

## HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 2, 1945

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, the eternal and universal Father, Thy name be praised for the length, the breadth, and the intensity of divine love. We pray Thee to make us humble, worthy, and strong wherein we are weak. Create in us more fully the blessed virtues, showing pity where pity is deserved, patience where patience is needed, gentleness and forbearance wherever they give strength and encouragement. Help us to love when the temptation is to hate and at all times seek to alleviate another's weakness. Give Thy sheltering care to our President, our Speaker, and the Members of the Congress, and help us all to give the morning light of promise to our fellow countrymen, offering a release from their pressing problems. Subdue the spirit of any dissension and any dominating pride, and may we discern the coming of better and brighter days. And all glory be unto our Redeemer forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

## VETERANS' PREFERENCE IN DISPOSAL OF SURPLUS PROPERTY

Mr. MANASCO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. MANASCO. Mr. Speaker, in this morning's Washington Post I read an article about some World War II veterans who had gone over to Fort Meade to buy some trucks. They had certificates, but when they got there they were unable to purchase any trucks. They found the trucks had already been disposed of. I think this is clearly in violation of the Surplus Property Act passed last year, and I am going to appoint a subcommittee to investigate the reasons why the veterans' preference provision in that act is not being carried out. I think every Member of Congress is probably having correspondence from veterans on this subject. They have been denied the right to purchase surplus property. I am going to insist and our committee will insist that this preference be carried out. We are going to get to the bottom of this thing at the earliest possible date.

## PERMISSION TO ADDRESS THE HOUSE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentleman from Oklahoma [Mr. WICKERSHAM] be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

XCI—583

## EXTENSION OF REMARKS

Mr. ROE of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Democrat and News of Cambridge, Dorchester County, Md., on the \$25-a-week bill, which they call the national-vacation measure.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

## CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on tomorrow, Calendar Wednesday, be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

## ATOMIC ENERGY

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, a statement has been issued by the scientists who worked on the atomic bomb. It is an epoch-making document. I want to read briefly from it:

That the advent of the age of atomic energy signifies a revolutionary change in the nature of our civilization has been recognized to a greater or less extent by all men, but the crisis which we face will not be successfully overcome unless misconceptions are laid aside and the problem exactly defined. Either the leaders of mankind resolve the difficulties arising from the necessary integration of nuclear energy with the present international and national social structure, or the world will be faced with catastrophe.

As a prelude to intelligent thought, a myth which has already taken considerable hold in the public mind must be dispelled. We do not have and never have had a monopoly on the scientific ability, fundamental principles, or the technological resources necessary for the large-scale release of nuclear energy.

And again from another portion of the statement of these very scientists who made the atomic bomb I quote again:

There is no secret to be kept. It has been known for 40 years that this form of energy exists. The principle required for its release has been the common property of scientists throughout the world for the last 5 years. All the advanced civilized nations possess the scientists capable of working out the details required for the accomplishment.

Mr. Speaker, these men know, if anyone does, the facts of this great overriding question. Their answer to the problem in one brief sentence is—and I quote again:

Therefore we must urge among the nations a cooperative unified control of forces which would otherwise destroy us.

I hope to have an opportunity to read this entire statement to the House later this afternoon.

## ST. LAWRENCE SEAWAY CANAL AND FULL EMPLOYMENT

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House

for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. GALLAGHER addressed the House. His remarks appear in the Appendix.]

## EXTENSION OF REMARKS

Mr. DOUGHTON of North Carolina. Mr. Speaker, by direction of the Committee on Ways and Means, I ask unanimous consent to extend my remarks in the RECORD by inserting a statement made by Secretary of the Treasury Vinson before the Committee on Ways and Means on yesterday.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

## ELECTION TO COMMITTEE

Mr. DOUGHTON of North Carolina. Mr. Speaker, I offer a resolution (H. Res. 363) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

*Resolved*, That MIKE MANSFIELD, of the State of Montana, be, and he is hereby, elected a member of the standing committee of the House of Representatives on Foreign Affairs.

The resolution was agreed to.

## EXTENSION OF REMARKS

Mr. TRIMBLE asked and was given permission to extend his own remarks in the RECORD with reference to John C. Floyd.

Mr. KELLEY of Pennsylvania asked and was given permission to extend his own remarks in the RECORD and include therein a column entitled "The Federal Diary" from the Washington Post.

## DISPOSITION OF SURPLUS MATERIALS TO VETERANS

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I was delighted to hear the gentleman from Alabama, the chairman of the Committee on Expenditures in the Executive Departments, say that he was going to check into this proposition of our servicemen being unable to buy surplus materials. Last week I was down in Fort Sam Houston visiting a separation center. I talked to one of the men who had just been discharged and asked him where he was going. He said the first thing he was going to do was to get out here and buy himself a truck. I wondered if he was not destined to share with thousands of others a great disappointment. We have given the veteran the preference to buy those trucks, but we know that all over the country they are being refused that privilege. I do not know where the trouble lies. I have heard that it is the rivalry between the Smaller War Plants Corporation and the Department of Commerce. I do not

think we are concerned as to where the trouble lies, but that it is removed. There is an obligation upon us to check into this matter and to see that our discharged servicemen get the preference that we gave them and which we intended to give to them under the Surplus Property Act.

The SPEAKER. The time of the gentleman from Alabama has expired.

#### MEDICAL DOCTORS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and to include therein a letter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

[Mr. BROWN of Ohio addressed the House. His remarks appear in the Appendix.]

#### THE ATOMIC AGE

Mr. MERROW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

[Mr. MERROW addressed the House. His remarks appear in the Appendix.]

#### EXTENSION OF REMARKS

Mr. SCRIVNER asked and was given permission to revise and extend his remarks in the RECORD and include a portion of a grand jury report which is an indictment of bureaucracy.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include a statement by the president of the United States Chamber of Commerce.

#### FOREIGN FINANCING

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

[Mr. ELLIS addressed the House. His remarks appear in the Appendix.]

SHALL WE HAVE MORE BREAD OR MORE LIQUOR?

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I have heretofore called the attention of the House and the Department of Agriculture to the tremendous amount of corn that is being consumed by the distillers of this country instead of going for food. I want to read one of several telegrams I received today from large baking concerns in my district. Here is what it says:

We are informed corn-sugar plants are shut down because of lack of corn. The

Department of Agriculture has announced distillers may use 750,000 bushels of corn during October. We believe the baking of bread is much more essential than the distilling of liquor. We and other bread bakers in this country will have to cut our percentage of corn sugar used in bread if this is not corrected. As corn sugar is an energy food, we feel that bread consumers are entitled to the amount we are now using in our bread. We feel sure the entire baking industry will appreciate any help you can give us in maintaining our present use of corn sugar, thereby making bread the most nutritious and economical food the consumer may buy. Bread making is more important to the health of the Nation than liquor.

Mr. Speaker, a few days ago I introduced a resolution to direct the Committee on Agriculture to investigate this very problem. The question is whether our Government is more interested in favoring the liquor industry by permitting it to have three-quarters of a million bushels of corn per month that ought to go for food or whether the people of this country shall have a sufficient amount of corn sugar for bread on the family table.

The SPEAKER. The time of the gentleman from Kansas has expired.

#### COMMUNISM

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONKMAN. Mr. Speaker, if you want to know how badly Europe is seething with communism, you have only to look at the General Patton Bavarian incident. The fault of Fritz Schaeffer as Minister President of Bavaria was not that he was not sufficiently anti-Nazi. He was violently so. But his sin was that he is also anti-Communist, and you cannot be anti-Communist in practically any part of Europe and hold high office very long. Even Churchill found that out.

Is this true in the United States, and is that why President Truman refused a few days ago to say whether he is leading this country to the right or the left, when his actions are clearly veering to the left? Was it Truman whose hand reached out to get Schaeffer via Eisenhower and Patton, and if so, who is calling the signals to President Truman?

The SPEAKER. The time of the gentleman from Michigan has expired.

#### EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan asked and was given permission to extend his remarks in the RECORD and include a letter he received from a doughboy in London.

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the RECORD and include a short summary.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD on two subjects, one entitled "Demobilizing," and the other on the subject of rationing butter and meat, and to include a letter from a merchant.

Mr. ADAMS (at the request of Mr. MERROW) asked and was given permis-

sion to extend his remarks in the RECORD and include an editorial.

Mr. O'TOOLE asked and was given permission to extend his remarks in the RECORD and include a letter he received from the Administrator of Surplus Property.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and to include therein a sermon delivered in Brooklyn last Thursday by the president of Villanova College.

Mr. WASIELEWSKI asked and was given permission to extend his remarks in three instances and in each to include an editorial.

Mr. HOLIFIELD asked and was given permission to insert in the Appendix of the RECORD a subcommittee report of the Committee on Military Affairs, on the result of a visit to two separation centers, Indiantown Gap, Pa., and Patterson Field, Ohio.

Mr. KNUTSON asked and was given permission to extend his remarks in the RECORD by inserting a set of resolutions and a newspaper article commenting thereon.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD in two instances and in each to include certain printed excerpts.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include a short article from the magazine, Veterans' Outlook.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD and to include a resolution.

Mr. RODGERS of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include a brief editorial.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes today at the conclusion of the business of the day and special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

#### MAKING SURPLUS PROPERTY AVAILABLE TO VETERANS

Mr. SAVAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SAVAGE. Mr. Speaker, I am very pleased to hear that the gentleman from Alabama is going to lay before his committee again the question of getting surplus property into the hands of servicemen. I think, while he is at it, it would be very well if he would consider having the limit raised on the amount he can buy from the Government without paying a commission to a dealer. A \$2,500 limit, as it now is, is entirely too small. Any piece of equipment costing more than that amount cannot be purchased by a serviceman direct from the Government, but he has to have a dealer buy it and then he pays the dealer a commission.



Some of the boys have learned a great deal about construction and other heavy work while in the service and now they want to buy trucks, caterpillar tractors, bulldozers, and similar heavy machinery used in the construction industry. I believe those boys in the service ought not to have to pay any dealer a commission but should have the right to go directly to the Government storage center, look the equipment over, and buy it directly. Almost any piece of equipment will cost in excess of the present limit. I repeat, they ought not to be forced to pay a commission to a dealer; that is unfair to the serviceman. I believe we should make the limit sufficiently high to enable the serviceman to procure this equipment direct or else take the limit off entirely as far as the servicemen are concerned.

The SPEAKER. The time of the gentleman from Washington has expired.  
IS THE RIGHT TO WORK ENFORCEABLE?

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, the full employment bill accepts the right to work in dead earnest as fundamental to other human rights, and proposes to back it up with all of the resources of the Government.

There are some, however, like Ira Mosher, of NAM, and Senator ROBERT TAFT, who take it more lightly. As a "moral" right they grant it freely. But, they claim, it is impossible to confer the right to work by law and make it legally enforceable.

This, of course, is legalistic quibbling over terms.

The right to work can and will be enforced because the people demand it, and they will not again tolerate mass unemployment and depression. Both candidates in the last Presidential election were aware of this popular pressure and committed themselves to a full-employment policy. Any administration that fails to make good on this pledge will inevitably be turned out of office. And any economic system that fails to provide jobs will inevitably be repudiated by the people.

#### EXTENSION OF REMARKS

Mr. MONRONEY asked and was given permission to extend his remarks in the Record and include an editorial from the St. Louis Post-Dispatch.

#### REORGANIZATION OF THE CONGRESS

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I would like to call the attention of the Members of the House to a very excellent and comprehensive editorial by Miss Gene Lightfoot appearing in Sunday's Post-Dispatch of St. Louis, Mo., on the reorganization of the Congress. This editorial not only outlines many, many

of our shortcomings but places the responsibility for correcting those shortcomings upon ourselves. Furthermore, the thing that I see so important about this editorial is that it voices the belief of the public and the press that they will not accept any half-hearted, weak-kneed, shortsighted reorganization of the Congress. They are expecting us to do a full, complete job when the Congress receives the report on the reorganization of the Congress.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I join with the gentleman from Oklahoma [Mr. MONRONEY] in asking the Members of the Congress to read the editorial to which he referred. I read it in the Sunday St. Louis Post-Dispatch that came to my desk last night. I later learned it was written by Miss Gene Lightfoot, a young lady who expresses her views in reference to the activities of the Congress and the necessary reorganization to make it more effective.

This editorial is critical in part, but I cannot conceive how a committee of Congress could spend months in investigating the workings of Congress and make better recommendations than she makes in this editorial. Miss Lightfoot has been a student of government for many years and has been interested not only in the reorganization of the legislative branch but also the executive branch of our Government.

The fact that this editorial is recognized by the chairman of the select committee, the gentleman from Oklahoma [Mr. MONRONEY], to consider this subject, is in my opinion a compliment to Miss Lightfoot.

Again I urge every Member of the House to read this editorial which will appear in tomorrow morning's Record.

