DAV and pleaded for support of the fund drive. Addressing a capacity audience of business, civic and social leaders, these officials declared that the DAV's work must go on and cannot be rendered by a governmental agency. They were unanimous in stressing that:

First. The services of the Disabled American Veterans are essential.

Second. The Disabled American Veterans is uniquely qualified to render the free services urgently needed by these veterans.

Third. Industry and the general public should fully support the National Service Fund of the Disabled American Veterans.

DAV TRAINING PROGRAM

The support which public-spirited Americans are giving to this fund is enabling the DAV to conduct a training program through which disabled veterans of World War II are being trained to render assistance to the vast numbers of disabled veterans resulting from this war. As of March 15, 1945, more than 1,500,000

had been discharged from the armed forces as unfit for further military duty because of disabilities incurred in service, and many more, at the rate of 2,000 a day, were being discharged. The total number of disabled veterans will probably reach 2,500,000 by V-J day.

At least 400 such National Service Officers must be trained to handle the urgent calls for assistance received by the DAV, and it is only through generous contributions to this fund that the DAV can adequately expand and maintain its Nation-wide service set-up.

The first class to complete the training (6 months of academic courses at American University, Washington, D. C., and 18 months of on-the-job placement training under the supervision of experienced National Service Officers of the DAV) already has been assigned to the DAV's busiest service centers. Because, like all National Service Officers of the DAV, they have been "through the mill" themselves, they are particularly qualified to aid and assist fellow disabled veterans.

Mr. BARKLEY. Mr. President, may I inquire of the Senator how much time he expects to take?

Mr. WILEY. Just a few minutes more.

Mr. BARKLEY. I should like to finish the calendar before 1 o'clock.

Mr. WILEY. These new service officers are of a uniformly high caliber. They have served our country in Tunisia, Sicily, Italy, the Pacific, the North Atlantic, Guadalcanal, Salumaua, Lae, Pearl Harbor, Australia, Trinidad, the Solomon Islands, and in the United States; have fought on three continents and islands of three oceans; have received decorations from the Purple Heart to the Presidential Citation; and have lost arms, legs, and other parts of their bodies on foreign soil.

The cost to the DAV of training 400 men for this vital service is estimated at \$600,000. To maintain them in the field for the next 7 years will cost \$8,400,000 more. For a program of public education \$1,000,000 more is needed. The total is \$10,000,000. That is the goal of the national campaign.

The New York Times has stated editorially:

The Nation's first obligation surely is to stand by its fighting men disabled in line of duty. The DAV's success in this drive should be desired by all citizens, for an adequate DAV staff will mean that those who have bravely fought and bled for us all will not be disinherited and forgotten. Many pleas are made to the American public. This is one campaign that surely merits the generous support of every one of us.

OFFICIAL STATEMENTS OF ENDORSEMENT

The statements made by officials of the Army, the Navy, and the Veterans' Administration are veritable mandates to the DAV to carry on its work with renewed vigor and to the American public to contribute generously to the support of the DAV program. The official statements follow:

The Secretary of the Navy:

I feel very keenly the necessity for our proving to the lads who have really taken the rap in this war that the American people do not intend to forget them.

I want to congratulate you on your willingness to take leadership in the drive on behalf of the Disabled American Veterans. The way in which we respond to the needs of our returning soldiers and sailors, and particularly the proof of our enduring recollections of their sacrifices, will provide one of the great tests of this Republic.

During the last 4 years I have been on the perimeter of war several times and I have seen enough to know that nothing that any of us have had to accept back home is comparable to what the soldiers and sailors and airmen have taken.

On the general theory that figures speak sometimes more loudly than highest platitudes, I am enclosing my personal check.

The Surgeon General of the Navy:

The cause of this fine, sound organization—the Disabled American Veterans—is one that the Navy is interested in today and will be interested in through all the years to come. The Disabled American Veterans is in a position to help greatly not from the side that the Government must do and will do but from the human side that must be carried on in liaison with our hospitals, in liaison with the Veterans' Administration, a liaison that will be carried on throughout the succeeding years. We have very good liaison with their representatives.

Every American citizen has an opportunity to do a part in this rehabilitation program. Let us see to it that we do everything we can to convince the disabled men and women who come back from the services that there is a useful place for them in this country.

The Surgeon General and the Deputy Surgeon General of the Army:

The problem that the Disabled American Veterans is interested in is one of the problems that we are intensely interested in, that is, the treatment and the handling of the veteran after he leaves the care of the military and naval services. This is a problem that falls upon the shoulders of your people in the community.

All of us in the Army Medical Department feel that this work that is being undertaken by the Disabled American Veterans is of the greatest importance, not only to the veteran himself, but to the citizens as well.

The handicapped veteran has made his sacrifice for his country and the least his country can do for him is to give him the right to live a normal, useful life.

The Administrator of Veterans' Affairs:

For more than 20 years, the Veterans' Administration has worked in team with the organization that you are asked to sponsor and help—the Disabled American Veterans. Some of you may wonder why it is necessary that the veteran should have an advocate, why the Government doesn't take care of these cases without service officers. The reason is very simple: it is because the veteran himself is better satisfied when one of his buddies stands alongside of him, assists him and advises him. This organization, made up of disabled men, gets the nearest to the veteran, not because other organizations are not as much interested, but there is a comradeship that exists among disabled men that doesn't always go quite so deep with those that are not disabled. This organization deserves your confidence and support.

The Assistant Administrator of Veterans' Affairs:

When Congress provides public funds for any purpose, it also sets up safeguards in the form of certain procedures which must be followed by those seeking benefits from such funds. The average disabled veteran is not adept at following these procedures. Most need the help of someone who has had train-

ing and experience in the preparation and presentation of claims.

The Government, functioning through the Veterans' Administration, plays the roles of defendant, judge and jury on all veterans' claims. The Government cannot act as expert liaison officer or attorney-in-fact for a claimant, nor can it prosecute claims against itself. Its sole function is to administer claims after they have been lawfully established.

The Veterans' Administration has found the work of the Disabled American Veterans very helpful in assisting the Veterans' Administration in making prompt and just settlement of the claims of disabled veterans.

If further clarification were needed as to why the Government cannot render these services, a letter recently addressed to Mr. Payson by Oscar Ross Ewing, former Special Assistant to the Attorney General of the United States, will furnish that clarification. I quote from Mr. Ewing's letter:

MY DEAR MR. PAYSON: I want to express to you my admiration of the services which the Disabled American Veterans' organization is giving to disabled veterans. Being a World War I veteran and also a lawyer, I can appreciate what your organization is doing.

It stands to reason that if such disabled veterans are to obtain the full protection that Congress intended, many of them will need the advice and help of persons fully familiar with the laws governing the rights of veterans. I do not believe that this is the type of service that usually could be rendered by the ordinary practicing lawyer. Too often the time spent by the lawyer would be out of all proportion to the amount involved and either the lawyer would be underpaid or the veteran overcharged.

It has been suggested, I know, that the Government might employ persons to act as counsel for the disabled veterans. This would, I am sure, be impracticable. Such employees of the Government almost inevitably develop a psychology which causes them to try to save the Government money instead of seeing that absolute justice is done to the veteran.

I admire your organization's plan for solving this problem, namely, the training of war-handicapped men as specialists in veterans' legislation who can advise and help a disabled veteran in securing the benefits that Congress, and a grateful America want the veteran to have. Your program deserves the support of all.

Typical of the expressions of endorsement and appreciation received by the officers and committee members of the National Service Fund of the Disabled American Veterans is the message sent by Gen. Dwight D. Eisenhower from Supreme Headquarters of the Allied Expeditionary Force. It says in part:

I am delighted to learn that you are taking effective steps to raise substantial sums to provide for the future welfare and rehabilitation of disabled veterans. Your project has my most earnest and enthusiastic support. Your efforts will be fully rewarded in the lasting appreciation of veterans who have sacrificed so much for the cause for which we are fighting.

Mr. President, the National Service Fund campaign—the DAV's first national appeal in 25 years—is necessitated by the greatly increased responsibility placed upon the DAV by the large numbers of World War II handicapped veterans who are urgently in need of its services.

The DAV makes no charge for its services, which are available to all disabled veterans, to their dependents, and to the dependents of our war dead.

These services redound to the benefit of every community in the land and to thousands of American households in particular. It is proper, therefore, that the general public be given the opportunity to contribute to the fund needed to continue this humanitarian work.

The success of this \$10,000,000 campaign will enable the Disabled American Veterans to assist most effectively in the care and rehabilitation of America's war-disabled veterans.

I know that the American people will respond generously in contributing to this crucial National Service Fund campaign. By such contribution, our people will give one more unmistakable evidence that America intends to protect and defend its valiant protectors and defenders.

A FARMER WHO IS SATISFIED

Mr. LUCAS. Mr. President, it is seldom that I read a letter coming from one of my constituents, and more seldom do I read one coming from a citizen outside of my State, but in view of the fact that almost every day I hear Senators reading letters from the floor about the condition the farmer of America finds himself in at this moment—and most of the letters Senators read are anything but complimentary—I desire to take the time of the Senate to read a letter from a farmer in Montana which I received this morning:

BROCKTON, MONT., June 29, 1945.
Senator SCOTT W. LUCAS,
Senate Office Building,
Washington, D. C.

DEAR SENATOR LUCAS: I commend very much your recent speech in the Senate. The speech wherein you show that the farmer of today is doing well. That he is in the best financial position that he has ever been in.

I've sold hogs for 2½ cents and cattle for 3 cents. The loss was staggering. The last 3 years the same class of hogs have sold for \$13.45 a hundred. Cattle at \$14.25 a hundred.

And here is the significant part of the letter:

I've been able to pay all debts, taxes, gotten bonds, and I've got money in the bank.

I'm a homesteader in eastern Montana, Richland County. Lived continuously on my farm since 1913.

I am, very respectfully,

WM. A. ALEXANDER.

LEGISLATIVE PROGRAM FOR THE DAY

Mr. BARKLEY. Mr. President, I should like to have the routine morning business considered. I hope we may have a call of the calendar for uncontested measures prior to 1 o'clock. If we cannot conclude the call by 1 o'clock, we will suspend, but I should like to make some progress on the calendar before that time.

LEAVE OF ABSENCE

Mr. OVERTON. Mr. President, I ask unanimous consent for indefinite leave of absence from the Senate beginning July 3.

THE PRESIDENT pro tempore. Is there objection? The Chair hears none, and the leave is granted.

CONFIRMATION OF NOMINATION OF JAMES F. BYRNES AS SECRETARY OF STATE

Mr. BARKLEY. Mr. President, before asking unanimous consent that the Senate proceed to consider measures on the calendar, I wish to prefer another request for unanimous consent.

The President of the United States has sent to the Senate the nomination of Hon. James F. Byrnes to be Secretary of State. We all know Justice Byrnes. We served here with him for many years and know what his record is, and it seems to me that it is unnecessary that the nomination should be referred to a committee.

In addition to these reasons, it so happens that there is at present no Secretary of State, and I ask unanimous consent that the Senate proceed to consider the nomination of Justice Byrnes, without reference of the nomination to a committee.

Mr. WHITE. Mr. President, I express the very earnest hope that the unanimous-consent request of the Senator from Kentucky may be agreed to. What he said of Mr. Byrnes is true. He is known personally to all of us. He served as a Member of the House of Representatives; he served as a Member of this body; he served as a member of the Supreme Court of the United States, and was confirmed by the Senate for that exalted position.

Mr. President, Mr. Byrnes' nomination again comes to the Senate after a length of public service that can leave no doubt in the mind of anyone as to his superb qualification for this new position. I repeat, I earnestly hope the request will be granted.

Mr. BARKLEY. Mr. President, I thank the Senator from Maine. I appreciate his remarks.

It is not necessary, Mr. President, in connection with this request to go into any discussion of Justice Byrnes' record in every public office he has held. I hope the Senate may confirm his nomination unanimously and without delay.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky? The Chair hears none.

Mr. BARKLEY. Mr. President, I ask that the nomination of Justice Byrnes to be Secretary of State be confirmed as in executive session.

The PRESIDENT pro tempore. Without objection, as in executive session, the nomination is confirmed, and the President will be immediately notified.

Mr. MAYBANK subsequently said: Mr. President, a few moments ago South Carolina's No. 1 citizen, her distinguished and illustrious son, Hon. James F. Byrnes, was confirmed as Secretary of State. I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Secretaryship of State" published in today's issue of the Washington Post.

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

SECRETARYSHIP OF STATE

The announcement of the nomination of James F. Byrnes as Secretary of State comes as something of an anticlimax. It had long

been known that in filling the top place in his official family the President wanted at his elbow a man who, in the best sense of the word, is a familiar. In Mr. Byrnes he has found his man. The President's regard for Mr. Byrnes is best attested by the fact that he went to the Democratic Convention last year all prepared to propose Mr. Byrnes for the Vice Presidential office to which he himself was nominated. Mr. Truman's conception of Cabinet responsibilities is different from that of his predecessor. He wants to delegate rather than to oversee, and a Cabinet officer who is at the same time a delegate must stand in the same personal relation to the President that Mr. Byrnes does to President Truman.

The new Secretary brings some excellent qualifications to his new and significant task.

He is well known and highly respected in the legislative as well as the executive branch of Government. It is important in the years to come to have a man in the Secretaryship who will keep Congress informed on policies that the President is striving to keep above party. There is such an assurance in the Byrnes appointment. Mr. Byrnes has a talent for intimate exposition, and it impressed the Senate particularly after Yalta. His report dealt with subjects which had hitherto been outside his interests, yet Mr. Byrnes seemed perfectly at home. His ease and knowledge-ability testified to his capacity for absorbing new ideas and new problems. This attribute, which has served him well in a career which owes nothing to advantage, help or luck, will stand him in good stead as Secretary of State. It is united in Mr. Byrnes with a natural gift as a diplomatist—a gift which we once called the art of being Byrnes—and a genius for drawing to his assistance men of competence and experience who will serve him with loyalty and affection.

It will be Mr. Byrnes' first job, of course, to pick new aides. Necessary to his success is an Under Secretary who will be a real complement to the Secretary. That means he should be chosen with due regard for Mr. Byrnes' own limitations. As we see Mr. Byrnes, he is neither an organizer nor an administrator, and the new Under Secretary, therefore, should be both. It has been the habit to write of the Secretary's assistants as a team. The word is apt. The Assistant Secretaries should be thought of, it seems to us, as a kind of committee on foreign policy, men of ideas and diplomatic skill and principle, and men strong enough to see that the division heads execute whatever has been decided upon. In the past there has been too much of the tail wagging the dog in the State Department, too much of a reliance upon narrow-minded experts, too much bureaucratic cliquism. In the new set-up policy should be made at the top, and the division heads should be executants. If they cannot serve in this capacity, they should be replaced. No appointment in this connection is more important than that of the Assistant Secretary in charge of personnel; he is the man responsible for morale in the diplomatic service as well as in the State Department.

It is to be hoped that the new administration will not be content with anything less than a complete overhaul and radical expansion of the State Department. The State Department is the Department of Peace in a world which for years is bound to find peace uneasy. In this new world the United States is a towering figure. We are undertaking the maintenance of the collective peace as the price of maintaining our own peace. When the War Department was faced with the responsibilities of making war, there was a vastly expanded and changed General Staff. The same reorganizational need is present in the State Department. We suggested 18 months ago that the problem was of such a nature as to call for the appointment of a commission to make recommendations. All that has happened since that time has been

patchwork change. It will be part of Mr. Byrnes' assignment to transform the State Department in a manner which will enable it to fulfill the tremendous task that has been thrust upon it. Audacity is required, and we feel sure that Mr. Byrnes would get the backing of both President and Congress for a program of real reorganization based upon the democratization of the foreign service.

THE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection, beginning with Senate bill 136, Calendar No. 392.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the first bill on the calendar will be stated by the clerk.

OREGON CAVES RESORT

The bill (S. 136) for the relief of the Oregon Caves Resort was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Oregon Caves Resort, Grants Pass, Ore., is hereby relieved from its liability for franchise fees for the years 1934 and 1935 under contract with the Department of Agriculture in the amount and to the extent that these fees exceed those that would have been due for the years 1934 and 1935, as determined by the Secretary of the Interior, under the terms of the renegotiated contract between the National Park Service, Department of the Interior, and the Oregon Caves Resort, dated January 1, 1936, had this latter contract been in full force and effect on January 1, 1934.

LEE D. HOSELEY

The Senate proceeded to consider the bill (S. 573) for the relief of Lee D. Hoseley, which had been reported from the Committee on Claims, with an amendment, on page 1, line 6, after the words "sum of", to strike out "\$7,500" and insert "\$5,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lee D. Hoseley, of Klamath Falls, Ore., the sum of \$5,000, in full satisfaction of his claim against the United States for compensation for injuries sustained by him on or about August 21, 1940, while he was engaged in fighting a forest fire on the Klamath Indian Reservation in the State of Oregon: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MRS. MARIE J. HUFFMAN

The Senate proceeded to consider the bill (S. 929) for the relief of Mrs. Marie J. Huffman, which had been reported from the Committee on Claims, with an amendment, on page 1, line 5, after the word "appropriated", to strike out "to

Mrs. Marie J. Huffman, of Orlando, Fla., the sum of \$1,027.66, in full satisfaction of her claims against the United States for compensation for damage to her property, and for reimbursement of medical, hospital, and other expenses incurred by her, as a result of an accident which occurred when a United States Army airplane crashed in the vicinity of her home in Orlando, Fla., on March 12, 1943" and insert "to Henry H. Huffman and Mrs. Marie J. Huffman, of Orlando, Fla., the sum of \$1,027.66; in full settlement of all claims against the United States for damage to their dwelling house and for personal injuries sustained by the said Mrs. Marie J. Huffman, and medical, hospital, and other expenses incurred incident thereto, as a result of the crash of an Army airplane in the vicinity of said house in Orlando, Fla., on March 12, 1943", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Henry H. Huffman and Mrs. Marie J. Huffman, of Orlando, Fla., the sum of \$1,027.66, in full settlement of all claims against the United States for damage to their dwelling house and for personal injuries sustained by the said Mrs. Marie J. Huffman and medical, hospital, and other expenses incurred incident thereto, as a result of the crash of an Army airplane in the vicinity of said house in Orlando, Fla., on March 12, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Henry H. Huffman and Mrs. Marie J. Huffman."

DESIGNATION OF VETERANS' HOSPITAL, PEEKSKILL, N. Y., AS FRANKLIN DELANO ROOSEVELT HOSPITAL.

The joint resolution (S. J. Res. 78) to provide for designation of the Veterans' Administration hospital at Crugers Park, Peekskill, N. Y., as Franklin Delano Roosevelt Hospital was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That the proposed Veterans' Administration hospital at Crugers Park, Peekskill, N. Y., shall be known and designated on the public records as the Franklin Delano Roosevelt Hospital.