#### MANAGEMENT-LABOR

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, we hear every morning much talk about what we should do, but it seems to me one of the most important things that the President of the United States should, could, and must do immediately is to call a conference of industry and labor, get harmony and peace among workers. He should get them together and ask them to do the things that this country needs and demands if we are going to keep this country solvent, let those work who want to work, so they can earn and save.

Mr. Speaker, we have many strikes going on all over the country and men being constantly thrown out of work. Industry closed and jobs going begging, the country going communistic. Men will have to go on relief, which will involve taking money out of the Treasury,

a bankrupt Treasury, whereas the money could be taken out of industry by jobs, and we could and would have a happy Nation. We need changes of laws and action by a Congress and the administration in power. If something is not done immediately in a very short time the Treasury will crack and chaos will follow. This business of having millions of jobs going begging, millions of men on strike, millions of dollars worth of production needs, millions of dollars being taken daily out of an empty Treasury, does not make sense. Your country is on fire. Put it out or the Communists will be in control. Wake up, America, wake up.

#### PRIVILEGES OF THE FLOOR OF THE HOUSE OF REPRESENTATIVES

Mr. KEEFE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEEFE. Mr. Speaker, rule XXXII of the Rules of the House of Representatives reads, in part:

The persons hereinafter named and none other shall be admitted to the halls of the House or rooms leading thereto.

Then follows a list of those permitted, including:

Ex-Members of the House of Representatives who are not interested in any claim or directly in any bill pending before the Congress.

Mr. Speaker, I propound two parliamentary inquiries. First, does the language "or rooms leading thereto" include the lobby and reading room adjacent to the House floor?

Second, does the quoted rule bar from the halls of the House or rooms leading thereto ex-Members of Congress who are in the employ of organizations, corporations, or individuals that have a direct interest in the defeat or passage of a bill pending and under debate in the House?

The SPEAKER. The Chair may say to the gentleman from Wisconsin [Mr. KEEFE] that the present occupant of the chair has always been very jealous of all the rules of the House, and especially this one.

The Chair thinks that no person who is not named in the rule should have the privilege of the floor of the House of Representatives or to the cloakroom or to the Speaker's lobby, so-called, where Members and the newspaper folk and others that are privileged to be in there confer.

The Chair thinks that not even an ex-Member of Congress when he has a bill he is personally interested in that is coming up for consideration in the House nor any other ex-Member of the House who is in the employ of an organization that has legislation before the Congress should be allowed the privilege of the House or the rooms that the Chair just said constitutes a part of the House of Representatives.

#### ATOMIC BOMB

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, to me it is deplorable to hear Members of Congress continuously clamoring for the American people to give away the secrets of the atomic bomb.

That propaganda is ringing in every communistic publication. It is being advocated by the same elements that are now abusing General Patton, trying to drive him from his command, and trying to embarrass General MacArthur in Japan.

Now, it may be that those foreign scientists have the secret. They also had the secret of how to make an airplane, but they could not compare with us.

They had the secret of the electric fuse, but they did not make them.

They have many other secrets that they have not been able to develop and put to use, but we are not supposed to give them the secrets as to how we went about constructing that vast machinery, not only on the Columbia River but on the Tennessee and in New Mexico, which enabled us to produce the atomic bomb.

We are not supposed to give them the secrets of how we produced the electric fuse or how we produced all our vast airplane equipments.

Let us keep the secrets of the production of the atomic bomb, as well as the supply we have and the machinery to make more. Let us keep the strongest air force on earth, as well as the strongest navy; then, if the international conference does collapse, as a result of communistic pressure from the other side, then let us look after America.

#### GENERAL PATTON

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, I wondered how long it would take the gentleman from Mississippi to get around to taking a position upon the present controversy raging around one of his favorite generals, General Patton. I see that General Eisenhower has had to step into that situation. Although we hoped that he had straightened General Patton out, the Associated Press has just reported that Patton has been relieved of his command and transferred to other duties. We all hope Patton will now begin to do the kind of job that we know from his high military performance he can be capable of when he devotes his whole mind to a subject. The subject America wants attended to first in Germany is rooting out the Nazis.

#### ATOMIC BOMB

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. SUMNERS of Texas addressed the House. His remarks appear in the Appendix.]

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, for the information of the gentleman from Mississippi [Mr. RANKIN] and other Members I wish to say that the Committee on Rules reported House Joint Resolution 83, providing for the creation of a joint committee of the House of Representatives and the Senate of the United States to study and investigate the control of the atomic bomb. The Committee on Rules agreed to an amendment of that resolution to increase the membership of the proposed committee to consist of 12 members, 6 from the House and 6 from the Senate. My committee made a favorable report on the resolution in the hope and expectation that the committee which will be appointed will make a thorough study of the atomic energy as disclosed by the development and use of the atomic bomb. I hope that until the investigation is completed and a report is made by the proposed investigating committee that the gentleman from Mississippi will desist from charging that Communists, upon whom he loves to unload and charge with being responsible for every inconceivable activity, as he has in this instance, as making the request for divulging to the world the secrets of atomic energy. The fact is that many recognized inventors and outstanding inventors have also advocated open disclosure to the world. It is my opinion that more Fascists in the United States advocate the revealing of the secrets of atomic energy than do the imaginary Communists in the mind of the gentleman from Mississippi.

The Committee on Rules, believing that the matter is of vast importance to the future welfare of our country and to a permanent world peace, reported the resolution favorably. I wish to assure the House that I will endeavor to obtain its favorable consideration by the House as soon as possible, which, I hope, will be within a few days.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BARDEN. Mr. Speaker, right in line with the remarks of the gentleman from Illinois, may I say that while we are discussing the atomic bomb so much some of us might reflect and remember the time when there was such controversy over turning over helium gas to Germany. That was in the calm days when many on this floor and in the department were advocating that we turn this over to Germany. That did not work out so well.

Mr. RANKIN. That was also while the Reds in this country were sending scrap iron and oil to Japan.

Mr. SABATH. I opposed that situation at that time as much as any Member.

#### CONSENT CALENDAR

The SPEAKER. The Clerk will call the first bill on the Consent Calendar.

#### REVISION OF TITLE 18, UNITED STATES CODE

The Clerk called the bill (H. R. 2200) to revise, codify, and enact into positive law title 18 of the United States Code, entitled "Crimes and Criminal Procedure."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, due to the fact that a rule has been granted on this bill, I object to its consideration on the Consent Calendar.

#### COMPLIANCE WITH STATE INSPECTION LAWS

The Clerk called the bill (H. R. 3231) to provide that the several States shall continue effective measures of control and protection against the importation, introduction, and spread of noxious weeds, injurious insects, and animal and plant diseases, and to guarantee that purchasers or recipients of seeds, livestock, and poultry feeds, nursery stocks, fertilizers, and other agricultural chemicals shall have the protection guaranteed them under the laws enacted by the several States.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

#### SCHOOL-LUNCH PROGRAMS

The Clerk called the bill (H. R. 3370) to provide assistance to the States in the establishment, maintenance, operation, and expansion of school-lunch programs, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I make the point of order against the bill that it is not properly on the Consent Calendar. The record indicates that objection was registered to consideration of the bill on July 3, and also on September 18, which would indicate that if the rules governing the Consent Calendar are observed sufficient objection has been registered so that it is not eligible for consideration or for continuance on the Calendar.

The SPEAKER. The Chair would have to see whether or not there were three objections. If there were three objections, of course the bill is not eligible for consideration on the calendar.

Mr. COLE of New York. It is my recollection that there were not three objections. I raise the point at this time only to call to the attention of those who are in charge of keeping this calendar accurate that some mistake has been made, because a mistake has occurred not



only on this bill but on one or two others that will be called in the future. However, in order to remove any doubt, Mr. Speaker, I object to the present consideration of this bill.

Mr. MASON. I object, Mr. Speaker.

Mr. CUNNINGHAM. I object, Mr. Speaker.

The SPEAKER. Three objections have been heard. The bill is stricken from the Consent Calendar.

#### UNITED STATES NAVAL ACADEMY

The Clerk called the bill (H. R. 319) to increase the number of midshipmen allowed at the United States Naval Academy from the District of Columbia.

Mr. VINSON. Mr. Speaker, I ask unanimous consent that the bill be re-committed to the Committee on Naval Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### SETTLEMENT OF RETURNING VETERANS ON FARMS

Mr. COCHRAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COCHRAN. Mr. Speaker, I did not hear the Clerk call Calendar No. 144, the bill (H. R. 520) to facilitate settlement of returning veterans on farms in projects constructed, operated, and maintained by the Bureau of Reclamation.

The SPEAKER. That bill is erroneously on the calendar. It was passed on September 19 under a rule.

#### DEFENSE HIGHWAY ACT

The Clerk called the bill (H. R. 2840) to amend section 6 of the Defense Highway Act of 1941, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, this is a bill of such importance that it should not be considered on the Consent Calendar. Therefore, I object.

#### INVESTIGATION AND CONTROL OF ATOMIC BOMB

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Con. Res. 83, Rept. No. 1036), which was referred to the House Calendar and ordered to be printed:

*Resolved by the House of Representatives (the Senate concurring), That there is hereby created a joint committee for the purposes of making a full and complete study and investigation with respect to the control of the atomic bomb, to be composed of five Members of the Senate (but not more than three of whom shall be members of the majority party), to be appointed by the President pro tempore, and five Members of the House of Representatives (but not more than three of whom shall be members of the majority party), to be appointed by the Speaker of the House of Representatives. The joint committee shall select a chairman and a vice chairman from among its members. Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee and shall be filled in the same manner as in the case of the original selection.*

SEC. 2. The joint committee shall make a full and complete study and investigation

with respect to the control of the atomic bomb with a view of assisting the Congress in dealing with the problems presented by its development and control, and shall report to the Senate and House of Representatives, at the earliest practical date, the results of its study and investigation, together with such recommendations as it deems advisable.

SEC. 3. The joint committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress; to employ such experts, consultants, clerical, stenographic, and other assistance whose compensation shall not exceed that prescribed under the Compensation Act of 1923, as amended, for comparable duties; to require by subpoena, or otherwise, the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to administer such oaths; to take such testimony; and to make such expenditures as it deems advisable. The expenses of the joint committee, which shall not exceed \$50,000, shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers approved by the chairman of the joint committee.

#### CONSENT CALENDAR

##### COOPERATION WITH STATE AGENCIES IN ADMINISTRATION OF LABOR LAWS

The Clerk called the bill (H. R. 525) to provide for cooperation with State agencies administering labor laws in establishing and maintaining safe and proper working conditions in industry and in the preparation, promulgation, and enforcement of regulations to control industrial health hazards.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, this is another bill which the record indicates has two previous objections registered against its consideration, which would indicate it is also not eligible for consideration at this time. Therefore, as in the other case, in order to remove any doubt and to make unnecessary references to the record, I object to its consideration at the present time.

Mr. MILLER of Nebraska. Mr. Speaker, I object to its consideration.

Mr. KEAN. I object.

##### JURISDICTION OF CLAIMS UNDER TARIFF ACT OF 1922

The Clerk called the bill (H. R. 3437) conferring jurisdiction upon the Court of Claims of the United States to consider certain claims arising after January 1, 1926, out of the Tariff Act of 1922.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KEAN, Mr. COLE of New York, and Mr. CUNNINGHAM objected.

##### USE OF SURPLUS MATERIALS IN SOIL- AND WATER-CONSERVATION WORK

The Clerk called the bill (H. R. 538) to empower the Secretary of Agriculture to requisition certain material, equipment, and supplies not needed for the prosecution of the war and for the national defense and to use such material, equipment, and supplies in soil- and water-conservation work and to distribute such material, equipment, and supplies by grant or loan to public bodies, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, this bill if enacted into law would cut out the heart of the Surplus Property Act. It would give the Secretary of Agriculture regardless of existing law the power to requisition material, equipment, and supplies not needed for the prosecution of the war and for the national defense and to use such material, equipment, and supplies in soil and water conservation work and to distribute such material, equipment, and supplies by grant or loan to public bodies. This means that it would enable the Secretary of Agriculture to take over all the trucks, bulldozers, tractors, and other mechanical equipment regardless of the value thereof and give it away because when you loan such property it remains in the hands of the borrower until it is absolutely useless.

This House by a large majority provided in the Surplus Property Act that no surplus property of value could be given away and that even a Government agency would be required to purchase such surplus property as it needed within its appropriation. Therefore, Mr. Speaker, I object to the consideration of the bill.

Mr. COLE of New York. Mr. Speaker, I object.

Mr. KEAN. Mr. Speaker, I object.