RESOLUTION PASSED OVER

The concurrent resolution (H. Con. Res. 50) declaring Congress to have recognized and approved the provisions of section 29.23 (m)-16 of Treasury Regulations 111, and for other purposes, was announced as next in order.

Mr. MURDOCK. Over.

The PRESIDENT pro tempore. The concurrent resolution will be passed over.

SETTLEMENT OF CLAIMS FOR DAMAGES OCCASIONED BY AMERICAN FORCES IN FOREIGN COUNTRIES

The bill (S. 936) to amend the act approved January 2, 1942, as amended by the act approved April 22, 1943, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries" was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act of January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), as amended by the act of April 22, 1943 (57 Stat. 66), be, and hereby is, further amended by inserting an additional section at the end thereof to read as follows:

"Sec. 8. This act shall be applicable, notwithstanding other provisions hereof, to claims of inhabitants of the Philippine Islands arising in such islands which would be within the provisions of the act but for the fact that the Philippine Islands is not foreign territory: *Provided,* That any such claims arising out of accidents or incidents occurring in time of war may on good cause shown be presented within 1 year after peace is established."

Mr. TAFT subsequently said: Mr. President, I ask unanimous consent to reconsider the vote by which Senate bill 936, Calendar No. 400, was passed, and I ask for an explanation from the Senator from Maryland [Mr. TYDINGS].

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the vote by which the bill was passed is reconsidered.

Mr. THOMAS of Utah. Mr. President, is the Senator from Ohio referring to Calendar No. 400?

Mr. TAFT. Yes.

Mr. THOMAS of Utah. That is a military bill. The Senator from West Virginia [Mr. REVERCOMB] who reported the bill is not present. The bill merely extends the Foreign Claims Act to the Philippine Islands. It comes by request of all the Government departments having to do with such claims, and was unanimously reported by the Committee on Military Affairs.

Mr. TAFT. Mr. President, there is a similar bill referring to Guam on the calendar. My difficulty is this: We have had considerable discussion regarding the reimbursement for war damages in the Philippines and in Guam, and the situation is very much confused by the fact that the President issued an order setting aside \$100,000,000 to insure payment of damages which occurred up to July 1, 1942. It does not seem to me that in these bills the relationship between that liability and the liability we are assuming is made clear. It may be clear, but it seems to me that there is an overlapping, that it is not perfectly clear whether those who receive the payments for claims from the Army and Navy are required to waive claims against the War Damage Corporation, and it seems to me that there is other legislation pending on the subject. I thought perhaps the whole thing ought to be considered at one time.

Mr. THOMAS of Utah. Mr. President, the act in question is operating throughout various parts of the world, and the

only thing this particular bill does is to extend the provisions of the act to the Philippines. The measure dealing with Guam of course was referred to the Committee on Naval Affairs. The measure which is now before the Senate deals with the Philippine Islands and therefore was referred to the Committee on Military Affairs.

Mr. TYDINGS. Mr. President, I ask that the bill go over. The Filipino Rehabilitation Committee, the War Damage Corporation, the Committee on Territories and Insular Affairs of the Senate, and the Committee on Territories of the House are working on this matter. In my opinion the bill should have been referred to the Committee on Territories and Insular Affairs, which is supposed to be more familiar with the situation in the Philippines than either the Committee on Military Affairs or the Committee on Naval Affairs.

Mr. THOMAS of Utah. Mr. President, I move that the Committee on Military Affairs be discharged from the further consideration of the bill, and that it be referred to the Committee on Territories and Insular Affairs.

Mr. TYDINGS. The bill is on the calendar.

The PRESIDENT pro tempore. The bill is on the calendar at this time and the Chair is advised that the motion as stated is out of order.

Mr. THOMAS of Utah. Whether it is out of order or not, as chairman of a standing committee of the Senate, I am constantly confused by the fact that frequently two or more committees seem to be interested in the same sort of legislation. I understand that the standing committees of the Senate are all committees of the Senate, and that they act for the Senate as a whole. The Committee on Military Affairs did not ask to have the bill referred to it. If other committees believe that they should have jurisdiction, I want them to have it, because I think it is wrong for us to conduct hearings and have representatives of the Government come before us and testify, and then report a bill, when some other committee believes it should have jurisdiction. If there is any way to relieve the Committee on Military Affairs from jurisdiction, I want to do it.

The PRESIDENT pro tempore. The Chair suggests that the Senator ask unanimous consent that the bill be referred to the Committee on Territories and Insular Affairs.

Mr. THOMAS of Utah. That is what I was about to do.

The PRESIDENT pro tempore. If the Senator will do so, the Chair is sure that that course will be followed.

Mr. THOMAS of Utah. I ask unanimous consent that the Senate Committee on Military Affairs be discharged from further consideration of Senate bill 936, and that the bill be referred to the Committee on Territories and Insular Affairs.

The PRESIDENT pro tempore. All the Senator has to do is to ask that the bill be referred to the Committee on Territories and Insular Affairs. Without objection, the bill will be referred to the

Committee on Territories and Insular Affairs.

The Clerk will state the next business on the calendar.

REIMBURSEMENT OF NAVAL PERSONNEL FOR LOSS OF PROPERTY AT NORFOLK, VA.

The bill (S. 1062) to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the naval auxiliary air station, Pungo, Norfolk, Va., on February 13, 1945, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting the aggregate not to exceed \$1,049.18, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire at the naval auxiliary air station, Pungo, Norfolk, Va., on February 13, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

REIMBURSEMENT OF NAVAL PERSONNEL FOR DAMAGE AT SOUTH DEVON, ENGLAND

The bill (S. 902) to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 26, 1944, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$272.90, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 26, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

REIMBURSEMENT OF NAVAL PERSONNEL FOR LOSS BY FIRE AT VARIOUS NAVAL SHORE ACTIVITIES

The bill (S. 985) to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires occurring at

various naval shore activities, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not to exceed \$1,823.61, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires occurring in tents occupied by the Sixty-ninth United States Naval Construction Battalion, Omaha Beach, France, on October 17, 1944; in lucky bag storage hut used for storage of officers' gear at naval operating base, Dutch Harbor, Alaska, on September 10, 1943; in storehouse known as Walter Reid Building, Brisbane, Australia, on November 5, 1944; at amphibious training base, Camp Bradford, naval operating base, Norfolk, Va., on January 20, 1945; at naval hospital, Memphis, Tenn., on February 1, 1945; at naval section base, Fort Townsend, Wash., on December 27, 1942; and at base dispensary, naval base squadron, Rosneath, Scotland, on October 12, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

LT. (JG) WILLIAM AUGUSTUS WHITE

The bill (S. 996) for the relief of Lt. (Jg) William Augustus White, United States Naval Reserve, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$162, to reimburse Lt. (Jg) William Augustus White, United States Naval Reserve, for the value of personal property lost in a fire in a tent occupied as quarters at the United States naval supply depot, Navy, No. 167, on November 30, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

REIMBURSEMENT OF NAVAL PERSONNEL FOR DAMAGE AT BUNKER HILL, IND.

The bill (S. 986) to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in administration building at the naval air station, Bunker Hill, Ind., on December 28, 1944, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, such sum or sums, amounting in the aggregate not

to exceed \$379.20, as may be required by the Secretary of the Navy to reimburse, under such regulations as he may prescribe, certain Navy personnel and former Navy personnel for the value of personal property lost or damaged as the result of a fire in administration building at the naval air station, Bunker Hill, Ind., on December 28, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

REIMBURSEMENT OF NAVAL PERSONNEL FOR DAMAGE AT TRINIDAD, BRITISH WEST INDIES

The bill (H. R. 2685) to reimburse certain naval personnel and former naval personnel for personal property lost or damaged as a result of a fire in the bachelor officers' quarters known as Macqueripe Annex, located at the United States naval operating base, Trinidad, British West Indies, on June 11, 1944, was considered, ordered to a third reading, read the third time, and passed.

RESTRICTIONS ON DISPOSITION OF NAVAL VESSELS AND FACILITIES

The Senate proceeded to consider the bill (H. R. 3180) to impose certain restrictions on the disposition of naval vessels and facilities necessary to the maintenance of the combatant strength and efficiency of the Navy, and for other purposes, which had been reported from the Committee on Naval Affairs, with amendments.

The first amendment was, on page 5, after line 3, to strike out:

(a) the Secretary of the Navy has made a report to the Congress (while both Houses are in session) setting forth the reasons why such facility or plant, as the case may be, is no longer needed by the Department of the Navy, together with the contrary views, if any, of the Chief of Naval Operations.

And to insert in lieu thereof:

(a) a report, signed by the Secretary of the Navy, has been made to the Congress (while both Houses are in session), stating that the facility or plant, as the case may be, on and after the date of such report, is not and will not be needed by the Department of the Navy, or stating that such facility or plant will not be needed by such Department on and after a specified date within 6 months of the date of such report, and, in either case, also stating the reasons why such facility or plant will not be needed.

The amendment was agreed to.

The next amendment was, on page 8, line 10, after the word "That", to insert "no such lease shall be made for a period exceeding 1 year unless."

The amendment was agreed to.

Mr. BALL. Mr. President, may we have an explanation of the bill? It is a very important bill, and I should like to have it explained.

The PRESIDENT pro tempore. The bill was reported by the Senator from Massachusetts [Mr. WALSH]. Apparently the Senator from Massachusetts is not in the Chamber at the moment. Does the Senator from Minnesota desire that the bill go over?

Mr. TYDINGS. Mr. President, the chairman of the committee is not present, but I hope an objection will not be made to the bill, in view of the fact that it restricts the giving away or the use of naval vessels, I cannot conceive that it would be the desire to anyone to hold up a bill which restricts the giving away of our Navy vessels.

The PRESIDENT pro tempore. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

CERTIFICATION OF PENICILLIN

The bill (H. R. 3266) to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of any kind of penicillin or any derivative thereof, and for other purposes, was announced as next in order.

Mr. BUSHFIELD. Mr. President, may we have an explanation of the bill?

The PRESIDENT pro tempore. The senior Senator from North Carolina [Mr. BAILEY] reported the bill.

Mr. BAILEY. Mr. President, the bill which is now before the Senate proposes to include the new drug known as penicillin in the list of drugs covered by the Pure Food and Drug Act. The bill provides for the certification of this drug in batches, with a view to the usual tests for purity and standards. The legislation is requested by the Federal Security Agency and the United States Public Health Service, as being in the public interest. Hearings were held in the House. The Senate committee held no hearings, because all parties were agreed on the bill.

Mr. BUSHFIELD. I thank the Senator.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 220) to rest title to the U. S. S. *Wolverine* (ex-Michigan) in the foundation for the original U. S. S. Michigan, Inc., was announced as next in order.

Mr. TOBEY. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

ATTENDANCE OF MARINE BAND AT NATIONAL ENCAMPMENT OF GRAND ARMY OF THE REPUBLIC

The bill (H. R. 3287) to authorize the attendance of the Marine Band at the national encampment of the Grand Army of the Republic to be held at Columbus, Ohio, September 9 to 14, inclusive, 1945, was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF CERTAIN LANDS IN DOUGLAS COUNTY, OREG.

The bill (H. R. 715) to provide the transfer by the Secretary of War of the

Roseburg Rifle Range, Douglas County, Oreg., to the Defense Plant Corporation, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND AND BUILDINGS IN MONTGOMERY, COUNTY, TENN.

The bill (H. R. 1647) to authorize the Secretary of War to convey to the Captain William Edmiston Chapter of the Daughters of the American Revolution a certain building and tract or parcel of land situated in Montgomery County, Tenn., was considered, ordered to a third reading, read the third time, and passed.

RECOGNITION OF SERVICES UNDER FIRE BY MEDICAL CORPS PERSONNEL OF THE ARMY

The bill (H. R. 2477) to give recognition to the noncombatant services under enemy fire performed by officers and enlisted men of the Medical Corps of the Army was considered, ordered to a third reading, read the third time, and passed.

SERVICE MEDAL FOR ARMED FORCES

The bill (H. R. 3436) providing for a medal for service in the armed forces during the present war was considered, ordered to a third reading, read the third time, and passed.

JOINT RESOLUTION PASSED OVER

The joint resolution (H. J. Res. 23) to establish the first week in October of each year as National Employ the Physically Handicapped Week was announced as next in order.

Mr. CORDON. Let the joint resolution go over.

The PRESIDENT pro tempore. The joint resolution will be passed over.

REIMBURSEMENT FOR PERSONAL PROPERTY LOST, ETC., IN EXPLOSION AT NAVAL AIR STATION, NORFOLK, VA.

The Senate proceeded to consider the bill (H. R. 1309) to provide reimbursement for personal property lost, damaged, or destroyed as the result of an explosion at the Naval Air Station, Norfolk, Va., on September 17, 1943, which had been reported from the Committee on Naval Affairs, with amendments, on page 1, line 6, after the words "not to exceed", to strike out "\$28,000" and insert "\$23,000"; and in line 8, after the word "claims", to strike out "including those of insurance companies and."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CONSERVATION OF NAVAL PETROLEUM RESOURCES

The bill (H. R. 3269) further amending the part of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1921, and for other purposes," approved June 4, 1920, as amended, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves, was considered, ordered to a third reading, read the third time, and passed.

AMENDMENT OF EMPLOYEES' COMPENSATION ACT

The Senate proceeded to consider the bill (S. 714) to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended, which had been reported from the Committee on Education and Labor, with amendments.

The first amendment was, in section 1, on page 2, line 2, after the word "if", to insert "such claim is filed within 5 years after the injury or death and if."

The amendment was agreed to.

The next amendment was, in section 5, on page 6, line 3, after "Sec. 5," to insert "(a)."

The amendment was agreed to.

The next amendment was, in section 5, on page 6, after line 23, to insert:

(b) In any case where an employee employed by the United States within the purview of such act or any extension thereof suffers disability or death after capture, detention, or other restraint by an enemy of the United States, during the present war, such disability or death shall in the administration of such act be deemed to have resulted from injury occurring while in the performance of duty, whether or not the employee was engaged in the course of his employment when taken by the enemy: *Provided*, That this subparagraph shall not apply in the case of any person (1) whose residence is at or in the vicinity of the place from whence he was thus taken, and (2) who was not living there solely by virtue of the exigencies of his employment, unless such person was so taken while he was engaged in the course of his employment: *Provided further*, That compensation for disability or death shall not be paid during any period of time during which the disabled person (or the dependents of such person, or any one of them) should receive or be entitled to receive any pay, other benefit, or gratuity from the United States on account of detention by the enemy or by reason of the same disability or death, unless such pay, benefit, or gratuity is refunded or renounced.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended, is amended by adding at the end thereof the following new sentence:

"Failure to give notice of injury or to file claim for compensation for disability or death within the time and in the manner prescribed by this act shall not bar the claim of any person thereunder if such claim is filed within 5 years after the injury or death and if the Commission shall find (1) that such failure was due to circumstances beyond the control of the person claiming benefits, or (2) that such person has shown sufficient cause or reason in explanation thereof, and material prejudice to the interest of the United States has not resulted from such failure; and upon such finding the Commission may waive compliance with the applicable provisions of the act."

Sec. 2. That the first paragraph of section 10 of such act is amended by striking therefrom the words "within 6 years," and the words "subject to the modification that no compensation shall be paid where the death takes place more than 1 year after the

cessation of disability resulting from such injury, or, if there has been no disability preceding death, more than 1 year after the injury," and by deleting the comma and adding a colon following the word "pay" therein; and that section 11 of such act is amended by striking therefrom the words "within 6 years", and the last sentence of such section.

SEC. 3. That subdivision (G) of section 10 of such act is hereby amended by striking therefrom the words "for a period of 8 years" and "before that time", and by substituting the word "until" for the word "unless" therein.

SEC. 4. That section 42 of such act is hereby amended by adding at the end thereof the following new paragraph:

"Whenever the Commission shall find that the amount of compensation, as provided by other provisions of this act, payable to employees of the United States who are neither citizens nor residents of the United States, any Territory, or Canada, or payable to any dependents of such employees, is substantially disproportionate to compensation for disability or death which may be payable in similar cases under local law, regulation, custom, or otherwise, at the place outside the United States, any Territory, or Canada, where such employees may be working at the time of injury, the Commission may provide for payment of compensation upon such basis as will be reasonably in accord with prevailing local payments in similar cases, (1) by the adoption or adaptation of the substantive features (by a schedule or otherwise) of local workmen's compensation provisions, or other local law, regulation, or custom applicable in cases of personal injury or death, or (2) by establishing and promulgating, for specific classes of employees, areas or places, special schedules of compensation for injury and death (including schedules for the loss or loss of use of members and functions of the body); and irrespective of the basis adopted may at any time modify or limit therein (a) the maximum monthly and total aggregate payments for injury and death (including modification and limitation of medical or other benefits), and (b) the percentages of the employee's wage payable as compensation for such injury or death, and to modify, limit, or redesignate the class or classes of beneficiaries entitled to death benefits, including the designation of persons, representatives, or groups, who would be entitled under local law or custom to payment on account of death, whether or not included in the classes of beneficiaries otherwise specified in this act. In the cases of such non-citizens and nonresidents, the Commission or its designees are authorized to make lump-sum awards (in the manner prescribed by section 14 of this act), whenever the Commission or its authorized designee shall deem such settlement to be for the best interest of the United States, and also in any such cases to compromise and pay claims for any benefits so provided for, including claims in which there is a dispute as to jurisdiction or other facts, or questions of law. Compensation so payable shall be in lieu of all other compensation from the United States for the same injury or death, and any payment so made shall for all purposes be considered as compensation under this act and as satisfaction of all liability of the United States in respect to the particular injury or death. The Commission may delegate to any officer, agency, or employee of the United States, with such limitations and right of review as it deems advisable, authority to process, adjudicate, commute by lump-sum award, compromise, and pay any claim or class of claims for compensation, and to provide other benefits, locally, under this paragraph, in accordance with such regulations and instructions as the Commission shall deem necessary, and for such purpose the Commission is authorized to provide or transfer funds (including reim-

bursement of amounts paid under this act). Should the Commission find (1) that conditions prevent the establishment of facilities for processing and adjudicating claims of such noncitizens and nonresidents, or (2) that such noncitizens and nonresidents are alien enemies, the Commission may waive the application of this act, in whole or in part, and for such period or periods of time as the Commission shall fix. The provisions of this paragraph may be applied retrospectively as the Commission may determine, and, where necessary, with such adjustment of compensation and benefits as the Commission may find to be proper. The action of the Commission or its designees in allowing or denying any payment under this act shall be final and conclusive for all purposes and with respect to all questions of law and fact, and not subject to review by any other official of the United States, or by any court by mandamus or otherwise, and credit shall be allowed in the accounts of any certifying or disbursing officer for payments in accordance with such action. Wherever used in this section, the geographical reference to the United States shall mean the continental United States."

SEC. 5. (a) The amendments to such act shall be applicable retrospectively as follows:

(1) The amendment in section 1 of this act shall apply to injury and death cases, whether or not reported or acted upon, where the injury (or injury causing death) occurred on or after December 7, 1940.

(2) The amendment in section 2 shall be applicable in any case of death following injury where the injury occurred prior to the date of approval of this act and the employee is receiving or is entitled to receive compensation for injury on or after such date.

(3) The amendment in section 3 shall be applicable in any case where a beneficiary, affected by the provisions of section 10 (G) of such act, (a) is receiving compensation (or whose claim is in the process of initial adjudication) on the date of the approval of this act, or (b) whose compensation has been terminated by reason of the limitation provisions of such section 10 (G) within 3 years prior to the date of such approval, should be found by the Commission to be suffering hardship at the time of approval of this act by reason of such termination.

(b) In any case where an employee employed by the United States within the purview of such act or any extension thereof suffers disability or death after capture, detention, or other restraint by an enemy of the United States, during the present war, such disability or death shall in the administration of such act be deemed to have resulted from injury occurring while in the performance of duty, whether or not the employee was engaged in the course of his employment when taken by the enemy: *Provided*, That this subparagraph shall not apply in the case of any person (1) whose residence is at or in the vicinity of the place from whence he was thus taken, and (2) who was not living there solely by virtue of the exigencies of his employment, unless such person was so taken while he was engaged in the course of his employment: *Provided further*, That compensation for disability or death shall not be paid during any period of time during which the disabled person (or the dependents of such person, or any one of them) should receive or be entitled to receive any pay, other benefit, or gratuity from the United States on account of detention by the enemy or by reason of the same disability or death, unless such pay, benefit, or gratuity is refunded or renounced.

BETTY JANE RITTER

The bill (H. R. 852) for the relief of Betty Jane Ritter was considered, ordered to a third reading, read the third time, and passed.

LEO GOTTLIEB

The Senate proceeded to consider the bill (H. R. 259) for the relief of Leo Gottlieb, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "the sum of", to strike out "\$5,709.50" and insert "\$4,500."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. HARRIETTE E. HARRIS

The bill (H. R. 1008) for the relief of Mrs. Harriette E. Harris was considered, ordered to a third reading, read the third time, and passed.

MRS. BEATRICE BROWN WAGGONER

The bill (H. R. 1007) for the relief of Mrs. Beatrice Brown Waggoner was considered, ordered to a third reading, read the third time, and passed.

HUGH EGAN

The Senate proceeded to consider the bill (S. 909) for the relief of Hugh Egan, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "the sum of", to strike out "\$620" and insert "\$500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Hugh Egan, of New Bedford, Mass., the sum of \$500, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him when he was struck by an Army vehicle near Fort Rodman, Mass., on November 30, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN R. JENNINGS

The bill (H. R. 1917) for the relief of John R. Jennings was considered, ordered to a third reading, read the third time, and passed.

OLIVER JENSEN

The bill (S. 787) for the relief of Oliver Jensen was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver Jensen, of Ogden, Utah, the sum of \$3,000, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as a result of an accident which occurred when the automobile which he was driving collided with United States Army vehicle, at the intersection of Riverdale Road and Wall Avenue in Ogden, Utah, on September 19, 1942: *Provided*, That no part of the amount appropriated in this act in ex-

cess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

CENTRAL LEAF TOBACCO CO.

The Senate proceeded to consider the bill (S. 994) for the relief of the Central Leaf Tobacco Co., which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "the sum of", to strike out "\$1,000" and insert "\$848.60", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Central Leaf Tobacco Co., Inc., Durham, N. C., the sum of \$848.60. The payment of such sum shall be in full settlement of all claims of such company against the United States for losses sustained as the result of a United States Army truck colliding on November 27, 1944, with a truck owned by such company while the latter truck was parked against the curb in front of 808 Holloway Street, Durham, N. C.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the Central Leaf Tobacco Co., Inc."

RELIEF OF SUNDRY FRUIT GROWERS OF DELAWARE

The bill (S. 401) for the relief of sundry fruit growers of the State of Delaware who sustained losses as the result of the fumigation of apples with methyl bromide in order to comply with the requirements of the United States Department of Agriculture relating to the Japanese-beetle quarantine was announced as next in order.

Mr. CORDON. Mr. President, may we have an explanation from the author of the bill or some Senator representing the committee? I note in the report that there is some objection on the part of the Department of Agriculture.

Mr. JOHNSTON of South Carolina. Mr. President, I reported the bill from the committee. Because of the Japanese beetle, the apple growers of Delaware were forced by the Department of Agriculture to fumigate all the cars leaving that State. The apple growers were charged \$9 a car for the fumigation of the cars. Later it developed that the apples in every car which was fumigated spoiled. The Department of Agriculture acknowledged that the fumigation would cause that variety of apple to spoil. For that reason it was thought that the Government should pay the damages, be-

cause the apple growers were forced to fumigate the cars.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, on page 2, line 11, after the words "sum of", to strike out "\$2,562.55", and insert "\$2,436.32", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons the respective sums herein-after indicated, in full satisfaction of their claims against the United States for compensation for losses sustained by them as the result of the fumigation of apples with methyl bromide in order to comply with the requirements of the United States Department of Agriculture relating to the Japanese-beetle quarantine, such method of fumigation having been one of the methods suggested by the said Department of Agriculture: To C. L. Cannon, of Bridgeville, Del., the sum of \$1,197.27; to W. H. Chandler, of Milton, Del., the sum of \$16,618.63; to C. F. Fifer, of Wyoming, Del., the sum of \$2,886.90; to W. S. Jones, of Bridgeville, Del., the sum of \$2,436.32; to E. L. Kratz, of Greenwood, Del., the sum of \$379.52; to Lord Bros. of Dover, Del., the sum of \$2,290.33; to Lord & Rickards, of Dover, Del., the sum of \$90.08; to L. C. Newton, of Bridgeville, Del., the sum of \$3,773.03; to O. A. Newton & Son, Bridgeville, Del., the sum of \$7,968.07; to Frank W. Richardson, of Camden, Del., the sum of \$4,095.75; to George B. Ruos & Son, of Bridgeville, Del., the sum of \$3,742.66; to T. S. Smith & Sons, of Bridgeville, Del., the sum of \$6,751.26; and to Townsend's, Inc., of Millsboro, Del., the sum of \$1,161.96: *Provided,* That no part of the amount appropriated in this act with respect to any such claim in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD P. STANDLEY

The Senate proceeded to consider the bill (S. 1007) for the relief of Edward P. Standley, which had been reported from the Committee on Claims with amendments, in line 5, after the word "to", to insert "Mr. and Mrs."; in line 6, after the word "of", to strike out "his" and insert "their"; in line 8, after the word "by", to strike out "him" and insert "them"; in line 9, after the word "destroyed", to strike out "his" and insert "their"; and in line 10, after the word "October", to strike out "14" and insert "15", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mr. and Mrs. Edward P. Standley, of Coquille, Oreg., the sum of \$3,211.92, in full satisfaction of their claim against the United States for compensation for property damage sustained by them as

the result of a United States Navy airplane crash which destroyed their grocery in Coquille, Oreg., on October 15, 1944: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Mr. and Mrs. Edward P. Standley."

DAN C. RODGERS

The Senate proceeded to consider the bill (S. 694) for the relief of Dan C. Rodgers, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of", to strike out "\$3,652" and insert "\$4,113"; and in line 9, after the word "October", to strike out "14" and insert "15", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dan C. Rodgers, of Coquille, Oreg., the sum of \$4,113, in full satisfaction of his claims against the United States for compensation for personal injuries sustained by him when a United States Navy airplane crashed near his residence in Coquille, Oreg., on October 15, 1944, and for reimbursement of expenses incurred by him as a result of such injuries: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

D. W. KEY

The bill (H. R. 2060) for the relief of D. W. Key was considered, ordered to a third reading, read the third time, and passed.

WILLIAM ANDREWS EVANS

The Senate proceeded to consider the bill (S. 729) for the relief of William Andrews Evans, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after the name "William", to strike out "Andrews" and insert "Andrew"; and in line 6, after the words "sum of", to insert "\$3,500", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Andrew Evans, of Wakulla County, Fla., the sum of \$3,500, in full satisfaction of all claims against the United States for compensation for personal injuries sustained by him when he was struck by a United States Army car

on State Highway No. 10 near Sopchoppy, Wakulla County, Fla., on December 6, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and any such payment, delivery, or receipt shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of William Andrew Evans."

MR. AND MRS. EVERETT MCLENDON, AND OTHERS

The Senate proceeded to consider the bill (S. 762) for the relief of Mr. and Mrs. Everett McLendon, Sr., Everett McLendon, Jr., and Nadine McLendon, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the word "appropriated", to strike out "to (1) Mrs. Everett McLendon, Sr., of Savannah, Ga., the sum of \$500, in full satisfaction of her claim against the United States for compensation for personal injuries, and permanent disfigurement as a result thereof, sustained by her as the result of an accident which occurred when the automobile in which she was riding was struck by a United States Army truck at the intersection of Lincoln and Harris Streets in Savannah, Ga., on May 11, 1942; (2) Everett McLendon, Jr., of Savannah, Ga., the sum of \$50, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as a result of such accident; (3) Nadine McLendon, of Savannah, Ga., the sum of \$100 in full satisfaction of her claim against the United States for compensation for personal injuries sustained by her as a result of such accident; and (4) Everett McLendon, Sr., of Savannah, Ga., the sum of \$446.04, in full satisfaction of his claims against the United States for compensation for damage to his automobile, and for reimbursement of medical and hospital expenses incurred by him, as a result of such accident" and insert "(1) the sum of \$446.04 to Everett McLendon, Sr., of Savannah, Ga., in full settlement of all claims against the United States for property damage sustained by him and for the medical and hospital expenses incurred for the treatment of the personal injuries sustained by his wife, Mrs. Everett McLendon, Sr., and his minor children, Everett McLendon, Jr., and Nadine McLendon; (2) the sum of \$500 to Mrs. Everett McLendon, Sr., of Savannah, Ga., in full settlement of all claims against the United States for the personal injuries sustained by her; (3) the sum of \$100 to Mr. and Mrs. Everett McLendon, Sr., of Savannah, Ga., for the benefit of their minor daughter, Nadine McLendon, in full settlement of all claims against the United States for the personal injuries sustained by said Nadine McLendon; and (4) the sum of \$50 to Everett McLendon, Jr., of Savan-

nah, Ga., in full settlement of all claims against the United States for the personal injuries sustained by him, all as the result of an accident involving an Army vehicle which occurred on May 11, 1942, at the intersection of Harris and Lincoln Streets in Savannah, Ga.", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated (1) the sum of \$446.04 to Everett McLendon, Sr., of Savannah, Ga., in full settlement of all claims against the United States for property damage sustained by him and for the medical and hospital expenses incurred for the treatment of the personal injuries sustained by his wife, Mrs. Everett McLendon, Sr., and his minor children, Everett McLendon, Jr., and Nadine McLendon; (2) the sum of \$500 to Mrs. Everett McLendon, Sr., of Savannah, Ga., in full settlement of all claims against the United States for the personal injuries sustained by her; (3) the sum of \$100 to Mr. and Mrs. Everett McLendon, Sr., of Savannah, Ga., for the benefit of their minor daughter, Nadine McLendon, in full settlement of all claims against the United States for the personal injuries sustained by said Nadine McLendon; and (4) the sum of \$50 to Everett McLendon, Jr., of Savannah, Ga., in full settlement of all claims against the United States for the personal injuries sustained by him, all as the result of an accident involving an Army vehicle which occurred on May 11, 1942, at the intersection of Harris and Lincoln Streets in Savannah, Ga.: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Everett McLendon, Sr.; Mrs. Everett McLendon, Sr.; Mr. and Mrs. Everett McLendon, Sr., for the benefit of their minor daughter, Nadine McLendon; and Everett McLendon, Jr."

DOROTHY M. MOON

The bill (H. R. 1601) for the relief of Dorothy M. Moon was considered, ordered to a third reading, read the third time, and passed.

HARLAND BARTHOLOMEW AND ASSOCIATES

The bill (H. R. 2515) for the relief of Harland Bartholomew and associates was considered, ordered to a third reading, read the third time, and passed.

REIMBURSEMENT FOR PROPERTY LOST OR DAMAGED IN THE NAVAL SERVICE

The Senate proceeded to consider the bill (S. 559) to amend the act entitled "An act to provide for reimbursement of officers, enlisted men, and others, in the naval service of the United States for property lost, damaged, or destroyed in such service," approved October 27, 1943, so as to make the provisions thereof effective with respect to losses occurring on or after October 31, 1941, which had

been reported from the Committee on Naval Affairs, with an amendment, to strike out all after the enacting clause, and insert:

That the first section of the act entitled "An act to provide for reimbursement of officers, enlisted men, and others, in the naval service of the United States for property lost, damaged, or destroyed in such service," approved October 27, 1943 (57 Stat. 582; U. S. C., Supp. III, title 34, sec. 984), is amended to read as follows: "That the Secretary of the Navy and, subject to appeal to the Secretary of the Navy, such other officer or officers as he may designate for such purposes and under such regulations as he may prescribe, are hereby authorized to consider, and to ascertain, adjust, determine, and pay any claim filed under oath of the commissioned, appointed, enrolled, and enlisted personnel of the Navy and Marine Corps, and of the Coast Guard when operating as a part of the Navy, and of civilian employees of the Naval Establishment, for loss, damage, or destruction of their private personal property, including household effects, occurring on or after October 31, 1941, when such loss, damage, or destruction is not due to fault or negligence on the part of the claimant and has occurred or shall hereafter occur under the following circumstances:

"First. When the loss, damage, or destruction is due to operations of war, shipwreck, or other marine disaster, or the wreck of an aircraft or other disaster thereto: *Provided*, That the term 'marine disaster' as used herein shall include an accident occurring on board a vessel.

"Second. When the loss, damage, or destruction is in consequence of the serviceman or employee having given his attention to the saving of the life of another, or of property belonging to the United States.

"Third. When such property is lost, damaged, or destroyed by reason of being shipped on board an unseaworthy vessel by order of an officer authorized to give such order or direct such shipment; or is lost, damaged, or destroyed, whether or not due to negligence on the part of Government personnel, while in shipment pursuant to orders issued by competent authority, but where the property was transported by a common carrier, the reimbursement shall be limited to the extent of such loss, damage, or destruction over and above the amount recoverable from such carrier.

"Fourth. When such property is lost, damaged, or destroyed by reason of being furnished at the direction of competent authority to another person under conditions of immediate and urgent distress.

"Reimbursement may be made in all such cases for loss, damage, or destruction of such articles as are required to be possessed and used by officers, enlisted men, and others in connection with their service or employment, and such additional items of personal property, including household effects, money, or currency, as the Secretary of the Navy shall determine to have been reasonably and properly in the place where they were lost, damaged, or destroyed, in consequence of the service or employment in which the serviceman or employee was engaged: *Provided*, That reimbursement may be made for loss of money or currency only when such money or currency has been deposited for safekeeping as provided by regulations promulgated by the Secretary of the Navy or as provided by orders of the commanding officer."

SEC. 2. Existing claims under this act shall be presented within 2 years from the date of enactment of this act and all such claims hereafter arising shall be presented within 2 years from the occurrence of the loss, destruction, or damage, except that any person missing, who is not willfully absent, or any person who is a prisoner in the hands of the enemy, or who is interned in a neutral coun-

try, shall in addition be allowed 1 year from the time of return to the jurisdiction of the United States in which to file such claim.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1139) for the relief of the residents of Guam through the settlement of meritorious claims was announced as next in order.

Mr. TAFT. Mr. President, although I do not like to object to the bill, I think I must, because it seems to me to be very confused in its statement of what are the obligations for which payment is to be made. It is not clear to me whether it includes \$5,000 claims only; it is not clear how it is coordinated with the obligations of the War Damage Insurance Corporation. I think it should be more carefully studied before it is passed. Therefore, I object to its passage at this time.

The PRESIDENT pro tempore. Objection is heard, and the bill will be passed over.

Mr. TYDINGS. Mr. President, I should like to say a word about the bill. The bill is not per se for relief because of war damage. The Navy has been acquiring land from the natives in Guam. The land has been used for airfields, roads, warehouses, and the like. There is very little provision in the bill in the nature of relief for war damages. As a matter of fact, the rehabilitation has already taken place. It became necessary to put the natives some place on the island after all their villages were destroyed, so the Navy built small villages with lumber which was available; the houses were built with thatched roofs, and a few schoolhouses were built. The people of Guam are already utilizing those houses and those villages. The greater part of the money, as I understand—and the testimony before the Committee on Naval Affairs bears me out—is for the purpose of paying the natives for land which has been acquired by the Navy Department.

Mr. TAFT. Mr. President, there is nothing in the bill about paying anyone for land or about buying land. It is a straight bill for the payment of damages or injuries resulting from hostilities, hostile occupation, combat, or noncombat activities of the Army or Navy, and so forth. It is not clear to me, either, whether only claims up to \$5,000 can be paid or whether that limitation extends only to military and civilian employees. I do not think it is very well spelled out.

In line 6 it says "including claims of insured." I do not know whether that means persons insured in private companies or in the War Damage Insurance Corporation. In the case of a gasoline plant owned by the Standard Oil Co. or some other company, for instance, it is not at all clear whether the bill would provide for paying the company or whether the company would have to secure payment under its war damage insurance. I think the bill should go over.

Mr. TYDINGS. I have no objection to having the bill go over, but I did not

want to leave the Senate under a misapprehension to the effect that the bill was per se a claims bill. The testimony before the Committee on Naval Affairs was that the greater part of the money is to be used by the Navy Department to pay for land acquired from natives. I shall be glad to obtain from the Navy Department a letter stating in full how the money is to be expended.

In the meantime I, too, shall be glad to have the bill go over, so that we shall know what we are doing when we act on it.

The PRESIDENT pro tempore. The next measure on the calendar will be stated.

PRODUCTION OF PETROLEUM FROM NAVAL PETROLEUM RESERVE NO. 1

The joint resolution (S. J. Res. 76) authorizing the production of petroleum for the national defense from Naval Petroleum Reserve No. 1, was announced as next in order.

The PRESIDENT pro tempore. The Chair is informed that Senate Joint Resolution 76 is identical with House Joint Resolution 215, Calendar No. 447. Is there objection to the substitution of the House joint resolution for the Senate joint resolution and the immediate consideration of the House joint resolution?

There being no objection, the joint resolution (H. J. Res. 215) authorizing the production of petroleum for the national defense from Naval Petroleum Reserve No. 1 was considered, ordered to a third reading, read the third time, and passed.

The preamble was agreed to.

The PRESIDENT pro tempore. Without objection, Senate Joint Resolution 76 will be indefinitely postponed.

DISPOSAL OF RECORDS OF UNITED STATES GOVERNMENT

The bill (H. R. 44) to amend the act entitled "An act to provide for the disposal of certain records of the United States Government" was announced as next in order.

Mr. WHERRY. Mr. President, will the majority leader give us an explanation of the bill?