##### CHIEFS OF BUREAUS IN NAVY DEPARTMENT

The Clerk called the bill (H. R. 1862) relating to the rank of chiefs of bureaus in the Navy Department, and for other purposes.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

##### UNITED NATIONS AGREEMENT

The Clerk called the joint resolution (H. J. Res. 204) requesting the President to use his good offices to the end that the United Nations invite Italy to be a signatory to the United Nations agreement.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the bill be stricken from the calendar.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

##### UNITED STATES MILITARY ACADEMY

The Clerk called the bill (H. R. 320) amending the act entitled "An act to authorize an increase of the number of cadets at the United States Military Academy and to provide for maintaining the Corps of Cadets at authorized strength," approved June 30, 1942 (57 Stat. 306).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. TARVER. Mr. Speaker, reserving the right to object, this is a companion bill to No. 159 on the calendar relating to the proposed increase in the number of midshipmen at the Naval Academy from the District of Columbia. This provides for a similar increase in the

number of cadets at the West Point Academy from the District of Columbia. The chairman of the Committee on Naval Affairs has just secured unanimous consent for the recommittal of the bill affecting midshipmen to the Committee on Naval Affairs. I think it is apparent that whatever legislation on this subject is passed should be fairly comparable as between the provisions made for the Naval Academy and those made for West Point. I think it would be appropriate that this bill should be committed also to the committee having jurisdiction, in this case the Committee on Military Affairs. Therefore, Mr. Speaker, I ask unanimous consent that this bill be recommitted to the Committee on Military Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. SPARKMAN. Mr. Speaker, reserving the right to object, the request made on the other bill was made by the chairman of the Committee on Naval Affairs. Our committee has never discussed any such motion as this. The committee reported out the bill, and I do not believe it would be exactly the right thing to do to take this action now. Therefore if the gentleman insists, I must object.

Mr. TARVER. Mr. Speaker, then I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

#### RELEASE OF CONSCIENTIOUS OBJECTORS

The Clerk called the bill (H. R. 3772) to prevent a point system for the release of conscientious objectors performing assigned work under civilian direction pursuant to section 5 (g) of the Selective Training and Service Act of 1940, as amended, from being put into effect.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, this bill is of a nature which should not be adopted by unanimous consent, and I therefore object.

Mr. JUDD. Mr. Speaker, I object.

#### EQUAL-RIGHTS AMENDMENT TO THE CONSTITUTION

The Clerk called the next business, House Joint Resolution 49, proposing an equal-rights amendment to the Constitution.

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

Mr. BIEMILLER, Mr. GALLAGHER, and Mrs. DOUGLAS of California objected; and the bill was stricken from the Calendar.

#### ERADICATION OF MEDITERRANEAN FRUITFLY IN THE STATE OF FLORIDA

The Clerk called the bill (H. R. 3760) for the relief of certain claimants who suffered losses and sustained damages as the result of the campaign carried out by the Federal Government for the eradication of the Mediterranean fruitfly in the State of Florida.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, when this bill was called the last time on the Consent Calendar, I explained some of the background concerning the measure. I would refer those who are interested in the bill now to those comments. While the bill does not expressly authorize the expenditure of \$10,000,000, the report indicates that the cost would be approximately that amount.

Therefore, it obviously should not be considered by unanimous consent, and I object to its consideration.

#### ADDITIONAL JUDGE FOR THE DISTRICT OF KANSAS

The Clerk called the bill (H. R. 3871) authorizing the appointment of an additional judge for the district of Kansas.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the President of the United States, by and with the advice and consent of the Senate, shall appoint an additional judge of the district court of the United States for the judicial district of the State of Kansas, who shall possess the same powers, perform the same duties, and receive the same compensation and allowance as the present judge of said district.

SEC. 2. That whenever a vacancy shall occur in the office of the district judge for the district of Kansas, by the retirement, disqualification, or death of the judge senior in commission, such vacancy shall not be filled, and thereafter there shall be but one district judge in said district.

With the following committee amendment:

Page 2, line 1, strike out "the judge senior in commission" and insert "any judge."

Mr. SCRIVNER. Mr. Speaker, I offer an amendment to the committee amendment, to strike out the word "any" and insert the word "either."

Mr. WALTER. Mr. Speaker, I think that is clearly a typographical error. It should be "either." I ask unanimous consent that the committee amendment be corrected so as to read "either" instead of "any."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

(Mr. CARLSON asked and was granted permission to extend his remarks at this point.)

Mr. CARLSON. Mr. Speaker, the enactment of the preceding bill does not create a new permanent court in Kansas, but it does create a temporary judge. Kansas is the only State in the Union with a 1940 population of more than 1,800,000 which has but one United States district judge. This Federal court is ably presided over by Hon. Guy T. Helvering. All States in the Union with a 1940 population of 850,000 or more have two or more judges, except Colorado, 1,123,296, and Kansas, 1,861,028. The average population per United States judge in the 84 court districts in the United States is 735,988.

I want to state that Missouri with a population of twice as much as Kansas

has 6 judges; Oklahoma with a population of 500,000 more than Kansas has 5 judges; Arkansas with a population of 148,000 more than Kansas has 3 judges; Nebraska with a population of 500,000 less has 2 judges.

In the period from July 1, 1944, to December 31, 1944, 40,308 criminal and civil cases were commenced in 84 districts presided over by 178 judges, or an average of 226 cases per judge. In Kansas 478 criminal and civil cases were filed in the same period with one judge.

Information from the clerk of the court advises me that Judge Helvering disposed of 491 cases in the fiscal year ending June 30, 1945. This is considerably more than the average of 226 cases for the entire Nation.

#### RENEWAL OF CERTAIN TRADE-MARK REGISTRATIONS

The Clerk called the bill (H. R. 3424) to permit renewal of certain trade-mark registrations after expiry thereof, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That whenever the President shall find that foreign proprietors of trade-marks registered in the United States Patent Office who are nationals of countries which accord substantially equally treatment in this respect to trade-mark proprietors who are citizens of the United States are or may have been temporarily unable to comply with the conditions and formalities prescribed with respect to renewal of such registrations by section 12 of an act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same, approved February 20, 1905, as amended (15 U. S. C. 92), because of the disruption or suspension of facilities essential for such compliance, he may by proclamation grant such extension of time as he may deem appropriate for the fulfillment of such conditions or formalities by such foreign proprietors: *Provided*, That the President may at any time terminate any proclamation authorized herein or any part thereof or suspend or extend its operation for such period or periods of time as in his judgment the interests of the United States may require.

With the following committee amendments:

Page 2, line 5, after the word "compliance", insert "because of conditions growing out of World War II"; page 2, line 13, insert "Provided further, That no such extension of time shall permit the filing of applications more than 3 years after the approval of this act."

The committee amendments were agreed to.

Mr. LANHAM. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: On page 1, line 6, strike out the word "equally" and insert the word "equal."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EXCHANGE OF CERTAIN LANDS IN THE VICINITY OF THE WAR DEPARTMENT PENTAGON BUILDING

The Clerk called the bill (S. 888) to authorize the exchange of certain lands



in the vicinity of the War Department Pentagon Building in Arlington, Va.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized, under such terms and conditions as he may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land located within the boundaries of the War Department Pentagon grounds in Arlington, Va., aggregating four and three hundred and twenty-five one-thousandths acres, more or less; that the Federal Works Administrator be, and he is hereby authorized, under such terms and conditions as he may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land, aggregating one hundred and fifty-nine one-thousandths acre, more or less, immediately adjacent to the above described parcel of land, and that the Commissioners of the District of Columbia be, and they are hereby, authorized, under such terms and conditions as they may prescribe, to convey to the Rosslyn Connecting Railroad Company, its successors and/or assigns, all right, title, and interest of the United States of America in and to a parcel of land, aggregating seven hundred and ninety-four ten-thousandths acre, more or less, being a portion of the abandoned approach to the Highway Bridge, otherwise known as the Fourteenth Street Bridge (United States Highway Numbered 1), immediately adjacent to the next above-described parcel of land, and that in exchange therefor, the United States of America accept all right, title, and interest of the Rosslyn Connecting Railroad Company in twelve and two hundred and twenty-five one-thousandths acres of land, more or less, situate in the same vicinity.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### THE HARRY L. ENGLEBRIGHT DAM

The Clerk called the bill (H. R. 3870) to name the dam at the Upper Narrows site on the Yuba River, in the State of California, "The Harry L. Englebright Dam."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I am not going to object, I want to express my appreciation of my good friend, the chairman of the committee, and members of the Committee on Rivers and Harbors in reporting out this bill naming a dam after one of our former members, the late Harry L. Englebright.

It is eminently appropriate that one of our public works should be named after the distinguished native son of the West and a man who gave the best years of his life for its progress.

It was my privilege to enjoy for many years the close friendship of Harry Englebright. As Republican whip we were brought together and I came to love and admire him for his rugged Americanism and his devotion to the public service. He loved the West; he knew the problems of the West and at the same time he was devoted to the welfare of this country. He was a fearless, faithful public servant. His death came at an early date because of his devotion to public service. Several

days before he died he came to my office. It was evident he was in poor health and I tried to dissuade him from further work. I advised him to go home and take care of himself; but those were strenuous days and he insisted upon completing an important assignment and that precipitated his death. So it can be honestly said he died for his country just as truly as any man who died in the field of battle.

This is only a small tribute but it will ever keep green the memory of a fine Christian gentleman; an able conscientious public servant and a great American. The country honors itself in honoring a man like Harry Englebright.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the dam constructed under the supervision of the Chief of Engineers, United States Army, at the Upper Narrows site on the Yuba River, in the State of California, and known as the "Englebright Dam," shall hereafter be known and designated as the "Harry L. Englebright Dam." Any law, regulation, document, or record of the United States in which such dam is designated or referred to under the name of "Englebright Dam" shall be held to refer to such dam under and by the name of "Harry L. Englebright Dam."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CORRECTING ERROR IN SECTION 342 (B) (8) NATIONALITY ACT, 1940

The Clerk called the bill (H. R. 3087) to correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 342 (b) (8) of the Nationality Act of 1940, as amended (U. S. C., 1940 ed., Supp. IV, title 8, sec. 742 (b) (8)), is amended by striking out "maximum fee of 50 cents" and inserting in lieu thereof "minimum fee of 50 cents."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### REIMBURSEMENT FOR PROPERTY LOSS OF NAVAL PERSONNEL

The Clerk called 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.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, in view of the fact that the report accompanying this bill does not comply with the rules of the House, in particular, rule 13, part 2 (a) I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### ACCEPTANCE OF CERTAIN REAL ESTATE IN POLK COUNTY, ARK.

The Clerk called the bill (H. R. 2677) to authorize the Federal Works Administrator to accept and dispose of real estate devised to the United States by the late Maggie Johnson, of Polk County, Ark., and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Federal Works Administrator be, and he is hereby, authorized and directed to accept on behalf of the United States the real estate devised to the United States by the late Maggie Johnson, of Polk County, Ark., and to deal with the same in the manner provided by the act of August 27, 1935 (49 Stat. 885; U. S. C., title 40, sec. 304a and the following), or the act of August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345b): *Provided*, That prior to disposition under authority of the aforesaid act, the Federal Works Administrator may offer to convey to James W. Rose, of Polk County, Ark., such real estate at one-half the appraised value thereof and execute in the name of the United States a quitclaim deed to the property.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### AUTHORIZING ADDITIONAL SECRETARIES, DEPARTMENT OF LABOR

The Clerk called the bill (H. R. 3864) to establish the Office of Under Secretary of Labor, and three offices of Assistant Secretary of Labor, and to abolish the existing office of Assistant Secretary of Labor and the existing office of Second Assistant Secretary of Labor.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, as indicated by the title, the bill authorizes two additional under or assistant secretaries of a department of the Government, a subject of too great importance to be considered by unanimous consent.

I therefore object.

#### REIMBURSEMENT FOR FIRE DAMAGE AT HARROWBEER AIRPORT, YELVERTON, SOUTH DEVON, ENGLAND

The Clerk called 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.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That 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.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### REIMBURSEMENT OF NAVAL PERSONNEL FOR FIRE DAMAGE

The Clerk called 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.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That 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.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### REIMBURSEMENT OF NAVY PERSONNEL FOR FIRE LOSS AT BUNKER HILL, IND.

The Clerk called 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.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That 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.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### REIMBURSEMENT OF NAVY PERSONNEL FOR FIRE LOSS AT NORFOLK, VA.

The Clerk called 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.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That 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 \$1,049.18, 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.

With the following committee amendment:

Page 1, line 6, strike out "\$1,049.18" and insert in lieu thereof "\$2,216.78."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PROVIDING NAVY WITH A SYSTEM OF LAWS FOR SETTLEMENT OF CLAIMS

The Clerk called the bill (H. R. 3759) providing the Navy with a system of laws for the settlement of claims uniform with that of the Army.

Mr. COLE of New York. Mr. Speaker, in view of the fact that the report accompanying this bill does not clearly set

forth the changes made in existing law, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### TERMS OF THE DISTRICT COURT OF CONNECTICUT

The Clerk called the bill (H. R. 4100) to amend section 74 of the Judicial Code, as amended, to change the terms of the District Court for the District of Connecticut.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 74 of the Judicial Code, as amended, is hereby amended to read as follows:

"The State of Connecticut shall constitute one judicial district to be known as the district of Connecticut. Terms of the district court shall be held at New Haven on the second Tuesday in February and the third Tuesday in September; and at Hartford on the second Tuesday in May and the first Tuesday in December."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, that completes the call of the bills on the Consent Calendar.