Mr. BARKLEY. Mr. President, this bill, which has been passed by the House of Representatives, authorizes the Archivist's counsel, after he has gone over certain records, and if he thinks there is no particular historical reason why they should be preserved, to make a report to Congress recommending that the agencies harboring the records may dispose of them after a certain length of time. The bill is merely for the purpose of giving the Archivist authority to clean up records which are of no further value.

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

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CONVEYANCE OF CERTAIN LAND IN SANTA BARBARA COUNTY, CALIF.

The Senate proceeded to consider the bill (S. 1117) to authorize the Secretary of the Navy to convey Casa Dorinda Es-

tate in Santa Barbara County, Calif., to Robert Woods Bliss and Mildred B. Bliss, which has been reported from the Committee on Naval Affairs with amendments, on page 2, in line 4, after the figure "559", to strike out "and"; and in line 6, after the word "deed", to insert "and (3) all right, title, and interest of the United States of America in any of those certain articles consisting of books, furniture, and household furnishings, tools, garden equipment, and other articles of personal property conveyed by deed of gift from Mildred B. Bliss and Robert Woods Bliss to the United States of America dated November 23, 1942, and which are more fully described in exhibit A thereof: *Provided*, That the conveyance of such property as herein authorized shall be upon the condition that the grantors shall release the Government from any and all claims with respect thereto and with respect to any personal property which may have been loaned to the Government in connection therewith: *And provided further*, That the Secretary of the Navy shall cause to be removed any improvements or alterations made to the premises at the Government's expense, if in his judgment the value thereof shall substantially exceed the cost of restoring the premises to their condition at the time of the Government's entry thereupon", so as to make the bill read:

Be it enacted, etc., That whenever he shall determine that such property is no longer needed for exclusively public purposes the Secretary of the Navy is authorized to convey to Robert Woods Bliss and Mildred B. Bliss without consideration (1) all right, title, and interest of the United States of America in and to the real property situated in Santa Barbara County, Calif., known as Casa Dorinda Estate, which is described in a certain grant deed by which said property was conveyed to the United States, dated November 23, 1942, and recorded in the official land records of Santa Barbara County, Calif., at page 492, book 559, (2) all right, title, and interest in and to the appurtenant sewer line and easement mentioned in said deed, and (3) all right, title, and interest of the United States of America in any of those certain articles consisting of books, furniture, and household furnishings, tools, garden equipment, and other articles of personal property conveyed by deed of gift from Mildred B. Bliss and Robert Woods Bliss to the United States of America dated November 23, 1942, and which are more fully described in exhibit A thereof: *Provided*, That the conveyance of such property as herein authorized shall be upon the condition that the grantors shall release the Government from any and all claims with respect thereto and with respect to any personal property which may have been loaned to the Government in connection therewith: *And provided further*, That the Secretary of the Navy shall cause to be removed any improvements or alterations made to the premises at the Government's expense, if in his judgment the value thereof shall substantially exceed the cost of restoring the premises to their condition at the time of the Government's entry thereupon.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. That completes the calendar.

APPOINTMENT OF GEN. OMAR N. BRADLEY AS ADMINISTRATOR OF VETERANS' AFFAIRS

Mr. GEORGE. Mr. President, the House has passed House bill 3607, a measure to authorize the President to appoint Gen. Omar N. Bradley to the Office of Administrator of Veterans' Affairs without affecting his military status and perquisites. A bill, S. 1208, was introduced in the Senate by the majority leader the Senator from Kentucky [Mr. BARKLEY] and it is identical with the bill which passed the House. The Finance Committee has approved, without amendment, the bill introduced by the Senator from Kentucky.

From the Committee on Finance I now report the bill (S. 1208) to authorize the President to appoint Gen. Omar N. Bradley to the office of Administrator of Veterans' Affairs, without affecting his military status and perquisites.

I ask unanimous consent that the House bill, which is identical to Senate bill 1208, be substituted for the Senate bill, and that the Senate proceed to the consideration of House bill 3607.

The PRESIDENT pro tempore. Without objection House bill 3607 will be substituted for Senate bill 1208 and will be now considered.

There being no objection, the bill (H. R. 3607) to authorize the President to appoint Gen. Omar N. Bradley to the office of Administrator of Veterans' Affairs, without affecting his military status and perquisites, was read twice by its title, considered, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 1208 will be indefinitely postponed.

CALL OF THE ROLL

Mr. BARKLEY. Mr. President, 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	Murdock
Andrews	Green	Murray
Bailey	Guffey	Myers
Ball	Gurney	O'Daniel
Bankhead	Hart	O'Mahoney
Barkley	Hatch	Overtown
Bilbo	Hawkes	Pepper
Brewster	Hayden	Radcliffe
Briggs	Hickenlooper	Russell
Brooks	Hill	Smith
Buck	Hoey	Stewart
Burton	Johnson, Calif.	Taft
Bushfield	Johnson, Colo.	Taylor
Butler	Johnston, S. C.	Thomas, Okla.
Byrd	Kilgore	Thomas, Utah
Capehart	Langer	Tobey
Capper	Lucas	Tunnell
Chavez	McClellan	Tydings
Connally	McFarland	Vandenberg
Cordon	McKellar	Wagner
Donnell	McMahon	Walsh
Downey	Maybank	Wheeler
Eastland	Mead	Wherry
Ellender	Millikin	White
Ferguson	Mitchell	Wiley
Fulbright	Moore	
George	Morse	

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

The Senator from Kentucky [Mr. CHANDLER] and the Senator from Washington [Mr. MAGNUSON] are absent on public business.

The Senator from Nevada [Mr. McCARRAN] is absent as a member of the committee attending the funeral of the late Senator Scrugham.

Mr. WHERRY. The Senator from Vermont [Mr. AUSTIN] is absent by leave of the Senate.

The Senator from Kansas [Mr. REED], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Iowa [Mr. WILSON] are absent on official business.

The Senator from West Virginia [Mr. REVERCOMB] is necessarily absent from Washington.

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

The Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

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

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

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

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, 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 MESSAGES REFERRED

The President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Sundry persons for appointment in the regular corps of the United States Public Health Service.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Frank Ensley, to be postmaster at Neubert, Tenn.

The PRESIDING OFFICER (Mr. MEAD in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

FOREIGN SERVICE

The legislative clerk proceeded to read sundry nominations in the foreign service.

Mr. BARKLEY. I ask that the nominations in the foreign service be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations in the foreign service are confirmed en bloc, and, without objection, the President will be notified forthwith.

That completes the Executive Calendar.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES SUBMITTING TO THE SENATE THE UNITED NATIONS' CHARTER

Mr. BARKLEY. The President of the United States is about to address the Senate, and present to it officially the Charter which was consummated and signed at San Francisco. Inasmuch as it is a matter which must be considered in executive session, and the Senate is now in executive session, I ask that the Chair appoint a committee of four Senators to escort the President into the Chamber.

The PRESIDING OFFICER. Without objection, it is so ordered; and the Chair appoints the Senator from Kentucky [Mr. BARKLEY], the Senator from Texas [Mr. CONNALLY], the Senator from Maine [Mr. WHITE], and the Senator from Michigan [Mr. VANDENBERG] as the committee to escort the President of the United States into the Senate Chamber.

The committee retired, and (at 1 o'clock and 3 minutes p. m.) reentered the Chamber, escorting the President of the United States.

The Sergeant at Arms (Wall Doxey) announced the President, who was greeted with prolonged applause.

The PRESIDENT pro tempore. Gentlemen of the Senate, the President of the United States.

The President, standing at the clerk's desk, spoke as follows:

Mr. President—it has been a long time since I have said "Mr. President" in this Chamber, and, my, how I miss it—and Members of the Senate of the United States. It is good of you to let me come back among you. You know, I am sure, how much that means to one who served so recently in this Chamber with you.

You also remember how I was tied down during the last 3 months I was here. I could not speak except to rule on parliamentary questions, and two or three times I was ruled out of order because I attempted to make a speech on such a question.

I have just brought down from the White House and have delivered to your Presiding Officer the Charter of the United Nations. It was signed in San Francisco on June 26, 1945—6 days ago—by the representatives of 50 nations. The statute of the International Court of Justice is annexed to the Charter.

I am appearing to ask for the ratification of the Charter and the statute annexed thereto, in accordance with the Constitution.

The Charter which I bring you has been written in the name of "We, the peoples of the United Nations." [Applause.] Those peoples—stretching all over the face of the earth—will watch our action here with great concern and high hope. For they look to this body of elected representatives of the people of the United States to take the lead in approving the Charter and statute and pointing the way for the rest of the world. [Applause.]

This Charter and the principles on which it is based are not new to the

United States Senate or to the House of Representatives.

Over a year and a half ago the Senate, after thorough debate, adopted the Connally resolution, which contained the essence of this Charter. It called for "a general international organization based on the principle of the sovereign equality of all peace-loving states, and open to membership by all such states, large and small, for the maintenance of international peace and security." What I am now presenting to the Senate carries out completely this expression of national and international necessity.

Shortly before that, the House of Representatives passed the Fulbright resolution, also favoring the creation of international machinery with participation by the United States.

You and the House of Representatives thus had a hand in shaping the Dumbarton Oaks proposals, upon which the Charter has been based.

No international document has been drawn in a greater glare of publicity than this one. It has been the subject of public comment for months. This widespread discussion has created the impression in some quarters that there were many points of disagreement among the United Nations in drafting this Charter. Naturally, much more public attention was given to the items of disagreement than to the items of agreement. As you know, if you want to get a headline all you need do is to fall out with some of your friends, and you will always get it. [Laughter.] The fact is that there were comparatively few points upon which there was not accord from the very beginning. Disagreement has reduced to a minimum—and related more to methods than to principle.

Whatever differences there were, were finally settled. They were settled by the traditional democratic method of free exchange of opinions and points of view.

I shall not attempt here to go into the various provisions of the Charter. They have been so thoroughly discussed that I am sure you are all familiar with them. They will be so thoroughly discussed on this floor that you and the people of the Nation will all have a complete expression of views. I am sure of that. [Laughter.]

In your deliberations, I hope you will consider not only the words of the Charter but also the spirit which gives it meaning and life.

The objectives of the Charter are clear. It seeks to prevent future wars.

It seeks to settle international disputes by peaceful means and in conformity with principles of justice.

It seeks to promote world-wide progress and better standards of living.

It seeks to achieve universal respect for, and observance of, human rights and fundamental freedoms for all men and women—without distinction as to race, language, or religion.

It seeks to remove the economic and social causes of international conflict and unrest.

It is the product of many hands and many influences. It comes from the reality of experience in a world where one

generation has failed twice to keep the peace. The lessons of that experience have been written into the document.

The choice before the Senate is now clear. The choice is not between this Charter and something else. It is between this Charter and no charter at all.

Improvements will come in the future as the United Nations gain experience with the machinery and methods which they have set up. For this is not a static treaty. It can be improved—and, as the years go by, it will be—just as our own Constitution has been improved.

This Charter points down the only road to enduring peace. There is no other. Let us not hesitate to join hands with the peace-loving peoples of the earth and start down that road—with firm resolve that we can and will reach our goal.

I urge ratification. I urge prompt ratification.

[Prolonged applause, Senators and guests of the Senate rising.]

Upon the conclusion of the address (at 1 o'clock and 12 minutes p. m.) the President of the United States, escorted by the committee of the Senate, retired from the Chamber amid great applause.

REMOVAL OF INJUNCTION OF SECRECY

Mr. BARKLEY. Mr. President, I ask unanimous consent that the injunction of secrecy be removed from the treaty submitted by the President, and that it be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. Without objection, the injunction of secrecy will be removed, and the treaty will be referred to the Committee on Foreign Relations and be printed in the Record.

The treaty, with accompanying papers, is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the Charter of the United Nations, with the Statute of the International Court of Justice annexed thereto, formulated at the United Nations Conference on International Organization and signed in San Francisco on June 26, 1945, in the Chinese, French, Russian, English, and Spanish languages, by plenipotentiaries of the United States of America and 49 other Nations.

I recommend that the Senate give favorable consideration to the Charter, with the annexed statute, herewith submitted and advise and consent to its ratification.

I enclose a letter of transmittal from the Secretary of State.

HARRY S. TRUMAN.

THE WHITE HOUSE, July 2, 1945.

[Enclosures: 1. Letter of transmittal from the Secretary of State; 2. Charter of the United Nations, with annexed Statute of the International Court of Justice—certified copy.]

DEPARTMENT OF STATE,
Washington, June 26, 1945.

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, a certified copy of the Charter of the United Nations, with the Statute of the International Court of Justice annexed thereto, formulated at the United Nations Conference on International Organization and signed in San Francisco on June 26, 1945,

in the Chinese, French, Russian, English, and Spanish languages, by plenipotentiaries of the United States of America and 49 other nations.

Respectfully submitted,

E. R. STETTINIUS, JR.

The PRESIDENT,

The White House.

[Enclosure: Charter of the United Nations, with annexed Statute of the International Court of Justice—certified copy.]

CHARTER OF THE UNITED NATIONS

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom, AND FOR THESE ENDS to practice tolerance and live together in peace with one another as good neighbors, and to unite our strength to maintain international peace and security, and to ensure, by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples, HAVE RESOLVED TO COMBINE OUR EFFORTS TO ACCOMPLISH THESE AIMS.

Accordingly, our respective Governments, through representatives assembled in the city of San Francisco, who have exhibited their full powers found to be in good and due form, have agreed to the present Charter of the United Nations and do hereby establish an international organization to be known as the United Nations.

CHAPTER I

Purposes and principles

Article 1

The Purposes of the United Nations are:

1. To maintain international peace and security, and to that end: to take effective collective measures for the prevention and removal of threats to the peace, and for 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 might lead to a breach of the peace;
2. To develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and to take other appropriate measures to strengthen universal peace;
3. To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion; and
4. To be a center for harmonizing the actions of nations in the attainment of these common ends.

Article 2

The Organization and its Members, in pursuit of the Purposes stated in Article 1, shall act in accordance with the following Principles.

1. The Organization is based on the principle of the sovereign equality of all its Members.
2. All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the

obligations assumed by them in accordance with the present Charter.

3. All Members shall settle their international disputes by peaceful means in such a manner that international peace and security, and justice, are not endangered.

4. All Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state, or in any other manner inconsistent with the Purposes of the United Nations.

5. All Members shall give the United Nations every assistance in any action it takes in accordance with the present Charter, and shall refrain from giving assistance to any state against which the United Nations is taking preventive or enforcement action.

6. The Organization shall ensure that states which are not Members of the United Nations act in accordance with these Principles so far as may be necessary for the maintenance of international peace and security.

7. Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit such matters to settlement under the present Charter; but this principle shall not prejudice the application of enforcement measures under Chapter VII.

CHAPTER II Membership Article 3

The original Members of the United Nations shall be the states which, having participated in the United Nations Conference on International Organization at San Francisco, or having previously signed the Declaration by United Nations of January 1, 1942, sign the present Charter and ratify it in accordance with Article 110.

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

2. The admission of any such state to membership in the United Nations will be effected by a decision of the General Assembly upon the recommendation of the Security Council.

Article 5

A Member of the United Nations against which preventive or enforcement action has been taken by the Security Council may be suspended from the exercise of the rights and privileges of membership by the General Assembly upon the recommendation of the Security Council. The exercise of these rights and privileges may be restored by the Security Council.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organization by the General Assembly upon the recommendation of the Security Council.

CHAPTER III Organs Article 7

1. There are established as the principal organs of the United Nations: a General Assembly, a Security Council, an Economic and Social Council, a Trusteeship Council, an International Court of Justice, and a Secretariat.

2. Such subsidiary organs as may be found necessary may be established in accordance with the present Charter.

Article 8

The United Nations shall place no restrictions on the eligibility of men and women to participate in any capacity and under conditions of equality in its principal and subsidiary organs.

CHAPTER IV The General Assembly Article 9

1. The General Assembly shall consist of all the Members of the United Nations.

2. Each Member shall have not more than five representatives in the General Assembly.

Functions and Powers Article 10

The General Assembly may discuss any questions or any matters within the scope of the present Charter or relating to the powers and functions of any organs provided for in the present Charter, and, except as provided in Article 12, may make recommendations to the Members of the United Nations or to the Security Council or to both on any such questions or matters.

Article 11

1. The General Assembly may consider the general principles of cooperation in the maintenance of international peace and security, including the principles governing disarmament and the regulation of armaments, and may make recommendations with regard to such principles to the Members or to the Security Council or to both.

2. The General Assembly may discuss any questions relating to the maintenance of international peace and security brought before it by any Member of the United Nations, or by the Security Council, or by a state which is not a Member of the United Nations in accordance with Article 35, paragraph 2, and, except as provided in Article 12, may make recommendations with regard to any such questions to the state or states concerned or to the Security Council or to both. Any such question on which action is necessary shall be referred to the Security Council by the General Assembly either before or after discussion.

3. The General Assembly may call the attention of the Security Council to situations which are likely to endanger international peace and security.

4. The powers of the General Assembly set forth in this Article shall not limit the general scope of Article 10.

Article 12

1. While the Security Council is exercising in respect of any dispute or situation the functions assigned to it in the present Charter, the General Assembly shall not make any recommendation with regard to that dispute or situation unless the Security Council so requests.

2. The Secretary-General, with the consent of the Security Council, shall notify the General Assembly at each session of any matters relative to the maintenance of international peace and security which are being dealt with by the Security Council and shall similarly notify the General Assembly, or the Members of the United Nations if the General Assembly is not in session, immediately the Security Council ceases to deal with such matters.

Article 13

1. The General Assembly shall initiate studies and make recommendations for the purpose of:

a. promoting international cooperation in the political field and encouraging the progressive development of international law and its codification;

b. promoting international cooperation in the economic, social, cultural, educational, and health fields, and assisting in the realiza-

tion of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

2. The further responsibilities, functions, and powers of the General Assembly with respect to matters mentioned in paragraph 1 (b) above are set forth in Chapters IX and X.

Article 14

Subject to the provisions of Article 12, the General Assembly may recommend measures for the peaceful adjustment of any situation, regardless of origin, which it deems likely to impair the general welfare or friendly relations among nations, including situations resulting from a violation of the provisions of the present Charter setting forth the Purposes and Principles of the United Nations.

Article 15

1. The General Assembly shall receive and consider annual and special reports from the Security Council; these reports shall include an account of the measures that the Security Council has decided upon or taken to maintain international peace and security.

2. The General Assembly shall receive and consider reports from the other organs of the United Nations.

Article 16

The General Assembly shall perform such functions with respect to the international trusteeship system as are assigned to it under Chapters XII and XIII, including the approval of the trusteeship agreements for areas not designated as strategic.

Article 17

1. The General Assembly shall consider and approve the budget of the Organization.

2. The expenses of the Organization shall be borne by the Members as apportioned by the General Assembly.

3. The General Assembly shall consider and approve any financial and budgetary arrangements with specialized agencies referred to in Article 57 and shall examine the administrative budgets of such specialized agencies with a view to making recommendations to the agencies concerned.