#### THE PRIVATE CALENDAR

The SPEAKER. The Clerk will call the bills on the Private Calendar.

#### RELIEF OF SETTLERS ON THE INTERNATIONAL STRIP AT NOGALES, ARIZ.

The Clerk called the bill (S. 69) for relief of settlers on the International Strip at Nogales, Ariz.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER and Mr. SPRINGER objected and, under the rule, the bill was recommitted to the Committee on Claims.

#### REVERE SUGAR REFINERY

The Clerk called the bill (H. R. 1955) for the relief of the Revere Sugar Refinery.

Mr. MCGREGOR. Mr. Speaker, owing to the amount of money involved and the precedent we are establishing, I ask that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### SAUNDERS MEMORIAL HOSPITAL

The Clerk called the bill (S. 693) for the relief of the Saunders Memorial Hospital.

Mr. SPRINGER. Mr. Speaker, by reason of the importance of this bill and the matters it involves, I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### ESTATE OF GEORGE O'HARA

The Clerk called the bill (S. 90) for the relief of the estate of George O'Hara.



There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$7,882.97 to the estate of George O'Hara, in full settlement of all claims against the United States for the death of the said George O'Hara, late of Forest City, Ill., who was killed as the result of a collision with a United States Army truck between Manito and Forest City, Ill., 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 the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. MCGREGOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCGREGOR: Page 1, line 5, strike out "\$7,882.97" and insert "\$5,382.97."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WIDOW OF JOSEPH C. AKIN

The Clerk called the bill (S. 620) for the relief of the widow of Joseph C. Akin.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Joseph C. Akin, of Dolores, Montezuma County, Colo., widow of Joseph C. Akin, who, while in the discharge of his duty as a deputy United States marshal, was killed by a band of renegade Ute Indians while he was attempting to arrest one Tse-Ne-Gat, a Ute Indian charged with murder, on the 21st day of February 1915, the sum of \$3,905, in addition to the sum paid to her under the act of March 1, 1921, on account of the murder of her said husband while in the regular discharge of his duties in the service of the Government of the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Mr. DOLLIVER. Mr. Speaker, I offer an amendment.

The clerk read as follows:

Amendment offered by Mr. DOLLIVER: Page 2, line 1, strike out "\$3,905" and insert "\$1,000."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RELIEF OF CERTAIN CLAIMANTS WHO SUFFERED LOSS BY FLOOD IN, AT, OR NEAR BEAN LAKE, MO.

The Clerk called the bill (H. R. 3574) for the relief of certain claimants who suffered loss by flood in, at, or near Bean Lake in Platte County, in the State of Missouri, during the month of March 1934.

Mr. SPRINGER. Mr. Speaker, I ask that this bill be referred back to the Committee on Claims for further consideration.

The SPEAKER pro tempore (Mr. RAMSPECK). Is there objection to the request of the gentleman from Indiana?

There was no objection.

#### DR. ERNEST H. STARK

The Clerk called the bill (H. R. 239) for the relief of Dr. Ernest H. Stark.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. Ernest H. Stark, Paris, Tex., the sum of \$98. Such sum represents payment for services rendered the United States during the calendar year 1942 by the said Dr. Ernest H. Stark in making physical examinations of prospective employees for positions with the United States engineer suboffice, Paris, Tex. Such medical services were rendered pursuant to the terms of a contract with the United States engineer office, Denison, Tex., but payment under such contract was disallowed by the Comptroller General of the United States on the ground that such contract had been entered into without authority of law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DR. JAMES M. HOOKS

The Clerk called the bill (H. R. 240) for the relief of Dr. James M. Hooks.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. James M. Hooks, Paris, Tex., the sum of \$766. Such sum represents payment for services rendered the United States during the calendar year 1942 by the said Dr. James M. Hooks in making physical examinations of prospective employees for positions with the United States engineer suboffice, Paris, Tex. Such medical services were rendered pursuant to the terms of a contract with the United States engineer office, Denison, Tex., but payment under such contract was disallowed by the Comptroller General of the United States on the ground that such contract had been entered into without authority of law.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### QUITCLAIM TO CHANSLOR-CANFIELD MIDWAY OIL CO. OF CERTAIN SUBSURFACE MINERAL RIGHTS

The Clerk called the bill (H. R. 1236) to authorize the Secretary of War to quitclaim to Chanslor-Canfield Midway Oil Co. subsurface mineral and water

rights in 211.36 acres of land in the county of Los Angeles, Calif.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of War is authorized and directed to convey by quitclaim deed to Chanslor-Canfield Midway Oil Co., a corporation, all subsurface mineral and water rights existing in and under that certain tract of land consisting of approximately 211.36 acres described in that certain deed dated February 17, 1943, recorded June 9, 1943, in book 20047 at page 238 of Official Records of the county of Los Angeles, State of California, whereby the Chanslor-Canfield Midway Oil Co. donated said land to the United States of America, such quitclaim deed to provide, however, that the grantee, its successors and assigns, shall have no right to enter upon, or use the surface of said premises for the development, extraction, and removal of the minerals or water thereunder, or for any other purpose or purposes.

With the following committee amendments:

Page 1, line 4, after the comma insert "gratuitously, upon such terms and conditions as he may prescribe."

Page 1, line 6, insert "its successors and assigns."

Page 1, line 7, strike out the words "and water."

Page 2, line 3, strike out "17" and insert "27."

Page 2, line 11, strike out the words "or water."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### OLIVER JENSEN

The Clerk called the bill (S. 787) for the relief of Oliver Jensen.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oliver 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 a 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 excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. MARGARET MCWILLIAMS

The Clerk called the bill (H. R. 1090) for the relief of Mrs. Margaret McWilliams.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

JOSEPHINE BENHAM

The Clerk called the bill (H. R. 1457) for the relief of Josephine Benham.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Josephine Benham, of Springfield, Ohio, the sum of \$426.18 for damage to personal property and to compensate her for medical expenses incurred, plus \$5,000 for pain and suffering, in full settlement of all claims against the United States for personal injuries and personal property damage suffered as a result of being struck by a United States mail truck at about 10:20 antemeridian on December 18, 1943, while the driver of said truck was in the performance of his duty in connection with the pick-up and delivery of the United States mail: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the words "sum of", strike out the bill down to "*Provided*" on page 2 and insert in lieu thereof "\$1,300, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, and property damage sustained as a result of being struck by a United States post office truck in Springfield, Ohio, on December 18, 1943."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MYRTLE RUTH OSBORNE, MARION WALTS, AND JESSIE A. WALTS

The Clerk called the bill (H. R. 1636) for the relief of Myrtle Ruth Osborne, Marion Walts, and Jessie A. Walts.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Myrtle Ruth Osborne, widow of Levi Osborne, deceased, the sum of \$9,000; to Marion Walts and Jessie A. Walts, father and mother of Beverly Gale Walts, deceased, the sum of \$2,000; to pay to Marion Walts \$1,500, and to Jessie A. Walts the sum of \$2,500, all of Louisville, Ky., in full settlement of all claims against the United States for the death of Levi Osborne and Beverly Gale Walts, and for injuries sustained by Myrtle Ruth Osborne, Marion Walts, and Jessie A. Walts, as the result of a collision between the automobile in which they were riding and a United States Army truck on State Highway No. 60, near Grahampton Bridge, in Meade County, Ky., on November 6, 1943: *Provided*, That no

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

With the following committee amendments:

Page 1, line 7, strike out "\$9,000" and insert "\$7,000."

Page 1, line 9, strike out "\$1,500" and insert "\$1,000."

Page 2, line 1, strike out "\$2,500" and insert "\$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLORENTINE H. KEELER, HAROLD S. KEELER AND GENEVIEVE M. KEELER

The Clerk called the bill (H. R. 1961) for the relief of Florentine H. Keeler, Harold S. Keeler, and Genevieve M. Keeler.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$3,500 to Florentine H. Keeler; to pay the sum of \$17.50 to Harold S. Keeler, both of Arcadia, Calif.; and to pay the sum of \$1,166.90 to Genevieve M. Keeler, of Garvey, Calif., in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, loss of earnings, and property damage sustained as the result of an airplane crash at Huntington Beach, Calif., on June 27, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "\$3,500" and insert "\$3,000."

Page 1, line 8, strike out "\$1,166.90" and insert "\$1,070.90."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time was read the third time, and passed, and a motion to reconsider was laid on the table.

BARBARA JEAN TILLMAN AND OTHERS

The Clerk called the bill (H. R. 2166) for the relief of Barbara Jean Tillman and Elizabeth Ann Tillman, minor daughters of Franz Tillman, deceased.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the guardian of the property of Barbara Jean Tillman and Elizabeth Ann Tillman, Hot Springs, Ark.,

minor daughters of Franz Tillman, deceased, the sum of \$10,000. The payment of such sum shall be in full settlement of all claims against the United States by reason of the death of the said Franz Tillman, on October 7, 1943, as a result of a collision on such day, near Leesville, La., between the vehicle in which he was riding and a vehicle in the service of the Army of the United States.

With the following committee amendment:

Page 1, line 5, after the comma, strike out the balance of the page down to and including line 4, page 2, and insert "to the estate of Franz Tillman, deceased, the sum of \$5,000, in full settlement of all claims against the United States for the death of said Franz Tillman, who was killed in a collision of a civilian truck with an Army vehicle near Gandy, La., on October 7, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Franz Tillman, deceased."

J. CLYDE MARQUIS

The Clerk called the bill (H. R. 2172) for the relief of J. Clyde Marquis.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Clyde Marquis, a former employee of the Department of State, the sum of \$2,075.82, in full settlement of all claims against the United States to reimburse him for the expense incident to the return of his wife and personal effects from Rome, Italy, in 1941.

With the following committee amendment:

Page 1, line 10, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLORENCE ZIMMERMAN

The Clerk called the bill (H. R. 2241) for the relief of Florence Zimmerman.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for the employees of the



United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waived in favor of Florence Zimmerman, who is alleged to have sustained injuries to her back in the line of her duties on June 23, 1942, while employed in the Navy medical supply depot, Brooklyn, N. Y., and her claim for compensation is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if she files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

Sec. 2. The monthly compensation which the said Florence Zimmerman may be entitled to receive by reason of the enactment of this act shall commence on the first day of the month during which this act is enacted.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ALBERT E. SEVERNS

The Clerk called the bill (H. R. 2335) for the relief of Albert E. Severns.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert E. Severns, Seattle, Wash., the sum of \$3,500. The payment of such sum shall be in full settlement of all claims of the said Albert E. Severns against the United States on account of personal injuries only, which said Albert E. Severns sustained on June 19, 1943, when he was struck by a United States Army motor vehicle at the intersection of First Avenue South and Dearborn Street, Seattle, Wash.

With the following committee amendment:

Page 1, line 6, after the period, strike out the balance of the page down to and including the word "Washington" in line 2, page 2, and insert "in full settlement of all claims against the United States on account of personal injuries sustained by him on June 19, 1943, when he was struck by a United States Army command car near the intersection of First Avenue South and Railroad Avenue, in Seattle, Wash.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Page 1, line 6, strike out "\$3,500" and insert "\$3,000."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EDWARD WOOLF

The Clerk called the bill (H. R. 2362) for the relief of Edward Woolf.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward Woolf, Boston, Mass., the sum of \$2,000. The payment of such sum shall be in full settlement of all claims of the said Edward Woolf against the United States arising out of his being struck, on November 9, 1943, on Brattle Street, in Boston, Mass., by a vehicle in the service of the Army of the United States.

With the following committee amendment:

Page 1, line 6, strike out "\$2,000" and insert "\$1,500."

Page 2, line 1, after the colon, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### SAM KALAK

The Clerk called the bill (H. R. 2452) for the relief of Sam Kalak.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Kalak, San Diego, Calif., the sum of \$2,003.98. The payment of such sum shall be in full settlement of all claims of the said Sam Kalak against the United States for damage to his home in San Diego, Calif., caused by the crash of a United States Navy airplane on June 14, 1944.

With the following committee amendment:

Page 1, line 6, strike out "\$2,003.98" and insert "\$1,490.99."

Page 1, line 10, after the colon, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ESTATE OF ED EDMONDSON

The Clerk called the bill (H. R. 2481) for the relief of Ed Edmondson, deceased.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not

otherwise appropriated, to the administrator of the estate of Ed Edmondson, deceased, the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Ed Edmondson, who was fatally injured on September 11, 1943, when the automobile in which he was a passenger was struck by a United States Army truck on United States Highway No. 27, near Spring City, Tenn.

With the following committee amendment:

At the end of the bill insert the following section:

"Sec. 2. Before payment is made under this act, the administrator of the estate shall furnish the Secretary of the Treasury with certificate of cancellation of judgment against Cris Lee Gray in the circuit court of Rhea County, Dayton, Tenn., rendered on January 4, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ENSIGN ELMER H. BECKMANN

The Clerk called the bill (H. R. 2684) for the relief of Ensign Elmer H. Beckmann.

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

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 732, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$409.05 to reimburse Ensign Elmer H. Beckmann, United States Naval Reserve, for the value of personal property lost in the fire in the junior bachelor officers' quarters at the United States naval air station, Brunswick, Maine, on August 4, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 2684) was laid on the table.

JOHN R. JENNINGS

The Clerk called the bill (H. R. 3754) for the relief of John R. Jennings.

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

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that Senate bill 1265 be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. MCGREGOR. Reserving the right to object, Mr. Speaker, can the gentleman tell us if this bill is identical with the bill before us?

Mr. BARDEN. I am informed that it is.

Mr. MCGREGOR. As to the full amount?

The SPEAKER pro tempore. The Chair understands it is the same amount.

Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John R. Jennings, South Jacksonville, Fla., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims of the said John R. Jennings against the United States on account of personal injuries and damage to his automobile sustained on April 22, 1943, near Camp Blanding, Fla., when such automobile was struck by a United States Army vehicle: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 3754) was laid on the table.

JOHN AUGUST JOHNSON

The Clerk called the bill (H. R. 977) for the relief of John August Johnson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Court of Claims of the United States be, and it is hereby, given jurisdiction to hear and determine the claim of John August Johnson, of Rockford, Ill., and to render judgment against the United States in his favor for such compensation and damage as may be found to be justly due, if any, as compensation and damage sustained by reason of the destruction by fire on October 4, 1923, of the dwelling house located on the farm lands of John August Johnson, situated near Camp Grant, Ill., while said farm lands were occupied by the War Department.

Sec. 2. Said claim shall not be considered as barred because of any existing statute of limitations with respect to suits against the United States: *Provided,* That suit is brought within 1 year of the approval of this act.

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

time, and passed, and a motion to reconsider was laid on the table.

CANDLER COBB

The Clerk called the bill (H. R. 1781) for the relief of Candler Cobb.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Candler Cobb, New York, N. Y., the sum of \$506.10. The payment of such sum shall reimburse the said Candler Cobb for the expenditure of a like amount in payment of hospital and nurses' bills incurred in connection with an emergency operation undergone by him during May 1943, while a member of the United States Army.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEANNETTE C. JONES AND MINOR CHILDREN

The Clerk called the bill (H. R. 1784) for the relief of Jeannette C. Jones and minor children.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MARDEN CONSTRUCTION CO., INC.

The Clerk called the bill (H. R. 3674) for the relief of the Marden Construction Co., Inc.

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

Mr. SPRINGER and Mr. DOLLIVER objected; and, under the rule, the bill was recommitted to the Committee on Claims.

ERNEST L. FUHRMANN

The Clerk called the bill (S. 711) for the relief of Ernest L. Fuhrmann.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ernest L. Fuhrmann, of Bogalusa, La., the sum of \$5,000, in full satisfaction of his claims against the United States (1) for compensation for personal injuries sustained by him when he was struck by a block of ice thrown from a moving troop train at Elton, Miss., on May 24, 1943; and (2) for reimbursement of medical, hospital, and other 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELLIS DUKE

The Clerk called the bill (H. R. 3095) for the relief of Ellis Duke, also known as Elias Duke.

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

Mr. SPRINGER and Mr. MCGREGOR objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MYRTLE C. RADABAUGH

The Clerk called the bill (H. R. 3987) for the relief of Myrtle C. Radabaugh.

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

Mr. DOLLIVER and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

ROBERT A. HUDSON

The Clerk called the bill (H. R. 4018) for the relief of Robert A. Hudson.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Robert A. Hudson, the sum of \$116.79 for reimbursement of expenses incurred in the repair of a Cadillac sedan car owned by Robert A. Hudson, which was damaged by a Government truck December 1, 1941, at Xenia, Ohio.

With the following committee amendments:

Page 1, line 5, after the comma, insert "of Xenia, Ohio."

Line 6, after "the sum of \$116.79", insert the words "in full settlement of all claims against the United States."

Line 9, strike out the words "Government truck" and insert "United States Army vehicle."

On page 2, insert: "*Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

H. B. NELSON CONSTRUCTION CO.

The Clerk called the bill (H. R. 4048) to provide for an appeal to the Supreme Court of the United States from the decisions of the Court of Claims in two suits instituted by H. B. Nelson, doing business as the H. B. Nelson Construction Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That Margaret S. Nelson, as executrix of the last will and testament of H. B. Nelson (doing business as the H. B. Nelson Construction Co.), may, at any time within 6 months after the date of the enactment of this act, appeal as of right to the Supreme Court of the United States from



the judgments of the Court of Claims of the United States in the suits Nos. 43574-A and 43574-B, respectively, heretofore instituted in the Court of Claims by said H. B. Nelson, and jurisdiction is hereby conferred upon the Supreme Court to consider and determine on such appeal all questions of law and fact upon the merits, and render judgment against the United States for the amount of any and all losses and/or damages suffered by said H. B. Nelson in justice and equity and without regard to technical bars, because of extra work and/or differences in conditions from those contemplated or misrepresentations or concealments of conditions or breaches of warranty, or arising otherwise howsoever prior to or during or subsequent to the performance of Government contracts Nos. NOY-2203 and 2248, dated June 19, 1934, and September 12, 1934: *Provided*, That said cases shall be determined separately upon the evidence and transcripts of the records heretofore agreed upon by the parties, approved and certified on November 27, 1940, by the Clerk of the Court of Claims to the Supreme Court of the United States. Any judgments rendered in favor of the claimant shall be paid in the same manner as other judgments of said Court of Claims are paid.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CARL BAUMANN

The Clerk called the bill (S. 451) for the relief of Carl Baumann.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Carl Baumann, captain, Quartermaster Corps, Army of the United States (Army serial No. O-278586), the sum of \$300, in full satisfaction of his claim against the United States for reimbursement of amounts collected from him in settlement of his liability for public funds which were lost or stolen from the subsistence warehouse building, Central Signal Corps School, Camp Crowder, Mo., on or about November 3, 1943, and for which he was accountable as mess and subsistence officer: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CAFFEY ROBERTSON-SMITH, INC.

The Clerk called the bill (S. 489) for the relief of Caffey Robertson-Smith, Inc.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER and Mr. MCGREGOR objected, and, under the rule, the bill was recommitted to the Committee on Claims.

#### LEE D. HOSELEY

The Clerk called the bill (S. 573) for the relief of Lee D. Hoseley.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DAN C. RODGERS

The Clerk called the bill (S. 694) for the relief of Dan C. Rodgers.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dan C. Rodgers, of Coquille, Ore., 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, Ore., 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.

Mr. MCGREGOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MCGREGOR: Page 1, line 6, strike out the sum "\$4,113" and insert "\$3,113."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### WILLIAM ANDREW EVANS

The Clerk called the bill (S. 729) for the relief of William Andrew Evans.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to 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 re-

ceived 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### EVERETT MCLENDON, SR., ET AL.

The Clerk called the bill (S. 762) 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.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated (1) 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### RAYMOND W. FORD

The Clerk called the bill (S. 857) for the relief of Raymond W. Ford.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be directed to pay, from any unappropriated money in the Treasury, the sum of \$97.25, in full payment of the claim of Raymond W. Ford for articles belonging to him lost by the Navy Department in the naval hospital at Seattle, Wash.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the

same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUGH EGAN

The Clerk called the bill (S. 909) for relief of Hugh Egan.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HENRY H. HUFFMAN AND MRS. MARIE J. HUFFMAN

The Clerk called the bill (S. 929) for the relief of Henry H. Huffman and Mrs. Marie J. Huffman.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LT. (JG) WILLIAM AUGUSTUS WHITE, U. S. N. R.

The Clerk called the next bill (S. 996) for the relief of Lt. (JG) William Augustus White, United States Naval Reserve.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$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.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MR. AND MRS. EDWARD P. STANDLEY

The Clerk called the bill (S. 1007) for the relief of Mr. and Mrs. Edward P. Standley.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to 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 bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. CATHERINE DRIGGERS AND HER MINOR CHILDREN

The Clerk called the bill (H. R. 801) for the relief of Mrs. Catherine Driggers and her minor children.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That sections 17 to 20, inclusive, of the act entitled, "An act to provide compensation for employees of the United States of America suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Mrs. Catherine Driggers and her minor children, and claim for compensation for the death of her husband, Haven L. Driggers, who died on February 7, 1943, as a result of injuries sustained by him while in the performance of his duties as second assistant engineer in the employ of the United States of America, is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if claim is filed with the United States Employees' Com-

pensation Commission not later than 60 days after the date of enactment of this act.

With the following committee amendments:

On page 1, line 3, strike out "17" and insert "15."

Page 1, line 10, after the word "Driggers", strike out the balance of line 10, all of line 11, and on page 2 all of line 1 down to and including the word "America" on line 2, and insert "alleged to have occurred on February 7, 1943, in the performance of his duties while he was serving as second assistant engineer on board a vessel under charter to the War Shipping Administration."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

L. WILMOTH HODGES

The Clerk called the bill (H. R. 874) for the relief of L. Wilmoth Hodges.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. Wilmoth Hodges, Dresden, Tenn., the sum of \$15,000. The payment of such sum shall be in full settlement of all claims of the said L. Wilmoth Hodges against the United States for damages for the personal injuries sustained by him, and the destruction of his personal property, on May 31, 1943, at the air base near Halls, Tenn., when an airplane in the service of the Army of the United States, in the course of landing, overshot the runway and crashed into the vehicle in which he was sitting.

With the following committee amendment:

On page 1, line 6, after the word "of", strike out the balance of line 6, all of lines 7, 8, 9, 10, and 11, and on page 2 lines 1 and 2, and insert "\$9,641.75, in full settlement of all claims against the United States for personal injuries, medical, hospital expenses, property damage, and loss of earnings as the result of an accident involving an Army plane crashing near Halls, Tenn., on May 31, 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NANNIE BASS

The Clerk called the bill (H. R. 875) for the relief of Nannie Bass.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nannie Bass, Halls, Tenn., the sum of \$10,000. The payment of such sum shall be in full settlement of all



claims of the said Nannie Bass against the United States on account of the death of her husband, the late Sam Bass, as a result of being struck, on August 20, 1944, in his own house by machine-gun bullets fired from an airplane in the service of the Army of the United States.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert "\$5,295."

Page 2, line 1, insert "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNIE M. LANNON

The Clerk called the bill (H. R. 1956) for the relief of Annie M. Lannon.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money not heretofore appropriated, to Annie M. Lannon the sum of \$137.64, an amount representing death payment based upon the wage record of her son, George T. Lannon, Jr.

With the following committee amendment:

Page 1, line 5, after the figures, strike out the balance of the line, all of line 6, and down to and including the word "Junior" and insert "of Jamaica Plain, Mass., in full settlement of all claims against the United States for social-security payment on account of the death of her son, George T. Lannon, Jr., who died on December 26, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF ALEXANDER MCLEAN,  
DECEASED

The Clerk called the bill (H. R. 2027) for the relief of the estate of Alexander McLean, deceased.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,639.55 to the estate of Alexander McLean, of Boston, Mass., in full settlement of all claims against the United States for the death of Alexander McLean, de-

ceased, as a result of being struck by a United States Navy vehicle, on Commercial Street, Boston, Mass., June 18, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 8, insert "and John W. Meyer, the driver of the Navy vehicle."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN J. GALL

The Clerk called the bill (H. R. 2160) for the relief of John J. Gall.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John J. Gall the sum of \$1,799.31. The payment of such sum shall be in full settlement of all claims against the United States on account of damage to the property and business of the said John J. Gall when the building located at 2137 State Highway No. 25, Rahway, N. J., leased by him and in which he conducted his said business, was damaged on November 5, 1943, by a United States Army motor vehicle: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$1,799.31" and insert "\$603.40."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES A. BRADY

The Clerk called the bill (H. R. 2310) for the relief of James A. Brady.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General is authorized and directed to allow credit in the account of James A. Brady, acting collector of internal revenue, tenth district of Ohio, in the sum of \$91,400, representing the value of certain special tax stamp coupons unissued and remaining in book No. 927, gaming devices for the fiscal year 1945, which have been unintentionally lost or destroyed by his office.

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

time, and passed, and a motion to reconsider was laid on the table.

HENRY P. KING AND G. B. MORGAN, SR.

The Clerk called the bill (H. R. 2332) for the relief of Henry P. King and G. B. Morgan, Sr.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to Henry P. King, of Roduco, N. C., to pay the sum of \$1,000 to G. B. Morgan, of Sunbury, N. C., in full settlement of all claims against the United States for personal injuries and medical expenses incident thereto as a result of a United States Navy tractor getting out of control and crashing into a State highway car in Gates County, N. C., on May 29, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 5, strike out "\$1,000" and insert "\$750."