Voting

Article 18

1. Each members of the General Assembly shall have one vote.

2. Decisions of the General Assembly on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include: recommendations with respect to the maintenance of international peace and security; the election of the non-permanent members of the Security Council, the election of the members of the Economic and Social Council, the election of members of the Trusteeship Council in accordance with paragraph 1(c) of Article 86, the admission of new Members to the United Nations, the suspension of the rights and privileges of membership, the expulsion of Members, questions relating to the operation of the trusteeship system, and budgetary questions.

3. Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Article 19

A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member.

Procedure Article 20

The General Assembly shall meet in regular annual sessions and in such special sessions as occasion may require. Special sessions shall be convoked by the Secretary-General at the request of the Security Council or of a majority of the Members of the United Nations.

Article 21

The General Assembly shall adopt its own rules of procedure. It shall elect its President for each session.

Article 22

The General Assembly may establish such subsidiary organs as it deems necessary for the performance of its functions.

CHAPTER V

The Security Council

Composition

Article 23

1. The Security Council shall consist of eleven Members of the United Nations. The Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America shall be permanent members of the Security Council. The General Assembly shall elect six other Members of the United Nations to be non-permanent members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution.

2. The non-permanent members of the Security Council shall be elected for a term of two years. In the first election of the non-permanent members, however, three shall be chosen for a term of one year. A retiring member shall not be eligible for immediate re-election.

3. Each member of the Security Council shall have one representative.

Functions and Powers

Article 24

1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf.

2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.

3. The Security Council shall submit annual and, when necessary, special reports to the General Assembly for its consideration.

Article 25

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter.

Article 26

In order to promote the establishment and maintenance of international peace and security with the least diversion for armaments of the world's human and economic resources, the Security Council shall be responsible for formulating, with the assistance of the Military Staff Committee referred to in Article 47, plans to be submitted to the Members of the United Nations for the establishment of a system for the regulation of armaments.

Voting

Article 27

1. Each member of the Security Council shall have one vote.

2. Decisions of the Security Council on procedural matters shall be made by an affirmative vote of seven members.

3. Decisions of the Security Council on all other matters shall be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.

Procedure

Article 28

1. The Security Council shall be so organized as to be able to function continuously. Each member of the Security Council shall for this purpose be represented at all times at the seat of the Organization.

2. The Security Council shall hold periodic meetings at which each of its members may, if it so desires, be represented by a member of the government or by some other specially designated representative.

3. The Security Council may hold meetings at such places other than the seat of the Organization as in its judgment will best facilitate its work.

Article 29

The Security Council may establish such subsidiary organs as it deems necessary for the performance of its functions.

Article 30

The Security Council shall adopt its own rules of procedure, including the method of selecting its President.

Article 31

Any Member of the United Nations which is not a member of the Security Council may participate, without vote, in the discussion of any question brought before the Security Council whenever the latter considers that the interests of that Member are specially affected.

Article 32

Any Member of the United Nations which is not a member of the Security Council or any state which is not a Member of the United Nations, if it is a party to a dispute under consideration by the Security Council, shall be invited to participate, without vote, in the discussion relating to the dispute. The Security Council shall lay down such conditions as it deems just for the participation of a state which is not a Member of the United Nations.

CHAPTER VI

Pacific settlement of disputes

Article 33

1. The parties to any dispute, the continuance of which is likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice.

2. The Security Council shall, when it deems necessary, call upon the parties to settle their dispute by such means.

Article 34

The Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

Article 35

1. Any Member of the United Nations may bring any dispute, or any situation of the nature referred to in Article 34, to the attention of the Security Council or of the General Assembly.

2. A state which is not a Member of the United Nations may bring to the attention of the Security Council or of the General

Assembly any dispute to which it is a party if it accepts in advance, for the purposes of the dispute, the obligations of pacific settlement provided in the present Charter.

3. The proceedings of the General Assembly in respect of matters brought to its attention under this Article will be subject to the provisions of Articles 11 and 12.

Article 36

1. The Security Council may, at any stage of a dispute of the nature referred to in Article 33 or of a situation of like nature, recommend appropriate procedures or methods of adjustment.

2. The Security Council should take into consideration any procedures for the settlement of the dispute which have already been adopted by the parties.

3. In making recommendations under this Article the Security Council should also take into consideration that legal disputes should as a general rule be referred by the parties to the International Court of Justice in accordance with the provisions of the Statute of the Court.

Article 37

1. Should the parties to a dispute of the nature referred to in Article 33 fail to settle it by the means indicated in that Article, they shall refer it to the Security Council.

2. If the Security Council deems that the continuance of the dispute is in fact likely to endanger the maintenance of international peace and security, it shall decide whether to take action under Article 36 or to recommend such terms of settlement as it may consider appropriate.

Article 38

Without prejudice to the provisions of Articles 33 to 37, the Security Council may, if all the parties to any dispute so request, make recommendations to the parties with a view to a pacific settlement of the dispute.

CHAPTER VII

Action with respect to threats to the peace, breaches of the peace, and acts of aggression

Article 39

The Security Council shall determine the existence of any threat to the peace, breach of the peace, or act of aggression and shall make recommendations, or decide what measures shall be taken in accordance with Articles 41 and 42, to maintain or restore international peace and security.

Article 40

In order to prevent any aggravation of the situation, the Security Council may, before making the recommendations or deciding upon the measures provided for in Article 39, call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable. Such provisional measures shall be without prejudice to the rights, claims, or position of the parties concerned. The Security Council shall duly take account of failure to comply with such provisional measures.

Article 41

The Security Council may decide what measures not involving the use of armed force are to be employed to give effect to its decisions, and it may call upon the Members of the United Nations to apply such measures. These may include complete or partial interruption of economic relations and of rail, sea, air, postal, telegraphic, radio, and other means of communication, and the severance of diplomatic relations.

Article 42

Should the Security Council consider that measures provided for in Article 41 would be inadequate or have proved to be inadequate, it may take such action by air, sea, or land forces as may be necessary to maintain or

restore international peace and security. Such action may include demonstrations, blockade, and other operations by air, sea, or land forces of Members of the United Nations.

Article 43

1. All Members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and Members or between the Security Council and groups of Members and shall be subject to ratification by the signatory states in accordance with their respective constitutional processes.

Article 44

When the Security Council has decided to use force it shall, before calling upon a Member not represented on it to provide armed forces in fulfillment of the obligations assumed under Article 43, invite that Member, if the Member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that Member's armed forces.

Article 45

In order to enable the United Nations to take urgent military measures, Members shall hold immediately available national air-force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in Article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46

Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47

1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any Member of the United Nations not permanently represented on the Committee shall be invited by the Committee to be associated with it when the efficient discharge of the Committee's responsibilities requires the participation of that Member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48

1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all the Members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the Members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49

The Members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50

If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a Member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51

Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take at any time such action as it deems necessary in order to maintain or restore international peace and security.

CHAPTER VIII

Regional arrangements

Article 52

1. Nothing in the present Charter precludes the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided that such arrangements or agencies and their activities are consistent with the Purposes and Principles of the United Nations.

2. The Members of the United Nations entering into such arrangements or constituting such agencies shall make every effort to achieve pacific settlement of local disputes through such regional arrangements or by such regional agencies before referring them to the Security Council.

3. The Security Council shall encourage the development of pacific settlement of local disputes through such regional arrangements or by such regional agencies either on the initiative of the states concerned or by reference from the Security Council.

4. This Article in no way impairs the application of Articles 34 and 35.

Article 53

1. The Security Council shall, where appropriate, utilize such regional arrangements or agencies for enforcement action under its authority. But no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council, with the exception of measures against any enemy state, as defined in paragraph 2 of this Article, provided for pursuant to Article 107 or in regional arrangements directed against renewal of aggressive policy on the part of any such state, until such time as the Organization may, on request of the Governments concerned, be charged with the re-

sponsibility for preventing further aggression by such a state.

2. The term enemy state as used in paragraph 1 of this Article applies to any state which during the Second World War has been an enemy of any signatory of the present Charter.

Article 54

The Security Council shall at all times be kept fully informed of activities undertaken or in contemplation under regional arrangements or by regional agencies for the maintenance of international peace and security.

CHAPTER IX

International economic and social cooperation

Article 55

With a view to 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, the United Nations shall promote:

- a. higher standards of living, full employment, and conditions of economic and social progress and development;
- b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and
- c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55.

Article 57

1. The various specialized agencies, established by intergovernmental agreement and having wide international responsibilities, as defined in their basic instruments, in economic, social, cultural, educational, health, and related fields, shall be brought into relationship with the United Nations in accordance with the provisions of Article 63.

2. Such agencies thus brought into relationship with the United Nations are herein-after referred to as specialized agencies.

Article 58

The Organization shall make recommendations for the coordination of the policies and activities of the specialized agencies.

Article 59

The Organization shall, where appropriate, initiate negotiations among the states concerned for the creation of any new specialized agencies required for the accomplishment of the purposes set forth in Article 55.

Article 60

Responsibility for the discharge of the functions of the Organization set forth in this Chapter shall be vested in the General Assembly and, under the authority of the General Assembly, in the Economic and Social Council, which shall have for this purpose the powers set forth in Chapter X.

CHAPTER X

The Economic and Social Council

Composition

Article 61

1. The Economic and Social Council shall consist of eighteen Members of the United Nations elected by the General Assembly.

2. Subject to the provisions of paragraph 3, six members of the Economic and Social Council shall be elected each year for a term of three years. A retiring member shall be eligible for immediate re-election.

3. At the first election, eighteen members of the Economic and Social Council shall be

chosen. The term of office of six members so chosen shall expire at the end of one year, and of six other members at the end of two years, in accordance with arrangements made by the General Assembly.

4. Each member of the Economic and Social Council shall have one representative.

Functions and Powers

Article 62

1. The Economic and Social Council may make or initiate studies and reports with respect to international economic, social, cultural, educational, health, and related matters and make recommendations with respect to any such matters to the General Assembly, to the Members of the United Nations, and to the specialized agencies concerned.

2. It may make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all.

3. It may prepare draft conventions for submission to the General Assembly, with respect to matters falling within its competence.

4. It may call, in accordance with the rules prescribed by the United Nations, international conferences on matters falling within its competence.

Article 63

1. The Economic and Social Council may enter into agreements with any of the agencies referred to in Article 57, defining the terms on which the agency concerned shall be brought into relationship with the United Nations. Such agreements shall be subject to approval by the General Assembly.

2. It may coordinate the activities of the specialized agencies through consultation with and recommendations to such agencies and through recommendations to the General Assembly and to the Members of the United Nations.

Article 64

1. The Economic and Social Council may take appropriate steps to obtain regular reports from the specialized agencies. It may make arrangements with the Members of the United Nations and with the specialized agencies to obtain reports on the steps taken to give effect to its own recommendations and to recommendations on matters falling within its competence made by the General Assembly.

2. It may communicate its observations on these reports to the General Assembly.

Article 65

The Economic and Social Council may furnish information to the Security Council and shall assist the Security Council upon its request.

Article 66

1. The Economic and Social Council shall perform such functions as fall within its competence in connection with the carrying out of the recommendations of the General Assembly.

2. It may, with the approval of the General Assembly, perform services at the request of Members of the United Nations and at the request of specialized agencies.

3. It shall perform such other functions as are specified elsewhere in the present Charter or as may be assigned to it by the General Assembly.

Voting

Article 67

1. Each member of the Economic and Social Council shall have one vote.

2. Decisions of the Economic and Social Council shall be made by a majority of the members present and voting.

Procedure

Article 68

The Economic and Social Council shall set up commissions in economic and social fields

and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 69

The Economic and Social Council shall invite any Member of the United Nations to participate, without vote, in its deliberations on any matter of particular concern to that Member.

Article 70

The Economic and Social Council may make arrangements for representatives of the specialized agencies to participate, without vote, in its deliberations and in those of the commissions established by it, and for its representatives to participate in the deliberations of the specialized agencies.

Article 71

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

Article 72

1. The Economic and Social Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Economic and Social Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

CHAPTER XI

Declaration regarding non-self-governing territories

Article 73

Members of the United Nations which have or assume responsibilities for the administration of territories whose peoples have not yet attained a full measure of self-government recognize the principle that the interests of the inhabitants of these territories are paramount and accept as a sacred trust the obligation to promote to the utmost, within the system of international peace and security established by the present Charter, the well-being of the inhabitants of these territories, and, to this end:

a. to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses;

b. to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory and its peoples and their varying stages of advancement;

c. to further international peace and security;

d. to promote constructive measures of development, to encourage research, and to co-operate with one another and, when and where appropriate, with specialized international bodies with a view to the practical achievement of the social, economic, and scientific purposes set forth in this Article; and

e. to transmit regularly to the Secretary-General for information purposes, subject to such limitation as security and constitutional considerations may require, statistical and other information of a technical nature relating to economic, social, and educational conditions in the territories for which they are respectively responsible other than those territories to which Chapters XII and XIII apply.

Article 74

Members of the United Nations also agree that their policy in respect of the territories to which this Chapter applies, no less than

in respect of their metropolitan areas, must be based on the general principle of good-neighborliness, due account being taken of the interests and well-being of the rest of the world, in social, economic, and commercial matters.

CHAPTER XII

International trusteeship system

Article 75

The United Nations shall establish under its authority an international trusteeship system for the administration and supervision of such territories as may be placed thereunder by subsequent individual agreements. These territories are hereinafter referred to as trust territories.

Article 76

The basic objectives of the trusteeship system, in accordance with the Purposes of the United Nations laid down in Article 1 of the present Charter, shall be:

a. to further international peace and security;

b. to promote the political, economic, social, and educational advancement of the inhabitants of the trust territories, and their progressive development toward self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples and the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement;

c. to encourage respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion, and to encourage recognition of the interdependence of the peoples of the world; and

d. to ensure equal treatment in social, economic, and commercial matters for all Members of the United Nations and their nationals, and also equal treatment for the latter in the administration of justice, without prejudice to the attainment of the foregoing objectives and subject to the provisions of Article 80.

Article 77

1. The trusteeship system shall apply to such territories in the following categories as may be placed thereunder by means of trusteeship agreements:

a. territories now held under mandate;

b. territories which may be detached from enemy states as a result of the Second World War; and

c. territories voluntarily placed under the system by states responsible for their administration.

2. It will be a matter for subsequent agreement as to which territories in the foregoing categories will be brought under the trusteeship system and upon what terms.

Article 78

The trusteeship system shall not apply to territories which have become Members of the United Nations, relationship among which shall be based on respect for the principle of sovereign equality.

Article 79

The terms of trusteeship for each territory to be placed under the trusteeship system, including any alteration or amendment, shall be agreed upon by the states directly concerned, including the mandatory power in the case of territories held under mandate by a Member of the United Nations, and shall be approved as provided for in Articles 83 and 85.

Article 80

1. Except as may be agreed upon in individual trusteeship agreements, made under Articles 77, 79, and 81, placing each territory under the trusteeship system, and until such agreements have been concluded, nothing in this Chapter shall be construed in or of itself to alter in any manner the rights whatsoever of any states or any peoples or the terms

of existing international instruments to which Members of the United Nations may respectively be parties.

2. Paragraph 1 of this Article shall not be interpreted as giving grounds for delay or postponement of the negotiation and conclusion of agreements for placing mandated and other territories under the trusteeship system as provided for in Article 77.

Article 81

The trusteeship agreement shall in each case include the terms under which the trust territory will be administered and designate the authority which will exercise the administration of the trust territory. Such authority, hereinafter called the administering authority, may be one or more states or the Organization itself.

Article 82

There may be designated, in any trusteeship agreement, a strategic area or areas which may include part or all of the trust territory to which the agreement applies, without prejudice to any special agreement or agreements made under Article 43.

Article 83

1. All functions of the United Nations relating to strategic areas, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the Security Council.

2. The basic objectives set forth in Article 76 shall be applicable to the people of each strategic area.

3. The Security Council shall, subject to the provisions of the trusteeship agreements and without prejudice to security considerations, avail itself of the assistance of the Trusteeship Council to perform those functions of the United Nations under the trusteeship system relating to political, economic, social, and educational matters in the strategic areas.

Article 84

It shall be the duty of the administering authority to ensure that the trust territory shall play its part in the maintenance of international peace and security. To this end the administering authority may make use of volunteer forces, facilities, and assistance from the trust territory in carrying out the obligations towards the Security Council undertaken in this regard by the administering authority, as well as for local defense and the maintenance of law and order within the trust territory.

Article 85

1. The functions of the United Nations with regard to trusteeship agreements for all areas not designated as strategic, including the approval of the terms of the trusteeship agreements and of their alteration or amendment, shall be exercised by the General Assembly.

2. The Trusteeship Council, operating under the authority of the General Assembly, shall assist the General Assembly in carrying out these functions.

CHAPTER XIII

The Trusteeship Council

Composition

Article 86

1. The Trusteeship Council shall consist of the following Members of the United Nations:

a. those Members administering trust territories;

b. such of those Members mentioned by name in Article 23 as are not administering trust territories; and

c. as many other Members elected for three-year terms by the General Assembly as may be necessary to ensure that the total number of members of the Trusteeship Council is equally divided between those Members of the United Nations which administer trust territories and those which do not.

2. Each Member of the Trusteeship Council shall designate one specially qualified person to represent it therein.

Functions and Powers

Article 87

The General Assembly and, under its authority, the Trusteeship Council, in carrying out their functions, may:

a. consider reports submitted by the administering authority;

b. accept petitions and examine them in consultation with the administering authority;

c. provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and

d. take these and other actions in conformity with the terms of the trusteeship agreements.

Article 88

The Trusteeship Council shall formulate a questionnaire on the political, economic, social, and educational advancement of the inhabitants of each trust territory, and the administering authority for each trust territory within the competence of the General Assembly shall make an annual report to the General Assembly upon the basis of such questionnaire.

Voting

Article 89

1. Each member of the Trusteeship Council shall have one vote.

2. Decisions of the Trusteeship Council shall be made by a majority of the members present and voting.

Procedure

Article 90

1. The Trusteeship Council shall adopt its own rules of procedure, including the method of selecting its President.

2. The Trusteeship Council shall meet as required in accordance with its rules, which shall include provision for the convening of meetings on the request of a majority of its members.

Article 91

The Trusteeship Council shall, when appropriate, avail itself of the assistance of the Economic and Social Council and of the specialized agencies in regard to matters with which they are respectively concerned.

CHAPTER XIV

The International Court of Justice

Article 92

The International Court of Justice shall be the principal judicial organ of the United Nations. It shall function in accordance with the annexed Statute, which is based upon the Statute of the Permanent Court of International Justice and forms an integral part of the present Charter.

Article 93

1. All Members of the United Nations are *ipso facto* parties to the Statute of the International Court of Justice.

2. A state which is not a Member of the United Nations may become a party to the Statute of the International Court of Justice on conditions to be determined in each case by the General Assembly upon the recommendation of the Security Council.