Page 1, line 7, strike out "\$1,000" and insert "\$660."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARLETHIA ROSSER

The Clerk called the bill (H. R. 2399) for the relief of Arlethia Rosser.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Arlethia Rosser, 475 John Street, Northwest, apartment 268, Atlanta, Ga., the sum of \$1,000, in full settlement of all claims of the said Arlethia Rosser against the United States as a result of having suffered a bullet wound from the pistol of a military policeman of the United States Army on July 15, 1943, while he was performing his official duties.

With the following committee amendment:

*Be it enacted, etc.,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CAPT. WERNER HOLTZ

The Clerk called the bill H. R. 2479, for the relief of Capt. Werner Holtz.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Werner Holtz, Albany, N. Y., the sum of \$546.30. The payment of such sum shall be in full settlement of all claims of the said Capt. Werner Holtz against the United States for losses sustained as the result of personal injuries suffered by his wife and damage to his automobile when such automobile was struck near Hopkinsville, Ky., on September 1, 1943, by a United States Army truck.

With the following committee amendment:

"*Provided,* That no part of the amount appropriated in this act in excess of 10 per cent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any persons violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### HELEN ALTON

The Clerk called the bill (H. R. 2512) for the relief of Helen Alton.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That 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 \$13,678.82, in full settlement of all claims of the said Helen Alton against the United States on account of personal injuries and property damage sustained by her as a result of a collision between an automobile in which she was a passenger and United States Army truck numbered 4310509, on the 5th day of May 1944, on Pulaski Skyway, Jersey City, N. J.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the dollar sign strike out the bill down to the colon on page 2, line 1, and insert in lieu thereof "\$3,178.82 to Helen Alton; to pay the sum of \$4,199.75

to Edwin Alton, of Newark, N. J., in full settlement of all claims against the United States for personal injuries, medical, hospital, nursing expenses, and property damage sustained as the result of a collision between the car in which they were riding and a United States Army vehicle, on Pulaski Skyway, Jersey City, N. J., on May 5, 1944."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of Helen Alton and Edwin Alton."

#### JOHN G. JOHNSON

The Clerk called the bill (H. R. 2579) for the relief of John G. Johnson.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John G. Johnson, of Chicago, Ill., the sum of \$509.15, in full satisfaction of his claim against the United States for reimbursement of expenses incident to the packing, storage, and removal of his household goods from Washington, D. C., to Chicago, Ill., in connection with the change of his official station from Washington to Chicago: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, strike out "his claim" and insert "all claims."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

#### MRS. EVELYN JOHNSON

The Clerk called the bill (H. R. 2642) for the relief of Mrs. Evelyn Johnson.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Evelyn Johnson, of Chipley, Ga., unmarried widow of A. C. Johnson, deceased, the sum of \$10,000; in full satisfaction of all claims against the United States arising out of the homicide of the said A. C. Johnson, who was killed when the automobile in which he was driving was involved in a collision with a United States Army truck-trailer on Troup Factory Bridge over Long Cane Creek, on United States Highway No. 27 approximately 10 miles south of La Grange, Ga., on or about January 24, 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.

With the following committee amendments:

Page 1, line 7, strike out the figures "\$10,000" and insert in lieu thereof the figures "\$5,000."

Page 1, line 8, strike out "arising out of the homicide of the said A. C. Johnson," and insert in lieu thereof "as compensation for the death of the said A. C. Johnson."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### BEN GREENWOOD AND DOVIE GREENWOOD

The Clerk called the bill (H. R. 2686) for the relief of Ben Greenwood and Dovie Greenwood.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$5,000, to Ben Greenwood and Dovie Greenwood, of Nettleton, Miss., in full settlement of all claims against the United States for personal injuries sustained as a result of being struck by a United States Army vehicle, near Nettleton, Miss., on January 16, 1944: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out the figures "\$5,000" and insert in lieu thereof the figures "\$1,200."

Page 1, line 6, after the name "Greenwood and", insert "\$500 to."

Page 1, line 8, strike out "sustained as a result of being struck by a United States Army vehicle, near Nettleton, Miss., on January 16, 1944", and insert in lieu thereof "and losses sustained as the result of an accident involving an Army vehicle on United States Highway No. 45, near Nettleton, Miss., on March 16, 1944."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### I. H. BEASLEY

The Clerk called the bill (H. R. 2723) for the relief of I. H. Beasley.

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



There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to I. H. Beasley, Gallatin, Tenn., the sum of \$446. The payment of such sum shall be in full settlement of all claims of the said I. H. Beasley against the United States for property damage sustained on January 8, 1944, when the negligence of the driver of a United States Army truck caused an employee of the said I. H. Beasley to lose control of a truck owned by the said I. H. Beasley so that it struck a guardrail of a bridge on United States Highway 31E near Bethpage, Tenn., and overturned.

With the following committee amendments:

Line 6, strike out the figures "\$446", insert in lieu thereof the figures "\$296."

At the end of the bill add: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. STUART B. RILEY

The Clerk called the bill (H. R. 2810) for the relief of Mrs. Stuart B. Riley.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Stuart B. Riley, of North Attleboro, Mass., the sum of \$2,000, in full settlement of all claims against the United States for compensation for personal injuries sustained, and reimbursement of expenses incurred, and property damages to the automobile in which she was riding, belonging to her husband, Stuart B. Riley. The accident occurred on August 16, 1943, near the approach to the Bourne Bridge, along the south side of the Cape Cod Canal, near Bourne, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "\$2,000" and insert in lieu thereof the figures "\$1,141.17."

Page 1, line 8, beginning the word "compensation" strike out the bill through the name "Massachusetts" on page 2, line 2, and insert in lieu thereof "property damage and personal injuries sustained, and medical and hospital expenses incurred, as the result of

an accident which occurred on August 16, 1943, involving an Army truck and an Army searchlight power plant, near the approach to the Bourne Bridge, along the south side of the Cape Cod Canal, near Bourne, Mass."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### JAMES LYNCH

The Clerk called the bill (H. R. 2835) for the relief of James Lynch.

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

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Lynch, Syracuse, N. Y., the sum of \$10,764.60, in full satisfaction of his claim against the United States for payment of medical and hospital expenses and for compensation for personal injuries sustained by him as the result of being struck by a United States mail truck while crossing Erie Boulevard East, at the corner of South Warren Street, in the city of Syracuse, N. Y., on September 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.

With the following committee amendment:

Page 1, line 7, after the language "faction of", strike out the remainder of the line and strike out lines 8 and 9, and insert in lieu thereof "all claims against the United States for personal injuries, medical and hospital expenses as the result of being struck by."

The committee amendment was agreed to.

Mr. SPRINGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Page 1, line 6, strike out "\$10,764.60" and insert "\$8,764.60."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ANGELO GIANQUITTI AND GEORGE GIANQUITTI

The Clerk called the bill (H. R. 2836) for the relief of Angelo Gianquitti and George Gianquitti.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Angelo Gianquitti, of Syracuse, N. Y., the sum of \$1,032, and to George Gianquitti, of Syracuse, N. Y., the sum of \$2,992.25, in full settlement of all claims against the United States, arising out of a collision between a car owned and operated by George Gianquitti, and in which

Angelo Gianquitti was a passenger, and a car operated in connection with the Syracuse Army Air Base, on July 1, 1943, at the corner of Court and Wadsworth Streets in Syracuse, N. Y.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 8, strike out all after "United States" in line 8, and all of lines 9, 10, and 11, and page 2 strike out lines 1 and 2 down to and including "New York" and insert in lieu thereof "for personal injuries, medical and hospital expenses, and loss of income as the result of a collision between the car in which they were riding and a United States Army vehicle, on July 1, 1943, at the intersection of Court and Wadsworth Streets, Syracuse, N. Y."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### MRS. EVELYN MERRITT

The Clerk called the bill (H. R. 2927) for the relief of Mrs. Evelyn Merritt.

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent that this bill be referred back to the Committee on Claims for further consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

#### JOHN HAMES

The Clerk called the bill (H. R. 3011) for the relief of John Hames.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to John Hames, Vincennes, Ind., the sum of \$1,500. The payment of such sum shall be in full settlement of all claims of the said John Hames against the United States on account of the serious and permanent personal injury sustained by him on October 8, 1943, in Vincennes, Ind., when he was struck by an Army truck, one of a convoy from Fort Knox, Ky.

With the following committee amendments:

Page 1, line 6, strike out "\$1,500" and insert "\$750."

Page 1, line 11, after the word "Kentucky", insert a colon and the following: "Provided, That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time; was read the third time and passed, and a motion to reconsider laid on the table.

G. F. ALLEN

The Clerk called the bill (H. R. 3137) for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of G. F. Allen, chief disbursing officer, Treasury Department, in an amount not to exceed \$212.69, for items suspended or disallowed.

Sec. 2. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Frank White and W. O. Woods, former Treasurers of the United States, H. T. Tate, former Acting Treasurer of the United States, and W. A. Julian, Treasurer of the United States, for sums not to exceed \$1,620, \$4,718.36, \$340, and \$53,798.55, respectively, representing unavailable items in their accounts as former Treasurers, former Acting Treasurer, and Treasurer of the United States: *Provided,* That any recoveries heretofore or hereafter made in respect of any of the foregoing items may, in the discretion of the Comptroller General of the United States, be applied to offset unavailable items of a similar character hereafter arising in the accounts of the former Treasurers, former Acting Treasurer, and Treasurer, respectively, upon a showing that such unavailable items have occurred without fraud on the part of the former Treasurers, former Acting Treasurer, or Treasurer.

Sec. 3. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of W. A. Julian, Treasurer of the United States, for a sum not to exceed \$8,236, representing unadjusted differences which occurred in the preparation of statements of disbursing officers' accounts during the period from January 1, 1940, to October 31, 1944.

Sec. 4. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$980.88, which shall be credited to the Treasurer's account to the extent necessary to adjust unavailable items resulting from certain shortages, five checks lost after payment, double payment upon claim of nonreceipt of two original checks, and six checks of which both the originals and duplicates were paid.

Sec. 5. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$143.56, of which the Secretary of the Treasury is authorized and directed to pay not to exceed \$132.14 to William J. Gillin, payroll clerk and timekeeper, and not to exceed \$11.42 to Harold Link, certifying officer, United States mint, Philadelphia, Pa., which amounts were paid by them to satisfy charges resulting from overpayments of salary to mint employees.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### LEGAL GUARDIAN OF SUE FLIPPIN BRATTON, A MINOR

The Clerk called the bill (H. R. 3198) for the relief of the legal guardian of Sue Flippin Bratton.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal guardian

of Sue Flippin Bratton, a minor, Lafayette, Tenn., the sum of \$25,000. The payment of such sum shall be in full settlement of all claims against the United States on account of personal injuries sustained by the said Sue Flippin Bratton on February 19, 1944, when the automobile in which she was riding as a passenger on the Macon County highway between Hartsville and Lafayette, Tenn., struck a steel guard rail projecting over the traveled part of a one-way bridge over the middle fork of Goose Creek. Such projecting steel guard rail pierced the body of said Sue Flippin Bratton, causing serious injuries and permanent disability. Such bridge had been damaged in January 1944, by United States Army vehicles participating in field exercises in Macon County, and, in attempting to repair such damage, military personnel left such guard rail projecting over the highway: *Provided,* That no part of the amount appropriated in this act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$25,000" and insert "\$10,030."

Page 1, line 9, after the word "injuries" insert "medical and hospital expenses."

Mr. MCGREGOR. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Page 1, line 6, strike out "\$10,030" and insert "\$8,030."

Mr. GORE. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I fully appreciate the work done by the gentleman from Ohio [Mr. MCGREGOR] and the other members of the objectors' committee, not only on this bill but on all the other bills. I served on this committee for a year and I know how hard the work actually is. It is, therefore, with much reluctance that I rise in opposition to the amendment.

This girl for whom this bill provides relief was riding home from church in a car in an area where Army maneuvers were being held. While crossing a bridge the car struck a piece of steel which had been left protruding from the bridge railing by an Army unit which had improperly repaired the bridge and left this piece of steel protruding into the traffic right-of-way. The steel pierced the car and the body of young Miss Sue Bratton. It was a most tragic accident for which this bill seeks to bring relief. I do not think the amount can be made high enough. If the accident had occurred as the result of negligence on the part of an individual or a corporation, I am sure any jury in the United States would have awarded more than the committee amendment provides.

Mr. MCGREGOR. Mr. Speaker, will the gentleman yield?

Mr. GORE. I yield to the gentleman from Ohio.

Mr. MCGREGOR. Does not the gentleman feel that the driver of the vehicle was partly negligent in his driving because of the fact that the piece of steel only protruded about 14 or 15 inches from

the edge of the pavement? Does not the gentleman recognize that the driver of the vehicle was partly responsible for the accident?

Mr. GORE. Of course, I was not there, but the neighbors do not think so. The Army had left this piece of steel projecting from the side of the bridge. This family was returning home from church and the car, driven at not an excessive speed, came upon this projecting piece of steel which was driven all the way through the girl's hip and into her very vitals. It is a wonder, a miracle of God, that she is even living. But she is a cripple, a total invalid, for the remainder of her life. I introduced the bill for \$25,000, thinking that was little enough for the tragedy that this beautiful young girl has suffered. The committee cut it down to \$10,000, and now the gentleman from Ohio [Mr. MCGREGOR] is offering this amendment, in all good faith, of course, making a further reduction. I only want justice done this girl for her pitiable plight. I do hope that the Congress will approve the amount recommended by the committee of \$10,030.

Mr. MCGREGOR. Mr. Speaker, I rise in support of the amendment.

Mr. Speaker, I am sure we all appreciate the statement made by the gentleman, and I take no exception to it whatsoever. I recognize it is a pitiful case, but we also must recognize, as Members of this body, that it is our duty to act fairly and impartially regardless of whose community the accident might have happened in. The evidence shows that the driver was partly to blame in this particular case. The War Department has made a recommendation in accordance with the amendment that I have introduced. They have recommended \$8,000, plus the sum of \$2,030, making a total of \$10,030, which your committee recommended. This amendment recommends \$6,000 for pain and suffering and \$2,030 for medical and hospital expenses, or a total of \$8,030.

I recognize this is a pitiful case. We have a number of such cases. You Members have them in your communities. But we must make a fair average of all of them, and that is what your committee has tried to do.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield to the gentleman from Tennessee.

Mr. GORE. Does not the gentleman feel that the \$6,000 for pain and injury is rather small to last the total life of a girl 18 years of age, beautiful, healthy, and strong, who, by the admitted negligence of the United States Government, is now an invalid for the remainder of her mortal days?

Mr. MCGREGOR. I differ with the gentleman as to his statement with regard to the admitted negligence of the United States Government. It is a divided negligence, if the gentleman will refer to the committee report, because the driver was some to blame. I would respectfully call the gentleman's attention to the laws of Tennessee relative to the division of responsibility.

Mr. GORE. I am acquainted with this particular bridge. It is a narrow bridge, with the railing rather close to the side



of the car. The people in that community feel that the accident was entirely the result of the Army's leaving this piece of steel projecting from the side of the bridge.

Mr. MCGREGOR. I believe we have confidence in our War Department. The testimony shows it has been admitted that the driver did share responsibility in negligence.

Mr. KEFAUVER. Mr. Speaker, will the gentleman yield?

Mr. MCGREGOR. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. I wonder if the gentleman has taken into consideration the fact that under the law of Tennessee contributory negligence on the part of the driver of the car, even if there were any, would not be imputed to the invited guest in the automobile. This girl had no charge or control over the operation of the automobile. Under the law of Tennessee, even if the driver was guilty of some contributory negligence, that would not prevent her from recovering nor would it diminish the amount of recovery she could get.

Mr. MCGREGOR. Does not the gentleman believe, though, that in our consideration, where the War Department and the committee have decided that there is a division of responsibility, we should not pay an excessive amount for the injury?

Mr. KEFAUVER. It seems to me it has already been cut down, in view of what the gentleman from Tennessee has said.

Mr. MCGREGOR. I think my very good friend will admit his error when he introduced the bill here for \$25,000. If he was sincere at that time, certainly it seems rather peculiar that now he is willing to accept \$10,000.

Mr. GORE. If the gentleman will yield, I am sure he does not impute to me any lack of sincerity.

Mr. MCGREGOR. Indeed, not.

Mr. GORE. I believe now, as I believed when I introduced the bill, that this young lady should be paid no less than \$25,000, but the committee has acted and cut it down to \$10,000, and with reluctance I thought I would not offer any opposition. However, now that the gentleman offers an amendment to reduce it still further, I feel that in justice to this girl I should oppose that reduction.

May I read from the report of the War Department, signed by Secretary Stimson:

The evidence fairly establishes that the accident and resulting personal injuries sustained by Sue Flippin Bratton were not caused by any fault or negligence on her part, but were caused solely by the combined negligence of the military authorities in failing properly to repair the guardrail of the bridge which had been damaged in connection with the operations of Army troops, and of Paul Keene, the driver of the vehicle.

Mr. MCGREGOR. I agree with the gentleman's statement. The young lady who was injured was not driving the car and it was not her fault at all that the injury occurred. The division of the cause was between the driver and the military units.

Mr. GORE. The alleged negligence on the part of the driver—and that is a question of doubt, but even though he was admittedly negligent—is not imputable to Sue Flippin Bratton, the passenger, a minor, to whom the War Department attributes no negligence whatever. I hope the gentleman will withdraw his amendment.

Mr. MCGREGOR. I wonder if the gentleman will agree to a unanimous-consent request that the bill be passed over without prejudice, so that we may give it further consideration. I hate to object to the bill, but I am afraid I shall have to object to the bill as amended if the gentleman insists on that amount.

Mr. GORE. I recognize the gentleman is an able lawyer.

Mr. MCGREGOR. I am not a lawyer; I am just a simple layman.

Mr. GORE. Nevertheless, the gentleman is schooled in law as well as in the art of lawmaking. I believe the gentleman will agree that if he were a lawyer and had this case before a jury in his town or my town, or before a jury in any county in the United States, they would not hesitate to give this girl twice this amount.

Mr. MCGREGOR. I might say in reply to my distinguished attorney friend that I am looking at this matter from the viewpoint, not of an attorney, but from the viewpoint of a layman, in all fairness to all parties concerned.

Mr. GORE. May I say, particularly answering the gentleman's question, that the bill is already up for consideration and cannot go over except by unanimous consent. Therefore, unless the gentleman withdraws his amendment, I shall have to ask for a vote on the amendment.

The SPEAKER pro tempore (Mr. RAMSPECK). The time of the gentleman from Ohio has expired.

Mr. MCGREGOR. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MCGREGOR. Is it possible to ask unanimous consent that the bill be passed over without prejudice when the time comes to vote on the bill?

The SPEAKER pro tempore. A unanimous-consent request can always be made.

Mr. MCGREGOR. Mr. Speaker, another parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MCGREGOR. Suppose the amendment is acted upon, whether it is passed or defeated, is it then within the power of two objectors to return the bill to the committee?

The SPEAKER pro tempore. It is not. That stage of the proceedings has already passed.

The question is on the amendment offered by the gentleman from Ohio [Mr. MCGREGOR] to the committee amendment.

The amendment was rejected.

The SPEAKER pro tempore. The question recurs on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANLEY J. LILLY

The Clerk called the bill (H. R. 3249) for the relief of Stanley J. Lilly.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stanley J. Lilly, Allentown, Pa., the sum of \$10,000. The payment of such sum shall be in full settlement of all claims of the said Stanley J. Lilly against the United States on account of personal injuries sustained on March 21, 1942, when the automobile which he was driving was in collision with a United States Army truck on United States Route No. 22, west of Allentown, Pa.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, strike out "\$10,000" and insert "\$6,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OREGON CAVES RESORT

The Clerk called the bill (S. 136) for the relief of the Oregon Caves Resort.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Oregon Caves Resort, Grants Pass, Oreg., 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.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANDREAS ANDERSEN

The Clerk called the bill (H. R. 935) for the relief of Andreas Andersen.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$649.15 to reimburse Andreas Andersen for the value of personal property lost in a fire on November 23, 1942, which destroyed Government quarters occupied by him at the Fort Howard Detention Station, Baltimore, Md.: *Provided,* That no part of the

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

With the following committee amendment:

Page 1, line 6, after the word "to", strike out the word "reimburse" and after the word "Andersen" strike out the words "for the value of" and insert "in full settlement of all claims against the United States for."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### OHIO BRASS CO.

The Clerk called the bill (H. R. 1979) for the relief of the Ohio Brass Co.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Ohio Brass Co., Mansfield, Ohio, the sum of \$3,000. Such sum represents the amount of cargo war risk insurance which was issued by the War Shipping Administration to the Ohio Brass Co. under policy No. C23509, dated March 11, 1943, to cover a shipment of pole line construction material from Philadelphia to Puerto Alegre, Brazil, on the steamship *Industria*, which was lost by enemy action on March 23, 1943, en route to its destination.

With the following committee amendment:

Strike out all of page 1 and down through the word "destination" in line 2, page 2, and insert: "That the War Shipping Administration is authorized and directed to determine and pay the claim of the Ohio Brass Co., Mansfield, Ohio, for the loss of a shipment of pole line construction material from Philadelphia, Pa., to Puerto Alegre, Brazil, on the steamship *Industria*, insured under policy No. C23509, issued by the War Shipping Administration, dated March 11, 1943, upon the production and filing of the necessary documents duly executed by the parties in interest as if the insurance premium on said policy had been in accordance with the requirements of the War Shipping Administration and with the provisions of said policy."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### PATRICK A. KELLY

The Clerk called the bill (H. R. 2595) for the relief of Patrick A. Kelly.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Patrick A. Kelly, chief radio electrician, United States Naval Reserve, the sum of \$683.50. Such sum represents the amount of per diem and mileage allowances (less a mileage payment already made) to which the said Patrick A. Kelly would have been entitled, if his orders had

been accurate and complete, for the period from October 1, 1943, to January 10, 1944, while on temporary duty at Rocky Point, N. Y., from his regular post of duty at Patuxent River, Md.

With the following committee amendments:

Page 1, line 7, after the word "sum", strike out "represents the amount of" and insert in lieu thereof: "is in full settlement of all claims against the United States for."

Page 2, line 3, after the word "Maryland", insert: "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### LESLIE O. ALLEN

The Clerk called the bill (H. R. 2620) for the relief of Leslie O. Allen.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Leslie O. Allen, of Natchez, Miss., and the United States Employees' Compensation Commission is hereby authorized and directed to receive and consider under the remaining provisions of said act his claim on account of injury and disability alleged to have been incurred between October 26, 1937, and September 30, 1939, while serving with the Civilian Conservation Corps at Meadville, Miss.: *Provided*, That claim hereunder shall be filed within 6 months from the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

With the following committee amendments:

On page 2, line 1, after the word "injury", strike out "and disability" and insert "of his knee."

Page 2, line 2, after the word "incurred", strike out "between October 26, 1937, and September 30" and insert "in May 1939."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DONALD GEORGE

The Clerk called the bill (H. R. 2729) for the relief of Donald George.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Donald George, Fountain Head, Sumner County, Tenn., the sum of \$300. The payment of such sum shall be in full settlement of all claims of the said Donald George against the United States arising

from the seizure and sale of his automobile by the United States while he was serving overseas in the Army of the United States. At the time of such seizure, such automobile was being operated by Amond L. George, brother of the said Donald George, who was charged with transporting unstamped intoxicating liquor. The said Amond L. George was subsequently exonerated of such charge: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 6, after the word "of", strike out the balance of line 6 and down to and including the word "charge" on line 4, page 2, and insert "\$235 in full settlement of all claims against the United States for the value of his automobile which was seized by the United States Internal Revenue Department, on May 10, 1943, in Sumner County, Tenn."

Mr. SPRINGER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk head as follows:

Amendment offered by Mr. SPRINGER to the committee amendment: In line 4, page 2, strike out "\$235" and insert "\$150."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### DON HICKS

The Clerk called the bill (H. R. 3008) for the relief of Don Hicks.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Don Hicks, of Fort Leonard Wood, Mo., the sum of \$10,000, in full settlement of all claims against the United States for the loss of his right hand resulting from the explosion of a shell left lying in a house in an area of the Fort Leonard Wood Military Reservation, Mo., on February 22, 1942, which house was open to visitors but which was not posted with signs warning of the danger of unexploded shells: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$10,000" and insert "\$3,500."

Page 1, line 10, after the figures "1942", strike out the balance of line 10, all of line 11, and down to and including the word "shells", on line 1, page 2.



The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### CHRISTIAN H. KREUSLER

The Clerk called the bill (H. R. 3302) for the relief of Christian H. Kreusler.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Christian H. Kreusler, the sum of \$20,000, in full settlement of all claims against the Government for injuries sustained by him when struck by an Army truck on September 6, 1942, near Selma, Tex., on United States Highway No. 81.

With the following committee amendments:

Page 1, line 6, strike out "\$20,000" and insert "\$7,500."

Page 1, line 7, strike out the word "Government" and insert "United States."

Page 1, line 10, after the figure "81", insert "Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### GENEVIEVE LUND

The Clerk called the bill (H. R. 3790) for the relief of Genevieve Lund.

There being no objection, the Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Genevieve Lund, a resident of Chicago, Ill., the sum of \$1,000, in full settlement of all claims against the Government of the United States for injuries sustained on December 8, 1942, in Chicago, Ill., when the car in which she was riding was struck by a United States Army vehicle: *Provided, That* no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out "\$1,000" and insert "\$500."