Article 94

1. Each Member of the United Nations undertakes to comply with the decision of the International Court of Justice in any case to which it is a party.

2. If any party to a case fails to perform the obligations incumbent upon it under a judgment rendered by the Court, the other party may have recourse to the Security Council, which may, if it deems necessary, make recommendations or decide upon measures to be taken to give effect to the judgment.

Article 95

Nothing in the present Charter shall prevent Members of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.

Article 96

1. The General Assembly or the Security Council may request the International Court of Justice to give an advisory opinion on any legal question.

2. Other organs of the United Nations and specialized agencies, which may at any time be so authorized by the General Assembly, may also request advisory opinions of the Court on legal questions arising within the scope of their activities.

CHAPTER XV

The Secretariat

Article 97

The Secretariat shall comprise a Secretary-General and such staff as the Organization may require. The Secretary-General shall be appointed by the General Assembly upon the recommendation of the Security Council. He shall be the chief administrative officer of the Organization.

Article 98

The Secretary-General shall act in that capacity in all meetings of the General Assembly, of the Security Council, of the Economic and Social Council, and of the Trusteeship Council, and shall perform such other functions as are entrusted to him by these organs. The Secretary-General shall make an annual report to the General Assembly on the work of the Organization.

Article 99

The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security.

Article 100

1. In the performance of their duties the Secretary-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization.

2. Each Member of the United Nations undertakes to respect the exclusively international character of the responsibilities of the Secretary-General and the staff and not to seek to influence them in the discharge of their responsibilities.

Article 101

1. The staff shall be appointed by the Secretary-General under regulations established by the General Assembly.

2. Appropriate staffs shall be permanently assigned to the Economic and Social Council, the Trusteeship Council, and, as required, to other organs of the United Nations. These staffs shall form a part of the Secretariat.

3. The paramount consideration in the employment of the staff and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting the staff on as wide a geographical basis as possible.

CHAPTER XVI

Miscellaneous provisions

Article 102

1. Every treaty and every international agreement entered into by any Member of the United Nations after the present Charter comes into force shall as soon as possible be registered with the Secretariat and published by it.

2. No party to any such treaty or international agreement which has not been regis-

tered in accordance with the provisions of paragraph 1 of this Article may invoke that treaty or agreement before any organ of the United Nations.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

Article 104

The Organization shall enjoy in the territory of each of its Members such legal capacity as may be necessary for the exercise of its functions and the fulfillment of its purposes.

Article 105

1. The Organization shall enjoy in the territory of each of its Members such privileges and immunities as are necessary for the fulfillment of its purposes.

2. Representatives of the Members of the United Nations and officials of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

3. The General Assembly may make recommendations with a view to determining the details of the application of paragraphs 1 and 2 of this Article or may propose conventions to the Members of the United Nations for this purpose.

CHAPTER XVII

Transitional security arrangements

Article 106

Pending the coming into force of such special agreements referred to in Article 43 as in the opinion of the Security Council enable it to begin the exercise of its responsibilities under Article 42, the parties to the Four-Nation Declaration, signed at Moscow, October 30, 1943, and France, shall, in accordance with the provisions of paragraph 5 of that Declaration, consult with one another and as occasion requires with other Members of the United Nations with a view to such joint action on behalf of the Organization as may be necessary for the purpose of maintaining international peace and security.

Article 107

Nothing in the present Charter shall invalidate or preclude action, in relation to any state which during the Second World War has been an enemy of any signatory to the present Charter, taken or authorized as a result of that war by the Governments having responsibility for such action.

CHAPTER XVIII

Amendments

Article 108

Amendments to the present Charter shall come into force for all Members of the United Nations when they have been adopted by a vote of two thirds of the members of the General Assembly and ratified in accordance with their respective constitutional processes by two thirds of the Members of the United Nations, including all the permanent members of the Security Council.

Article 109

1. A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed by a two-thirds vote of the members of the General Assembly and by a vote of any seven members of the Security Council. Each Member of the United Nations shall have one vote in the conference.

2. Any alteration of the present Charter recommended by a two-thirds vote of the conference shall take effect when ratified in accordance with their respective constitu-

tional processes by two thirds of the Members of the United Nations including all the permanent members of the Security Council.

3. If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly, and the conference shall be held if so decided by a majority vote of the members of the General Assembly and by a vote of any seven members of the Security Council.

CHAPTER XIX

Ratification and signature

Article 110

1. The present Charter shall be ratified by the signatory states in accordance with their respective constitutional processes.

2. The ratifications shall be deposited with the Government of the United States of America, which shall notify all the signatory states of each deposit as well as the Secretary-General of the Organization when he has been appointed.

3. The present Charter shall come into force upon the deposit of ratifications by the Republic of China, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and by a majority of the other signatory states. A protocol of the ratifications deposited shall thereupon be drawn up by the Government of the United States of America which shall communicate copies thereof to all the signatory states.

4. The states signatory to the present Charter which ratify it after it has come into force will become original Members of the United Nations on the date of the deposit of their respective ratifications.

Article 111

The present Charter, of which the Chinese, French, Russian, English, and Spanish texts are equally authentic, shall remain deposited in the archives of the Government of the United States of America. Duly certified copies thereof shall be transmitted by that Government to the Governments of the other signatory states.

In faith whereof the representatives of the Governments of the United Nations have signed the present Charter.

Done at the city of San Francisco the twenty-sixth day of June, one thousand nine hundred and forty-five.

STATUTE OF THE INTERNATIONAL COURT OF JUSTICE

Article 1

The International Court of Justice established by the Charter of the United Nations as the principal judicial organ of the United Nations shall be constituted and shall function in accordance with the provisions of the present Statute.

CHAPTER I

Organization of the Court

Article 2

The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law.

Article 3

1. The Court shall consist of fifteen members, no two of whom may be nationals of the same state.

2. A person who for the purposes of membership in the Court could be regarded as a national of more than one state shall be deemed to be a national of the one in which he ordinarily exercises civil and political rights.

Article 4

1. The members of the Court shall be elected by the General Assembly and by the Security Council from a list of persons nominated by the national groups in the Permanent Court of Arbitration, in accordance with the following provisions.

2. In the case of Members of the United Nations not represented in the Permanent Court of Arbitration, candidates shall be nominated by national groups appointed for this purpose by their governments under the same conditions as those prescribed for members of the Permanent Court of Arbitration by Article 44 of the Convention of The Hague of 1907 for the pacific settlement of international disputes.

3. The conditions under which a state which is a party to the present Statute but is not a Member of the United Nations may participate in electing the members of the Court shall, in the absence of a special agreement, be laid down by the General Assembly upon recommendation of the Security Council.

Article 5

1. At least three months before the date of the election, the Secretary-General of the United Nations shall address a written request to the members of the Permanent Court of Arbitration belonging to the states which are parties to the present Statute, and to the members of the national groups appointed under Article 4, paragraph 2, inviting them to undertake, within a given time, by national groups, the nomination of persons in a position to accept the duties of a member of the Court.

2. No group may nominate more than four persons, not more than two of whom shall be of their own nationality. In no case may the number of candidates nominated by a group be more than double the number of seats to be filled.

Article 6

Before making these nominations, each national group is recommended to consult its highest court of justice, its legal faculties and schools of law, and its national academies and national sections of international academies devoted to the study of law.

Article 7

1. The Secretary-General shall prepare a list in alphabetical order of all the persons thus nominated. Save as provided in Article 12, paragraph 2, these shall be the only persons eligible.

2. The Secretary-General shall submit this list to the General Assembly and to the Security Council.

Article 8

The General Assembly and the Security Council shall proceed independently of one another to elect the members of the Court.

Article 9

At every election, the electors shall bear in mind not only that the persons to be elected should individually possess the qualifications required, but also that in the body as a whole the representation of the main forms of civilization and of the principal legal systems of the world should be assured.

Article 10

1. Those candidates who obtain an absolute majority of votes in the General Assembly and in the Security Council shall be considered as elected.

2. Any vote of the Security Council, whether for the election of judges or for the appointment of members of the conference envisaged in Article 12 shall be taken without any distinction between permanent and non-permanent members of the Security Council.

3. In the event of more than one national of the same state obtaining an absolute majority of the votes both of the General Assembly and of the Security Council, the

eldest of these only shall be considered as elected.

Article 11

If, after the first meeting held for the purpose of the election, one or more seats remain to be filled, a second and, if necessary, a third meeting shall take place.

Article 12

1. If, after the third meeting, one or more seats still remain unfilled, a joint conference consisting of six members, three appointed by the General Assembly and three by the Security Council, may be formed at any time at the request of either the General Assembly or the Security Council, for the purpose of choosing by the vote of an absolute majority one name for each seat still vacant, to submit to the General Assembly and the Security Council for their respective acceptance.

2. If the joint conference is unanimously agreed upon any person who fulfils the required conditions, he may be included in its list, even though he was not included in the list of nominations referred to in Article 7.

3. If the joint conference is satisfied that it will not be successful in procuring an election, those members of the Court who have already been elected shall, within a period to be fixed by the Security Council, proceed to fill the vacant seats by selection from among those candidates who have obtained votes either in the General Assembly or in the Security Council.

4. In the event of an equality of votes among the judges, the eldest judge shall have a casting vote.

Article 13

1. The members of the Court shall be elected for nine years and may be re-elected; provided, however, that of the judges elected at the first election, the terms of five judges shall expire at the end of three years and the terms of five more judges shall expire at the end of six years.

2. The judges whose terms are to expire at the end of the above-mentioned initial periods of three and six years shall be chosen by lot to be drawn by the Secretary-General immediately after the first election has been completed.

3. The members of the Court shall continue to discharge their duties until their places have been filled. Though replaced, they shall finish any cases which they may have begun.

4. In the case of the resignation of a member of the Court, the resignation shall be addressed to the President of the Court for transmission to the Secretary-General. This last notification makes the place vacant.

Article 14

Vacancies shall be filled by the same method as that laid down for the first election, subject to the following provision: the Secretary-General shall, within one month of the occurrence of the vacancy, proceed to issue the invitations provided for in Article 5, and the date of the election shall be fixed by the Security Council.

Article 15

A member of the Court elected to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term.

Article 16

1. No member of the Court may exercise any political or administrative function, or engage in any other occupation of a professional nature.

2. Any doubt on this point shall be settled by the decision of the Court.

Article 17

1. No member of the Court may act as agent, counsel, or advocate in any case.

2. No member may participate in the decision of any case in which he has previously

taken part as agent, counsel, or advocate for one of the parties, or as a member of a national or international court, or of a commission of enquiry, or in any other capacity.

3. Any doubt on this point shall be settled by the decision of the Court.

Article 18

1. No member of the Court can be dismissed unless, in the unanimous opinion of the other members, he has ceased to fulfil the required conditions.

2. Formal notification thereof shall be made to the Secretary-General by the Registrar.

3. This notification makes the place vacant.

Article 19

The members of the Court, when engaged on the business of the Court, shall enjoy diplomatic privileges and immunities.

Article 20

Every member of the Court shall, before taking up his duties, make a solemn declaration in open court that he will exercise his powers impartially and conscientiously.

Article 21

1. The Court shall elect its President and Vice-President for three years; they may be re-elected.

2. The Court shall appoint its Registrar and may provide for the appointment of such other officers as may be necessary.

Article 22

1. The seat of the Court shall be established at The Hague. This, however, shall not prevent the Court from sitting and exercising its functions elsewhere whenever the Court considers it desirable.

2. The President and the Registrar shall reside at the seat of the Court.

Article 23

1. The Court shall remain permanently in session, except during the judicial vacations, the dates and duration of which shall be fixed by the Court.

2. Members of the Court are entitled to periodic leave, the dates and duration of which shall be fixed by the Court, having in mind the distance between The Hague and the home of each judge.

3. Members of the Court shall be bound, unless they are on leave or prevented from attending by illness or other serious reasons duly explained to the President, to hold themselves permanently at the disposal of the Court.

Article 24

1. If, for some special reason, a member of the Court considers that he should not take part in the decision of a particular case, he shall so inform the President.

2. If the President considers that for some special reason one of the members of the Court should not sit in a particular case, he shall give him notice accordingly.

3. If in any such case the member of the Court and the President disagree, the matter shall be settled by the decision of the Court.

Article 25

1. The full Court shall sit except when it is expressly provided otherwise in the present Statute.

2. Subject to the condition that the number of judges available to constitute the Court is not thereby reduced below eleven, the Rules of the Court may provide for allowing one or more judges, according to circumstances and in rotation, to be dispensed from sitting.

3. A quorum of nine judges shall suffice to constitute the Court.

Article 26

1. The Court may from time to time form one or more chambers, composed of three or more judges as the Court may determine,

for dealing with particular categories of cases; for example, labor cases and cases relating to transit and communications.

2. The Court may at any time form a chamber for dealing with a particular case. The number of judges to constitute such a chamber shall be determined by the Court with the approval of the parties.

3. Cases shall be heard and determined by the chambers provided for in this Article if the parties so request.

Article 27

A judgment given by any of the chambers provided for in Articles 26 and 29 shall be considered as rendered by the Court.

Article 28

The chambers provided for in Articles 26 and 29 may, with the consent of the parties, sit and exercise their functions elsewhere than at The Hague.

Article 29

With a view to the speedy despatch of business, the Court shall form annually a chamber composed of five judges which, at the request of the parties, may hear and determine cases by summary procedure. In addition, two judges shall be selected for the purpose of replacing judges who find it impossible to sit.

Article 30

1. The Court shall frame rules for carrying out its functions. In particular, it shall lay down rules of procedure.

2. The Rules of the Court may provide for assessors to sit with the Court or with any of its chambers, without the right to vote.

Article 31

1. Judges of the nationality of each of the parties shall retain their right to sit in the case before the Court.

2. If the Court includes upon the Bench a judge of the nationality of one of the parties, any other party may choose a person to sit as judge. Such person shall be chosen preferably from among those persons who have been nominated as candidates as provided in Articles 4 and 5.

2. If the Court includes upon the Bench no judge of the nationality of the parties, each of these parties may proceed to choose a judge as provided in paragraph 2 of this Article.

4. The provisions of this Article shall apply to the case of Articles 26 and 29. In such cases, the President shall request one or, if necessary, two of the members of the Court forming the chamber to give place to the members of the Court of the nationality of the parties concerned, and, failing such, or if they are unable to be present, to the judges specially chosen by the parties.

5. Should there be several parties in the same interest, they shall, for the purpose of the preceding provisions, be reckoned as one party only. Any doubt upon this point shall be settled by the decision of the Court.

6. Judges chosen as laid down in paragraphs 2, 3, and 4 of this Article shall fulfil the conditions required by Articles 2, 17 (paragraph 2), 20, and 24 of the present Statute. They shall take part in the decision on terms of complete equality with their colleagues.

Article 32

1. Each member of the Court shall receive an annual salary.

2. The President shall receive a special annual allowance.

3. The Vice-President shall receive a special allowance for every day on which he acts as President.

4. The judges chosen under Article 31, other than members of the Court, shall receive compensation for each day on which they exercise their functions.

5. These salaries, allowances, and compensation shall be fixed by the General Assembly.

They may not be decreased during the term of office.

6. The salary of the Registrar shall be fixed by the General Assembly on the proposal of the Court.

7. Regulations made by the General Assembly shall fix the conditions under which retirement pensions may be given to members of the Court and to the Registrar, and the conditions under which members of the Court and the Registrar shall have their traveling expenses refunded.

8. The above salaries, allowances, and compensation shall be free of all taxation.

Article 33

The expenses of the Court shall be borne by the United Nations in such a manner as shall be decided by the General Assembly.

CHAPTER II

Competence of the Court

Article 34

1. Only states may be parties in cases before the Court.

2. The Court, subject to and in conformity with its Rules, may request of public international organizations information relevant to cases before it, and shall receive such information presented by such organizations on their own initiative.

3. Whenever the construction of the constituent instrument of a public international organization or of an international convention adopted thereunder is in question in a case before the Court, the Registrar shall so notify the public international organization concerned and shall communicate to it copies of all the written proceedings.

Article 35

1. The Court shall be open to the states parties to the present Statute.

2. The conditions under which the Court shall be open to other states shall, subject to the special provisions contained in treaties in force, be laid down by the Security Council, but in no case shall such conditions place the parties in a position of inequality before the Court.

3. When a state which is not a Member of the United Nations is a party to a case, the Court shall fix the amount which that party is to contribute towards the expenses of the Court. This provision shall not apply if such state is bearing a share of the expenses of the Court.

Article 36

1. The jurisdiction of the Court comprises all cases which the parties refer to it and all matters specially provided for in the Charter of the United Nations or in treaties and conventions in force.

2. The states parties to the present Statute may at any time declare that they recognize as compulsory *ipso facto* and without special agreement, in relation to any other state accepting the same obligation, the jurisdiction of the Court in all legal disputes concerning:

- a. the interpretation of a treaty;
- b. any question of international law;
- c. the existence of any fact which, if established, would constitute a breach of an international obligation;
- d. the nature or extent of the reparation to be made for the breach of an international obligation.

3. The declarations referred to above may be made unconditionally or on condition of reciprocity on the part of several or certain states, or for a certain time.

4. Such declarations shall be deposited with the Secretary-General of the United Nations, who shall transmit copies thereof to the parties to the Statute and to the Registrar of the Court.

5. Declarations made under Article 36 of the Statute of the Permanent Court of International Justice and which are still in force shall be deemed, as between the parties to the present Statute, to be acceptance of

the compulsory jurisdiction of the International Court of Justice for the period which they still have to run and in accordance with their terms.

6. In the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court.

Article 37

Whenever a treaty or convention in force provides for reference of a matter to a tribunal to have been instituted by the League of Nations, or to the Permanent Court of International Justice, the matter shall, as between the parties to the present Statute, be referred to the International Court of Justice.

Article 38

1. The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

- a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- b. international custom, as evidence of a general practice accepted as law;
- c. the general principles of law recognized by civilized nations;
- d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law.

2. This provision shall not prejudice the power of the Court to decide *ex aequo et bono*, if the parties agree thereto.

CHAPTER III

Procedure

Article 39

1. The official languages of the Court shall be French and English. If the parties agree that the case shall be conducted in French, the judgment shall be delivered in French. If the parties agree that the case shall be conducted in English, the judgment shall be delivered in English.

2. In the absence of an agreement as to which language shall be employed, each party may, in the pleadings, use the language which it prefers; the decision of the Court shall be given in French and English. In this case the Court shall at the same time determine which of the two texts shall be considered as authoritative.

3. The Court shall, at the request of any party, authorize a language other than French or English to be used by that party.

Article 40

1. Cases are brought before the Court, as the case may be either by the notification of the special agreement or by a written application addressed to the Registrar. In either case the subject of the dispute and the parties shall be indicated.

2. The Registrar shall forthwith communicate the application to all concerned.

3. He shall also notify the Members of the United Nations through the Secretary-General, and also any other states entitled to appear before the Court.

Article 41

1. The Court shall have the power to indicate, if it considers that circumstances so require any provisional measures which ought to be taken to preserve the respective rights of either party.

2. Pending the final decision, notice of the measures suggested shall forthwith be given to the parties and to the Security Council.

Article 42

1. The parties shall be represented by agents.

2. They may have the assistance of counsel or advocates before the Court.

3. The agents, counsel, and advocates of parties before the Court shall enjoy the privileges and immunities necessary to the independent exercise of their duties.

Article 43

1. The procedure shall consist of two parts: written and oral.

2. The written proceedings shall consist of the communication to the Court and to the parties of memorials, counter-memorials and, if necessary, replies; also all papers and documents in support.

3. These communications shall be made through the Registrar, in the order and within the time fixed by the Court.

4. A certified copy of every document produced by one party shall be communicated to the other party.

5. The oral proceedings shall consist of the hearing by the Court of witnesses, experts, agents, counsel, and advocates.

Article 44

1. For the service of all notices upon persons other than the agents, counsel, and advocates, the Court shall apply direct to the government of the state upon whose territory the notice has to be served.

2. The same provision shall apply whenever steps are to be taken to procure evidence on the spot.

Article 45

The hearing shall be under the control of the President or, if he is unable to preside, of the Vice President; if neither is able to preside, the senior judge present shall preside.

Article 46

The hearing in Court shall be public, unless the Court shall decide otherwise, or unless the parties demand that the public be not admitted.

Article 47

1. Minutes shall be made at each hearing and signed by the Registrar and the President.

2. These minutes alone shall be authentic.

Article 48

The Court shall make orders for the conduct of the case, shall decide the form and time in which each party must conclude its arguments, and make all arrangements connected with the taking of evidence.

Article 49

The Court may, even before the hearing begins, call upon the agents to produce any document or to supply any explanations. Formal note shall be taken of any refusal.

Article 50

The Court may, at any time, entrust any individual body, bureau, commission, or other organization that it may select, with the task of carrying out an enquiry or giving an expert opinion.

Article 51

During the hearing any relevant questions are to be put to the witnesses and experts under the conditions laid down by the Court in the rules of procedure referred to in Article 30.

Article 52

After the Court has received the proofs and evidence within the time specified for the purpose, it may refuse to accept any further oral or written evidence that one party may desire to present unless the other side consents.

Article 53

1. Whenever one of the parties does not appear before the Court, or fails to defend its case, the other party may call upon the Court to decide in favor of its claim.

2. The Court must, before doing so, satisfy itself, not only that it has jurisdiction in accordance with Articles 36 and 37, but also that the claim is well founded in fact and law.

Article 54

1. When, subject to the control of the Court, the agents, counsel, and advocates have completed their presentation of the

case, the President shall declare the hearing closed.

2. The Court shall withdraw to consider the judgment.

3. The deliberations of the Court shall take place in private and remain secret.

Article 55

1. All questions shall be decided by a majority of the judges present.

2. In the event of an equality of votes, the President or the judge who acts in his place shall have a casting vote.

Article 56

1. The judgment shall state the reasons on which it is based.

2. It shall contain the names of the judges who have taken part in the decision.

Article 57

If the judgment does not represent in whole or in part the unanimous opinion of the judges, any judge shall be entitled to deliver a separate opinion.

Article 58

The judgment shall be signed by the President and by the Registrar. It shall be read in open court, due notice having been given to the agents.

Article 59

The decision of the Court has no binding force except between the parties and in respect of that particular case.

Article 60

The judgment is final and without appeal. In the event of dispute as to the meaning or scope of the judgment, the Court shall construe it upon the request of any party.

Article 61

1. An application for revision of a judgment may be made only when it is based upon the discovery of some fact of such a nature as to be a decisive factor, which fact was, when the judgment was given, unknown to the Court and also to the party claiming revision, always provided that such ignorance was not due to negligence.

2. The proceedings for revision shall be opened by a judgment of the Court expressly recording the existence of the new fact, recognizing that it has such a character as to lay the case open to revision, and declaring the application admissible on this ground.

3. The Court may require previous compliance with the terms of the judgment before it admits proceedings in revision.

4. The application for revision must be made at latest within six months of the discovery of the new fact.

5. No application for revision may be made after the lapse of ten years from the date of the judgment.

Article 62

1. Should a state consider that it has an interest of a legal nature which may be affected by the decision in the case, it may submit a request to the Court to be permitted to intervene.

2. It shall be for the Court to decide upon this request.

Article 63

1. Whenever the construction of a convention to which states other than those concerned in the case are parties is in question, the Registrar shall notify all such states forthwith.

2. Every state so notified has the right to intervene in the proceedings; but if it uses this right, the construction given by the judgment will be equally binding upon it.

Article 64

Unless otherwise decided by the Court, each party shall bear its own costs.

CHAPTER IV

Advisory opinions

Article 65

1. The Court may give an advisory opinion on any legal question at the request of what-

ever body may be authorized by or in accordance with the Charter of the United Nations to make such a request.

2. Questions upon which the advisory opinion of the Court is asked shall be laid before the Court by means of a written request containing an exact statement of the question upon which an opinion is required, and accompanied by all documents likely to throw light upon the question.

Article 66

1. The Registrar shall forthwith give notice of the request for an advisory opinion to all states entitled to appear before the Court.

2. The Registrar shall also, by means of a special and direct communication, notify any state entitled to appear before the Court or international organization considered by the Court, or, should it not be sitting, by the President, as likely to be able to furnish information on the question, that the Court will be prepared to receive, within a time limit to be fixed by the President, written statements, or to hear, at a public sitting to be held for the purpose, oral statements relating to the question.

3. Should any such state entitled to appear before the Court have failed to receive the special communication referred to in paragraph 2 of this Article, such state may express a desire to submit a written statement or to be heard; and the Court will decide.

4. States and organizations having presented written or oral statements or both shall be permitted to comment on the statements made by other states or organizations in the form, to the extent, and within the time limits which the Court, or, should it not be sitting, the President, shall decide in each particular case. Accordingly, the Registrar shall in due time communicate any such written statements to states and organizations having submitted similar statements.

Article 67

The Court shall deliver its advisory opinions in open court, notice having been given to the Secretary-General and to the representatives of Members of the United Nations, of other states and of international organizations immediately concerned.

Article 68

In the exercise of its advisory functions the Court shall further be guided by the provisions of the present Statute which apply in contentious cases to the extent to which it recognizes them to be applicable.

CHAPTER V

Amendment

Article 69

Amendments to the present Statute shall be effected by the same procedure as is provided by the Charter of the United Nations for amendments to that Charter, subject however to any provisions which the General Assembly upon recommendation of the Security Council may adopt concerning the participation of states which are parties to the present Statute but are not Members of the United Nations.

Article 70

The Court shall have power to propose such amendments to the present Statute as it may deem necessary, through written communications to the Secretary-General, for consideration in conformity with the provisions of Article 69.

For China:

VI-KYUIN WELLINGTON KOO
WANG CHUNG-HUI
WEI TAO-MING
WU YI-FANG
LI HWANG
CHUN-MAI CARSON CHANG
TUNG PI-WU
HU LIN

For the Union of Soviet Socialist Republics:

A GROMYKO
A LAVRENTIEV
K NOVIKOV
S. TSARAPKIN
S GOLUNSKY
S KRYLOV
RODIONOV

For the United Kingdom of Great Britain and Northern Ireland:

HALIFAX

CRANBORNE

For the United States of America:

E R STETTINIUS, Jr
CORDELL HULL
TOM CONNALLY
A H VANDENBERG
SOL. BLOOM
CHARLES A. EATON
HAROLD E STASSEN
VIRGINIA C. GILDERSLEEVE

For France:

J. PAUL-BONCOUR

For Argentina:

M CARCANO
O IBARRA G.
JUAN CARLOS BASSI
A D BRUNET

For Australia:

F. M. FORDE
H V EVATT

For the Kingdom of Belgium:

A E DE SCHRYVER

For Bolivia:

V ANDRADE
C SALAMANCA F
E ARZE Q.

For Brazil:

P. LEAO VELLOSO
C DE FREITAS VALLE
Gen. ESTEVAO LEITAO DE CARVALHO
A. CAMILLO DE OLIVEIRA
DR BERTHA LUTZ

For the Byelorussian Soviet Socialist Republic:

K KISELEV
A ZHEBRUK
V. PERTSEV
G BAIDAKOV
F. SHMYGAY

For Canada:

W. L. MACKENZIE KING
LOUIS. S. ST. LAURENT

For Chile:

JOAQUÍN FERNÁNDEZ F
MARCIAL MORA M
JOSÉ MAZA
GABRIEL GONZÁLEZ
CONTRERAS LABARCA
F. NIETO DEL RÍO
E ALCALDE C
GERMÁN VERGARA
JULIO ESCUDERO

For Colombia:

ALBERTO LLERAS
AL GONZÁLEZ FERNÁNDEZ
EDUARDO ZULETA ANGEL
SILVIO VILLEGAS
JESÚS M. YEPES

For Costa Rica:

JULIO ACOSTA
J RAFAEL OREAMUNO

For Cuba:

GMO BELT
ERNESTO DIHIGO

For Czechoslovakia:

JAN MASARYK

For Denmark:

HENRIK KAUFFMANN
HARTVIG FRISCH
E. HUSFELDT

For the Dominican Republic:

M PEÑA BATLLE
EMILIO G. GODOY
GILBERTO SÁNCHEZ LUSTRINO
T. FRANCO F
MINERVA BERNARDINO

For Ecuador:

C. PONCE ENRÍQUEZ
GALO PLAZA
C. TOBAR ZALDUMBIDE

For Egypt:
A. BADAWI
IB. HADI

For El Salvador:
HÉCTOR DAVID CASTRO
CARLOS LEIVA, M. D.

For Ethiopia:
AKILU H
AMBAYE W
EPHREM T. MEDHEN

For Greece:
J. A. SOFIANOPOULOS

For Guatemala:
GUILLERMO TORIELLO
M. NORIEGA M
E SILVA PEÑA

For Haiti:
GERARD LESCOT
A. LIAUTAUD

For Honduras:
JULIÁN R. CÁCERES
MARCOS CARIAS REYES
VIRGILIO R. GALVEZ

For India:
A. RAMASWAMI MUDALIAR
V. T. KRISHNAMACHARI

For Iran:
MOSTAFA ADLE

For Iraq:
MOHD. FADHEL JAMALI

For Lebanon:
W. NAIM
A. YAFI
SALEM
CHARLES MALIK

For Liberia:
C. L. SIMPSON
GABRIEL L. DENNIS
J. LEMUEL GIBSON
RICHARD HENRIES
M. N. GRANT

For the Grand Duchy of Luxembourg:
HUGUES LE GALLAIS

For Mexico:
E. PADILLA
F. CASTILLO NÁJERA
MANUEL TELLO

For the Kingdom of the Netherlands:
A. LOUDON

For New Zealand:
PETER FRASER
C. A. BERENDSEN

For Nicaragua:
MARIANO ARGÜELLO
LUIS MANUEL DE BATLE

For the Kingdom of Norway:
WILHELM MUNTHE MORGENSTIERNE

For Panama:
ROBERTO JIMÉNEZ

For Paraguay:
CELSO R. VELÁZQUEZ
J. B. AYALA

For Peru:
MANUEL C. GALLAGHER
V. A. BELAUNDE
LUIS FERNÁN CISNEROS

For the Philippine Commonwealth:
CARLOS P. ROMULO
FRANCISCO A. DELGADO

For Poland:
For Saudi Arabia:
FAISAL

For Syria:
F. AL-KHOURI
N. ANTAKI
N. KOUDSI

For Turkey:
HASAN SAKA
HUSEYIN RAGIP BAYDUR
FERIDUN CEMAL ERKIN

For the Ukrainian Soviet Socialist Republic:
DM. MANUILSKY
IVAN SENIN
ALEXANDER PALLADIN
MIKOLA PETROVSKY

For the Union of South Africa:
J. C. SMUTS F. M.

For Uruguay:
JOSÉ SERRATO
JACOBO VARELA
HÉCTOR LUISI
CY GIAMBRUNO
JUAN F. GUICHÓN
HÉCTOR PAYSSÉ REYES

For Venezuela:
C. PARRA PÉREZ
GUSTAVO HERRERA
A. MACHADO HNDZ
R. ERNESTO LÓPEZ

For Yugoslavia:
STANOJE SIMIĆ

I certify that the foregoing is a true copy of the Charter of the United Nations, with the Statute of the International Court of Justice annexed thereto, signed in San Francisco, Calif., on June 26, 1945, in the Chinese, French, Russian, English, and Spanish languages, the signed original of which is deposited in the archives of the Government of the United States of America.

In testimony whereof, I Edward R. Stettinius, Jr., Secretary of State, have hereunto caused the seal of the Department of State to be affixed and my name subscribed by an Assistant Chief, Division of Central Services of the said Department, at the city of Washington, in the District of Columbia, this 26th day of June 1945.

[SEAL] E. R. STETTINIUS, JR.,
Secretary of State.
By M. L. KENESTRICK,
Assistant Chief,
Division of Central Services.

ORDER FOR PRINTING THE PRESIDENT'S ADDRESS AND THE UNITED NATIONS CHARTER (S. DOC. 70)

Mr. BARKLEY. Mr. President, I ask unanimous consent that the address just delivered by the President of the United States submitting to the Senate the Charter of the United Nations for the Maintenance of International Peace and Security, together with the Charter and the Statute of the International Court of Justice annexed thereto, 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. Is there objection? The Chair hears none, and it is so ordered.

LEGISLATIVE BUSINESS

Mr. BARKLEY. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

THE WAR AGAINST JAPAN

Mr. WHITE. Mr. President, I wish to make a very brief statement about the Japanese war. I am prompted to do so by the rising crescendo of the war and by some evidence, slight though it is, of the beginning of a breach in the morale of the Japanese forces. I speak in my personal capacity, and I absolve all Senators from any responsibility for what I may say.

The war against Germany has ended triumphantly. The war against Japan is proceeding from victory to victory. The Japanese authorities and people must now realize the imminence and the extent of the disaster that approaches them.

The President has said that "unconditional surrender does not mean the ex-

termination or the enslavement of the Japanese people," but neither the American people nor the Japanese people have been informed in any detail what such surrender does entail.

In my conception, unconditional surrender means the acceptance by the vanquished of the will of the victor. It demands the total loss of Japan's fleets, the disarmament of its other military forces, the surrender of its conquered lands, the destruction of its war productive agencies, the complete control by the United Nations of its economic capacity for war, and the punishment of Japan's war criminals.

Unconditional surrender does not, however, involve the destruction of the home or the family life of the Japanese, interference with the religious beliefs of the people, abandonment of its agricultural activities and its other peaceful industries, and the loss thereby of the livelihood of the millions of people of the Japanese Empire.

The choice before the rulers and the people of Japan is unconditional surrender substantially as so defined or annihilation. It is peace and life or continued war, bringing to them devastation of their land, starvation, and death. Which will the Japanese people choose?

It is my belief that the President of the United States should make as explicit a statement of this concept of "unconditional surrender" as present circumstances permit. Such a clarification by the President, when made known to the Japanese authorities and people might soften the Japanese will to continue a hopeless struggle, might hasten the day of surrender, might bring the restoration of peace, and might result in the saving of the lives of thousands of America's sons. To these ends, the statement should be as precise an exposition of our purposes and as clear a declaration of their import as is now possible.

Should such a statement by our President meet indifference or rejection by Japan, it will not have increased our losses or otherwise have prejudiced our cause. On the other hand, much might be gained by such a statement. Nothing could be lost. I, therefore, with the greatest respect, urge the President to make an early and appropriate statement of our determination for victory at whatever cost and of our just intentions in the event Japan recognizes the folly of her present course, which can lead only to her self-destruction.

Mr. BARKLEY. Mr. President, I should like to ask the Senator from Maine a question, in view of the statement which he has just made. Is it his belief or his idea that the President of the United States, acting alone, should make any statement with respect to what his conception of unconditional surrender is, without consultation with our ally, Great Britain, at least, who is still at war with Japan, and without consultation with or consideration of China, which is another of our allies which is at war with Japan?

Mr. WHITE. Mr. President, I should like to see the statement made by the President of the United States either with

or without consultation, but I most certainly would approve the effort to confer and to reach an agreement with our allies.

Mr. BARKLEY. I personally, of course, would doubt the propriety as well as the wisdom of the President assuming for himself the sole right to declare what unconditional surrender contemplates, inasmuch as that has been the program of all the Allies, including China and Great Britain. Of course, I am sure that whatever the President does in regard to anything of that sort he would do in connection with our allies, but I would not want the impression to emanate from the Senate that, without regard to the desires or wishes or the accord of our allies who are fighting Japan, the President himself would assume the right to speak for them.

Mr. WHITE. Mr. President, I assume that no one will suspect that I speak with any authority for the Senate, and I assume that the President will exercise his good judgment as to whether he does or does not follow in any respects the suggestion I have made.

Mr. BARKLEY. I appreciate the good faith of the Senator.

Mr. WHITE. I have made it, however, as a statement of my belief and perhaps a statement of my hope.

Mr. BARKLEY. I appreciate the good faith of the Senator from Maine in making the statement, and I simply wanted to clarify that part of it which related to any action the President might take with or without any consultation or any accord with our allies.

Mr. WHITE. I understand the position of the Senator from Kentucky.

ADJOURNMENT

Mr. BARKLEY. Mr. President, there apparently being no further business before the Senate, I am compelled to move to adjourn until tomorrow, because there is still an appropriation measure which we passed Saturday which the House of Representatives has not acted upon, and we must keep ourselves ready day by day to deal with that subject when it comes back to the Senate. Otherwise, I would move an adjournment until Thursday. Therefore, Mr. President, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 1 o'clock and 25 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, July 3, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 2, 1945:

DEPARTMENT OF STATE

James F. Byrnes, of South Carolina, to be Secretary of State.

DIPLOMATIC AND FOREIGN SERVICE

Leo D. Sturgeon, of Illinois, now a foreign-service officer of class 2 and a secretary in the diplomatic service, to be also a consul general of the United States of America.

Theodore J. Hadraba, of Nebraska, now a foreign-service officer of class 7 and a secretary in the diplomatic service, to be also a consul of the United States of America.

Francis C. Jordan, of North Carolina, now a foreign-service officer of class 7 and a secretary in the diplomatic service, to be also a consul of the United States of America.

The following-named persons to be foreign-service officers of class 1, secretaries in the diplomatic service, and consuls general of the United States of America:

Ellis O. Briggs, of Maine.
Loy W. Henderson, of Colorado.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

To be a major general

Brig. Gen. Edward Fuller Witsell (colonel, Adjutant General's Department), Army of the United States.

HONOR GRADUATES, ARMY OF THE UNITED STATES, FOR APPOINTMENT IN THE REGULAR ARMY

To be second lieutenants with rank from December 1, 1944

INFANTRY

Frederick Griffith Bohannon
John Edwin Murphy

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be colonel with rank from June 5, 1945

Lt. Col. Hardin Cleveland Sweeney, Infantry (temporary colonel).

To be first lieutenants with rank from July 1, 1945

Second Lt. Walter Killillae, Coast Artillery Corps (temporary major).

Second Lt. James Richard Burkhart, Field Artillery (temporary major).

Second Lt. Donald Joseph Richardson, Infantry (temporary lieutenant colonel).

Second Lt. James Curtis Jeffries, Jr., Coast Artillery Corps (temporary lieutenant colonel).

Second Lt. John Edward Fritz, Corps of Engineers (temporary major).

Second Lt. Dale Taylor Elliott, Infantry (temporary major).

Second Lt. William Freese Kernan, Infantry (temporary lieutenant colonel).

Second Lt. James Herbert Brown, Infantry (temporary lieutenant colonel).

Second Lt. Clyde Okey McPeck, Infantry (temporary first lieutenant), subject to examination required by law.

Second Lt. Richard Clement Moran, Cavalry (temporary major).

Second Lt. Elmer Pershing Curtis, Coast Artillery Corps (temporary captain).

Second Lt. Michael Edward Wardell, Coast Artillery Corps (temporary major).

Second Lt. Martin Cadenhead McWilliams, Air Corps (temporary major).

Second Lt. James McIndoe Winterbottom, Air Corps (temporary major).

Second Lt. George Frederick Sawyer, Infantry (temporary captain).

Second Lt. Darrel Leon Syron, Field Artillery (temporary major).

Second Lt. Gerald Johnson, Jr., Ordnance Department (temporary lieutenant colonel).

Second Lt. James Max Snyder, Infantry (temporary major).

Second Lt. Richard Brittain Kreutzer, Field Artillery (temporary captain), subject to examination required by law.

Second Lt. Richard Joseph Stillman, Infantry (temporary lieutenant colonel).

Second Lt. Richard Hull Verheul, Infantry (temporary major).

Second Lt. Irving Heymont, Infantry (temporary major).

Second Lt. Myron Richard Bittikofer, Corps of Engineers (temporary captain).

Second Lt. William Edward Byerts, Jr., Air Corps (temporary major).

Second Lt. Orville Kenneth Knight, Quartermaster Corps (temporary lieutenant colonel).

Second Lt. William Prager Cassidy, Cavalry (temporary captain), subject to examination required by law.

Second Lt. Andrew Robert Grant, Coast Artillery Corps (temporary major).

Second Lt. Harold Vernon Mackey, Ordnance Department (temporary major).

Second Lt. John Rhodes Thompson, Corps of Engineers (temporary major).

Second Lt. Clayton Arthur Bird, Corps of Engineers (temporary major).

Second Lt. Jerry Marion Wimberley, Field Artillery (temporary major).

Second Lt. MacDonald Oliver, Jr., Field Artillery (temporary major).

Second Lt. Walter Blakely Todd, Infantry (temporary major).

Second Lt. George Lamar Jones, Infantry (temporary captain).

Second Lt. James Harry Mobley, Infantry (temporary major).

Second Lt. Albert Dulaney Schutz, Field Artillery (temporary major), subject to examination required by law.

Second Lt. Parker Osborne Stuart, Corps of Engineers (temporary lieutenant colonel).

Second Lt. James Beecher McKenzie, Signal Corps (temporary major).

Second Lt. Connie Craig Cotton, Infantry (temporary captain), subject to examination required by law.

Second Lt. James Luke Smith, Jr., Coast Artillery Corps (temporary captain), subject to examination required by law.

Second Lt. John Pershing Traylor, Ordnance Department (temporary major).

Second Lt. William Joseph Daly, Quartermaster Corps (temporary major).

Second Lt. Howard Overton Golladay, Field Artillery (temporary captain).

Second Lt. Reuben Wallis Mundy, Coast Artillery Corps (temporary major).

Second Lt. Joseph Alvin Shirley, Infantry (temporary first lieutenant).

Second Lt. Rosario Sorbello, Infantry (temporary captain).

Second Lt. Will Gillespie Atwood, Jr., Infantry (temporary major).

Second Lt. John Weamer Elder, Field Artillery (temporary captain).

Second Lt. Ralph Harry Bowen, Field Artillery (temporary major).

Second Lt. William Brooks Carroll, Signal Corps (temporary major), subject to examination required by law.

Second Lt. Paul Marshall Woods, Infantry (temporary major), subject to examination required by law.

Second Lt. David Leroy Ramsey, Infantry (temporary major), subject to examination required by law.

Second Lt. William Arthur Grimshaw, Signal Corps (temporary major).

Second Lt. George Wilbur Best, Jr., Coast Artillery Corps (temporary captain), subject to examination required by law.

Second Lt. Benjamin Aphorhp Gould Fuller, 2d, Field Artillery (temporary major), subject to examination required by law.

Second Lt. Alva William Swartz, Coast Artillery Corps (temporary captain).

Second Lt. Warren Edgar Nossaman, Infantry (temporary captain).

Second Lt. Jack Boswell, Cavalry (temporary first lieutenant), subject to examination required by law.

Second Lt. Samuel Frederick Stebelton, Air Corps (temporary captain).

Second Lt. Roger Jerald Cuihane, Infantry (temporary major).

Second Lt. Leroy Cosby Land, Coast Artillery Corps (temporary major).

Second Lt. William Paul Fife, Infantry (temporary first lieutenant), subject to examination required by law.

Second Lt. Bradford Lee Smith, Field Artillery (temporary captain).

Second Lt. Carl William Schaad, Field Artillery (temporary major).

Second Lt. Carter Greer Dudley, Cavalry (temporary captain), subject to examination required by law.

Second Lt. Karl Heinrich Zornig, Ordnance Department (temporary major).

Second Lt. Francis Fred Poppenburg, Ordnance Department (temporary captain).

Second Lt. Jesse Charles Crumbley, Jr., Ordnance Department (temporary major).

Second Lt. Ralph Bayard Sessoms, Jr., Infantry (temporary captain).

Second Lt. Verne Rumbaugh Wilson, Coast Artillery Corps (temporary major).

Second Lt. Thomas William Fishburn, Air Corps (temporary first lieutenant), subject to examination required by law.

Second Lt. Lawrence Longshore Persons, Finance Department (temporary captain).

Second Lt. Robert James Welsh, Coast Artillery Corps (temporary major).

Second Lt. Emil William Delu, Ordnance Department (temporary major).

Second Lt. Russell Park Jones, Signal Corps (temporary captain).

Second Lt. William John Durrenberger, Ordnance Department (temporary major).

Second Lt. Latimer Whittle MacMillan, Jr., Signal Corps (temporary captain).

Second Lt. David Hall Woods, Corps of Engineers (temporary major).

Second Lt. Gordon Francis Tyrrell, Jr., Quartermaster Corps (temporary major).

Second Lt. Robert Neil Grove, Ordnance Department (temporary major).

Second Lt. William Ellis Cox, Infantry (temporary major).

Second Lt. Leroy Buckman Wilson, Infantry (temporary major).

Second Lt. George Franklin Charlton, Infantry (temporary captain).

Second Lt. John Edward Reid, Infantry (temporary captain).

Second Lt. Oliver Morton Legg, Air Corps (temporary captain).

Second Lt. William McKinley Shepard, Coast Artillery Corps (temporary major).

Second Lt. Norman Murchison Grusky Locksley, Field Artillery (temporary major).

Second Lt. Walter Alfred Higgins, Quartermaster Corps (temporary major).

Second Lt. Roy Edgar Rayle, Jr., Ordnance Department (temporary major).

Second Lt. Donald Charles Hughes, Quartermaster Corps (temporary major).

Second Lt. Lloyd Edward Rabjohn, Quartermaster Corps (temporary major).

Second Lt. Harold Reid Armstrong, Jr., Air Corps (temporary major).

Second Lt. Richard Irvin, Jr., Coast Artillery Corps (temporary major).

Second Lt. Edward Stephen Rice, Coast Artillery Corps (temporary captain).

Second Lt. Charles Stuart Cummings, Coast Artillery Corps (temporary major).

Second Lt. James Bernard Via, Coast Artillery Corps (temporary captain).

Second Lt. Charles William Flynn, Jr., Corps of Engineers (temporary major).

Second Lt. Lowell Reginald Eklund, Cavalry (temporary major).

Second Lt. Gaynor William Hathaway, Cavalry (temporary major).

Second Lt. Waldo Ernest Schmitt, Infantry (temporary captain), subject to examination required by law.

Second Lt. Arthur Wilson Starkey, Corps of Engineers (temporary major).

Second Lt. James Maurice Hamblin, Ordnance Department (temporary captain).

Second Lt. Moyer Delos Harris, Field Artillery (temporary captain).

Second Lt. Walter Philip Leber, Corps of Engineers (temporary lieutenant colonel).

Second Lt. Jack Philip Geise, Cavalry (temporary major), subject to examination required by law.

Second Lt. William Lindsay Koob, Jr., Infantry (temporary captain), subject to examination required by law.

Second Lt. Charles Crisp Wilder, Jr., Air Corps (temporary lieutenant colonel).

Second Lt. John Raymond Penington, Air Corps (temporary major).

Second Lt. James Martin Pratt, Infantry (temporary captain).

Second Lt. Robert Earl Simons, Field Artillery (temporary captain), subject to examination required by law.

Second Lt. Walter Parrish Glover, Jr., Ordnance Department (temporary major).

Second Lt. Chester Thomas Harvie, Cavalry (temporary major).

Second Lt. Lewis Jones Adams, Coast Artillery Corps (temporary captain).

Second Lt. Raymond Laverne Hoff, Quartermaster Corps (temporary major).

MEDICAL CORPS

To be colonel

Lt. Col. William LeRoy Thompson, Medical Corps (temporary colonel), with rank from July 6, 1945.

To be lieutenant colonels

Maj. Douglas Sheldon Kellogg, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Loren Donovan Moore, Medical Corps (temporary colonel), with rank from July 1, 1945, subject to examination required by law.

Maj. Arthur Brinkley Welsh, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Eugene Wycoff Billick, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Earle Standlee, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. William Kraus, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Reuel Edward Hewitt, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Martin Eugene Griffin, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Mack Macon Green, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. William Edward Shambora, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Charles Henderson Beasley, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Clifford Albert Best, Medical Corps (temporary colonel), with rank from July 1, 1945.

Maj. Alvin Levi Gorby, Medical Corps (temporary colonel), with rank from July 4, 1945.

Maj. George Ellis Armstrong, Medical Corps (temporary colonel), with rank from July 9, 1945.

To be majors

Capt. John Edwin Granade, Medical Corps (temporary colonel), with rank from July 3, 1945.

Capt. Robert Estes Blount, Medical Corps (temporary colonel), with rank from July 10, 1945.

Capt. Paul Hamilton Jenkins, Medical Corps (temporary lieutenant colonel), with rank from July 11, 1945.

Capt. Walter Philippe Manning, Medical Corps (temporary lieutenant colonel), with rank from July 17, 1945, subject to examination required by law.

Capt. Ray Edward Currie, Medical Corps (temporary lieutenant colonel), with rank from July 26, 1945.

To be captains

First Lt. Francis Winters Anderson, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Charles Mac Stanfill, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Robert Joseph Brennan, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. William Sherwin Wolf, Medical Corps (temporary major), with rank from July 1, 1945, subject to examination required by law.

First Lt. Donald Larue Brubaker, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Gilbert Alfred Twichell, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Morris Eldred Brackett, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Ralph Nelson Greene, Jr., Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Philip Jordan Noel, Jr., Medical Corps (temporary lieutenant colonel), with rank from July 1, 1945.

First Lt. Edward Patrick Shannon, Jr., Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Mack Simmons, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Lowell Richard Steele, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Maurice Blair Johnston, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Edward Alton Ricketts, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. John Bradley Moring, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. John D. Lecky, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Victor Henry Smith, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Robert Alfred McCall, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Robert Halbert Finley, Jr., Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. John Barry Brady, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Albert Junior Bauer, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Arthur Abbitt Kirk, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Charles Herman Ransom, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Gerhard Thurston Shearer, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. William Clark Doak, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. George Sharpe, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Sumner Yale Andelman, Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Bertram Allen Weeks, Medical Corps (temporary major), with rank from July 1, 1945.

First Lt. Victor Bradley Vare, Jr., Medical Corps (temporary captain), with rank from July 1, 1945, subject to examination required by law.

First Lt. Voris Francis McFall, Medical Corps (temporary captain), with rank from July 1, 1945, subject to examination required by law.

First Lt. Hal Bruce Jennings, Jr., Medical Corps (temporary captain), with rank from July 1, 1945.

First Lt. Adolph Benedict Schneider, Jr., Medical Corps (temporary captain), with rank from July 6, 1945.

First Lt. George Deshon McAfee, Medical Corps (temporary captain), with rank from July 20, 1945.

DENTAL CORPS

To be lieutenant colonels

Maj. Mackey Joseph Real, Dental Corps (temporary colonel), with rank from July 1, 1945.

Maj. Kenneth Pearce Fulton, Dental Corps (temporary colonel), with rank from July 15, 1945.

To be major

Capt. Oscar John Ogren, Dental Corps (temporary lieutenant colonel), with rank from July 26, 1945.

To be captains

First Lt. Burdette Alden Stone, Dental Corps (temporary captain), with rank from July 9, 1945.

First Lt. John Robert Knoderer, Dental Corps (temporary major), with rank from July 9, 1945.

First Lt. Paul Joseph Lundell, Dental Corps (temporary major), with rank from July 9, 1945.

First Lt. Clare William Sauser, Dental Corps (temporary captain), with rank from July 9, 1945.

First Lt. John Francis Donovan, Jr., Dental Corps (temporary major), with rank from July 10, 1945.

First Lt. Frank Monroe Taylor, Jr., Dental Corps (temporary major), with rank from July 10, 1945.

First Lt. James Walter Bernhard, Jr., Dental Corps (temporary captain), with rank from July 13, 1945.

VETERINARY CORPS

To be majors

Capt. Wayne Otho Kester, Veterinary Corps (temporary colonel), with rank from July 8, 1945.

Capt. Robert Arthur Boyce, Jr., Veterinary Corps (temporary lieutenant colonel), with rank from July 12, 1945.

Capt. Clarence Leonard Taylor, Veterinary Corps (temporary lieutenant colonel), with rank from July 18, 1945.

PHARMACY CORPS

To be majors

Capt. Carrol Conrad Barrick, Pharmacy Corps (temporary lieutenant colonel), with rank from July 13, 1945.

Capt. Thomas Raymond Jones, Pharmacy Corps (temporary major), with rank from July 13, 1945.

Capt. Cornelius John Curran, Pharmacy Corps (temporary major), with rank from July 13, 1945.

Capt. Gerard Adrien Belanger, Pharmacy Corps (temporary lieutenant colonel), with rank from July 13, 1945.

Capt. Guy Wycoff Harlow, Pharmacy Corps (temporary lieutenant colonel), with rank from July 13, 1945.

CHAPLAIN

To be colonel

Chaplain (Lt. Col.) Ivan Loveridge Bennett, United States Army (temporary colonel), with rank from July 29, 1945.

CONFIRMATIONS

Executive nominations confirmed by the Senate July 2, 1945:

DEPARTMENT OF STATE

James F. Byrnes to be Secretary of State.

FOREIGN SERVICE

TO BE A CONSUL GENERAL OF THE UNITED STATES OF AMERICA

Henry S. Waterman

TO BE CONSULS OF THE UNITED STATES OF AMERICA

Herbert P. Fales
F. Lester Sutton

TO BE FOREIGN SERVICE OFFICERS, UNCLASSIFIED, VICE CONSULS OF CAREER, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Charles C. Gidney, Jr., of Texas.
Charles Gilbert, of New York.

HOUSE OF REPRESENTATIVES

MONDAY, JULY 2, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Lt. Robert McComas, chaplain, United States Navy, offered the following prayer:

Almighty and eternal God, our Heavenly Father, before the throne of Thy grace we bow in earnest supplication. Thou art high above all nations and Thy glory above the heavens. Before the majesty of Thy glory we acknowledge our dependence upon Thy wisdom, power, and love. Not without guidance would we go forth to meet the duties and tasks of this day. The immeasurable responsibility entrusted to us demands that we match this charge with the strength of honest minds and the courage of strong hearts. In tune with the will of a great people and with hearts on fire with a love for freedom, justice, and truth, let us with courage, patience, and hope labor tirelessly for the better world our hands can build.

With due regard for the will of the majority, keep up ever aware of the needs of all. With all due pride in our office, may we more and more forget ourselves and work the work of those who sent us here.

O God of all nations, bless all who love and serve this country. Sustained by Thy power, lead us in the way of righteousness and truth and bring us speedily to an abiding peace with all men. In Christ's name we ask it. Amen.

The Journal of the proceedings of Saturday, June 30, 1945, 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 amendments of the Senate to the bill (H. R. 3579) entitled "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."

FACILITATING EMPLOYMENT OF PERSONNEL BY THE VETERANS' ADMINISTRATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 3118, an act to amend section 100 of Public Law No. 346, Seventy-eighth Congress, June 22, 1944, to grant certain priorities to the Veterans' Administration, to facilitate the employment of personnel by the Veterans' Administration, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 6, strike out all after "necessary", down to and including "and" in line 13.

Page 2, line 16, strike out all after "existing", down to and including "war" in line 21 and insert "statutes."

Amend the title so as to read: "An act to amend section 100 of Public Law No. 346, Seventy-eighth Congress, June 22, 1944, to grant certain priorities to the Veterans' Administration, and for other purposes."

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

Mr. MARTIN of Massachusetts, Mr. Speaker, reserving the right to object, will the gentleman please explain the bill?

Mr. RANKIN. Yes. This bill passed the House several days ago. It not only provided for priorities to enable the Veterans' Administration to obtain the use of certain facilities that are absolutely necessary at this time, but it also provided for giving the Veterans' Administration the right to go out and employ temporary help without regard to the Civil Service. The Senate amended the bill as read by the Clerk just now.

Mr. MARTIN of Massachusetts. How did the Senate amend it?

Mr. RANKIN. The Senate amended it by striking out that provision which permitted the Veterans' Administration to go out and employ this additional help without regard to the Civil Service, but it left in the bill the priorities provision, which we think is vitally necessary at this time.

I took the matter up with the Veterans' Administrator and also the membership of the Veterans' Committee last week, and we decided that under the circumstances it would be better to accept these amendments, in order that we might go ahead with the hospitalization of these disabled veterans who are being discharged from the Army and the Navy. There was no objection to it in the committee, and the Veterans' Administration urged that we go ahead and accept these amendments with the understanding that, if necessary, the other provisions may be placed in some other bill.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection, Mr. Speaker.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the Record and include an editorial.

Mr. MCGREGOR asked and was given permission to extend his remarks in the Record and include a short editorial from the Mansfield News-Journal.

NATIONAL DEBT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for