Page 1, line 7, strike out the words "Government of the."

The committee amendments were agreed to.

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

time, and passed, and a motion to reconsider was laid on the table.

#### MYRTLE C. RADABAUGH

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent to return to the bill (H. R. 3987) for the relief of Myrtle C. Radabaugh for further consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MCGREGOR. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. That concludes the call of bills on the Private Calendar for today.

#### CALL OF THE HOUSE

Mr. CHURCH. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. BLAND. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

#### [Roll No. 158]

|               |               |                  |
|---------------|---------------|------------------|
| Allen, Ill.   | Fellows       | Norton           |
| Baldwin, Md.  | Fenton        | Patman           |
| Barry         | Forand        | Pfeiffer         |
| Bender        | Gathings      | Powell           |
| Bolton        | Gerlach       | Quinn, N. Y.     |
| Buckley       | Granger       | Rabaut           |
| Buffett       | Gwinn, N. Y.  | Reed, N. Y.      |
| Butler        | Hagen         | Rivers           |
| Byrne, N. Y.  | Hall          | Roe, N. Y.       |
| Camp          | Leonard W.    | Rogers, N. Y.    |
| Campbell      | Hedrick       | Rooney           |
| Cannon, Fla.  | Hendricks     | Sharp            |
| Carnahan      | Hoffman       | Sheridan         |
| Celler        | Holmes, Mass. | Simpson, Ill.    |
| Chelf         | Hope          | Somers, N. Y.    |
| Clark         | Jenkins       | Thomas, N. J.    |
| Colmer        | Jennings      | Torrens          |
| Coolley       | Kerr          | Wadsworth        |
| Curley        | King          | Weiss            |
| Dawson        | Lea           | White            |
| Delaney       | LeFevre       | Wickersham       |
| John J.       | Lynch         | Winstead         |
| Dickstein     | McGehee       | Winter           |
| Dingell       | Madden        | Wolcott          |
| Douglas, Ill. | May           | Wolverton, N. J. |
| Drewry        | Morrow        | Wood             |
| Eaton         | Mundt         | Zimmerman        |
| Elliott       | Murray, Tenn. |                  |

The SPEAKER. On this roll call 350 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

#### SALE OF SURPLUS WAR-BUILT VESSELS

Mr. BLAND. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H. R. 3603, with Mr. STIGLER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose yesterday there was pending an amendment offered by the gentleman from Washington [Mr. JACKSON] which the Clerk will again report.

The Clerk again reported the pending amendment.

The CHAIRMAN. The gentleman from Washington [Mr. JACKSON] is recognized for 5 minutes.

Mr. JACKSON. Mr. Chairman, I ask unanimous consent to proceed for an additional 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JACKSON. Mr. Chairman, this amendment increases the statutory sales price for tankers from the figure of 75 percent of prewar domestic costs as provided in H. R. 3603 to 100 percent. I believe that an analysis of the following facts will demonstrate to all Members that the sale of tankers at less than the full prewar domestic costs will constitute a tremendous windfall to the petroleum industry at the expense of the United States Treasury. Here is the arithmetic of this amendment. One of our large 16,765 DWT tankers cost approximately \$3,000,000 to build. Under prewar conditions a similar vessel could be built for \$2,378,000. H. R. 3603 set the statutory sales price at 75 percent. Thus a new tanker would sell at \$1,784,000. Depreciation would be \$160,000 a year. Consequently a 1-year-old tanker would sell at \$1,624,000, and a 2-year or older tanker would go at the floor price, which is \$1,486,000. Under this amendment new tankers will sell for \$2,378,000, an additional receipt to the Treasury of nearly \$600,000. For a 1-year-old vessel the additional receipts will be \$540,000; for a 2-year-old vessel, \$464,000, and for a 3-year-old vessel, \$250,000. The greatest portion of our tanker fleet is under 3 years of age. This amendment will probably yield an additional \$100,000,000 from the sale of our tanker fleet. It will save the Government between \$15,000,000 and \$20,000,000 in adjustments on tankers sold at war cost.

Prior to the war, a very large proportion of the American-flag tanker fleet was operated in the domestic trades. This will undoubtedly be true of the postwar operations as well. It is required by law that the vessels operated in domestic trade be constructed in American yards. Moreover, no construction subsidies are allowed for vessels in such operations. Consequently, prior to the war, virtually all tankers were purchased at full domestic price.

In all drafts of the ship sales legislation prior to H. R. 3603, the sales price for domestic tanker purchases was set at the full prewar domestic costs. To my knowledge, and I was in attendance at nearly all hearings, no tanker operator appeared and none claimed hardship under the full prewar domestic cost.

There is no question about the ability of tanker operators to pay full domestic costs. The Harvard University Graduate Business School study, which was made at the request of Maritime Commission and United States Navy, has this to say about the ability of tanker operators to pay:

The greater portion of the demand for tankers will come from large oil companies. The financial position of these companies is so strong that there is no question as to their

ability to pay for any new ships they may wish to purchase. A smaller part of the demand will come from chemical companies, which are likewise in strong position.

During the war, 59 tankers were purchased from the Government at full war costs, demonstrating the willingness and ability of tanker operators to pay much higher prices than are proposed by my amendment.

This amendment will not limit the number of sales of tankers to foreigners for it changes only the statutory sales price, leaving the floor price at 50 percent of the average 1944 construction costs. Those foreign purchasers to whom price is the foremost consideration can purchase the 4-year and older tankers which will go at the floor price. The result of my amendment would be to substitute at the floor price, 4-year-old vessels for the 2-year-old vessels. Moreover it must be remembered that the only source of large scale replacements for tanker losses is the United States market.

This amendment will not act as an additional deterrent to United States operations of tankers in foreign trade. Several important reasons act against a large-scale increase in the use of American flag tankers in foreign trade making purchase price a secondary consideration. The principal reason for the use of foreign flag vessels is the lower operating costs. As many of the foreign operators of tankers will purchase our vessels, there is little likelihood that the American operators will be placed at a disadvantage in regard to capital charges. A very large proportion of the foreign flag tankers operated by subsidiaries of American companies prior to the war, were operated in the indirect trades. The Harvard Study states:

In September 1938, for instance, 187 foreign flag tankers with a gross tonnage of 1,198,000 were listed as owned by subsidiaries of large United States oil companies. There is a possibility that some of these foreign flag tankers can be replaced by United States flag tankers. A large and growing proportion of these foreign flag tankers which were controlled by United States companies, however, were engaged in indirect trade between two foreign countries. There seems to be little chance that any appreciable number of tankers engaged in indirect trade will fly the United States flag.

This amendment will not put tanker operators at a disadvantage with respect to competition with pipe lines. The Harvard Study states:

The most reliable evidence seems to indicate that the operating costs of the pipe lines and tankers are approximately equal.

If pipe line and tanker operating costs are equal, the oil companies prefer to use tankers since they are much more flexible than the pipe lines. The pipe line must deliver oil at a given terminal, whereas tankers can be sent to any one of a number of ports. A tankers can even be shifted to foreign trade should the occasion demand, and a tanker can carry a large number of different petroleum products at one time.

Sale of tankers at any price less than the full prewar domestic cost will set a new high in Government handouts to an industry which has long been infamous for its milking of the Government.

It is important to remember that the only testimony before the committee about tankers with the exception of the Bulk Carriers' Association is the testimony of Admiral Vickery and Admiral Land. They are the individuals who will be selling these tankers, and they testified unequivocally that they could get 100 percent of the prewar domestic cost for the tankers.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. LUTHER A. JOHNSON. Does the gentleman's amendment relate only to tankers and not to other craft?

Mr. JACKSON. That is correct.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Pennsylvania.

Mr. RICH. If the Big Inch line is closed down there will be a great demand for these tankers, as I see it, and they will be the first ships sold.

Mr. JACKSON. There is no question about it, and not only that, the point I make is that not a single representative of the tanker companies even questioned the legislation as originally introduced which provided for 100 percent of prewar domestic costs. My amendment gives them an adjustment on a brand-new tanker from the war cost back to the prewar domestic cost. However, the bill as reported goes beyond that and makes an adjustment down to 75 percent of prewar domestic cost.

Mr. RICH. We ought to get every dollar that we can for these ships because the Treasury needs it.

Mr. JACKSON. If the gentleman is interested in economy, here is a chance to get \$150,000,000 for the United States Treasury.

Mr. RICH. I am for that, too. I am going to be right here to vote for that.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from California.

Mr. VOORHIS of California. I would like to ask the gentleman a question about trade-ins. The purchaser of a tanker turns in an old tanker. A short time ago there were some transactions carried on with a couple of oil companies where old tankers were traded in. I made as much inquiry about it as I could. I received a letter from the Comptroller General about the matter and among other things he states that in his opinion as to a number of these old tankers there was allowed as much as the company had paid for the vessels in purchasing them from the United States over 20 years ago. How will the gentleman's amendment affect that proposition?

Mr. JACKSON. The gentleman is absolutely correct and if he will look in the Record of yesterday he will find that I have set out tables showing the trade-in allowances which would have been available originally under this bill which to say the least, were in some cases scandalous. I have an amendment which was prepared originally by the gentleman from North Carolina [Mr. BONNER]. It is an amendment which takes care of that situation and scales

back the trade-in allowances on these old vessels.

Mr. VOORHIS of California. That is not this amendment. That is a future amendment to be offered?

Mr. JACKSON. Yes. It will be an amendment to section 8 adopted by the committee. The point is we are not accomplishing anything if we are going to turn around and allow a windfall of \$150,000,000 to these people. It is nothing more or less than that.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Does the gentleman recall how many tankers have been sold under existing law, subject to the provisions of this bill?

Mr. JACKSON. I believe I stated there had been sold something like 63 tankers under existing legislation.

Mr. CANFIELD. Out of a total of how many available?

Mr. JACKSON. I understand there are approximately 400 tankers available.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from New York.

Mr. BUCK. I am sure the gentleman from Washington will agree that this amount of \$150,000,000 would not be realized unless the tankers are sold?

Mr. JACKSON. Where else are they going to buy them? Will the gentleman advise the House where else they can buy these tankers? The laws of the United States provide that ships constructed or purchased abroad cannot be used in domestic operations. They must buy them from American-owned yards. This is an open and shut case unless you want to be foolish enough to allow a windfall to these operators.

Mr. RICH. Mr. Chairman, will the gentleman yield further?

Mr. JACKSON. I yield to the gentleman from Pennsylvania.

Mr. RICH. Information was handed to me a minute ago that if we sell these vessels at a higher price, the money will not come back into the Treasury, but will go into a revolving fund; is that correct?

Mr. JACKSON. The section referred to by the gentleman is subject to a point of order and can be knocked out on that basis.

Mr. RICH. Then let us knock it out.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Tennessee.

Mr. GORE. First, I want to compliment the gentleman on the fine work and the deep study he has been giving to this subject, and the fine job he has been doing. Of course, we all want to see this surplus disposed of. Does the gentleman feel confident that under his amendment the trade can and will buy tankers at reasonable prices?

Mr. JACKSON. I will say to the gentleman that there can be no question about it. These people are given a price which they paid prior to the war. Under my amendment they are being sold at prewar domestic costs. The postwar domestic cost is certain to be higher than



the prewar domestic cost. This amendment relates to industrial carriers and not common carriers. It does not affect their operating costs. As a matter of fact, their operating cost under the provisions of my amendment will not be increased one iota. It is an entirely different situation from the common carriers who are in competition with railroads and foreign competitors.

Mr. GORE. Did any representative of the shipping interests appear before the committee who maintained that they should buy tankers at less than prewar domestic prices?

Mr. JACKSON. There was only one representative of a small bulk carrier group, but no representative from the large oil carriers. They had notice for over a year and a half now as to what the proposed costs of these tankers would be under the original bill. I hope the committee will vote for this amendment. If you are interested in seeing that the Treasury gets a fair break, I am sure that you will support it.

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment, and I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. Mr. Chairman, I wish to say that I do not question the majority of the statements made by my colleague the gentleman from Washington [Mr. JACKSON]. I have always found him to be truthful, reliable, and dependable; generally I follow him in all directions. However, I do feel that as to this particular amendment I should at least present to the House the views that impelled the committee, after serious consideration for a considerable time, to report this provision in the bill. It is for you to determine what you want to do about the amendment.

The gentleman says that his amendment will save the United States \$150,000,000. This statement assumes that we will sell as many tankers at the higher price as at the price fixed in the bill as reported. I hope that is true. I want to save money, but I want to see the merchant marine operated for national defense, for the promotion of our trade, and in the determination of these questions after considering all of these different phases it is obvious that the conclusions of my friend will not be true. You will make no foreign sales of tankers under the Jackson amendment. You will make no sales of tankers to citizens for operation in foreign trade. These citizens will buy their tankers abroad and put them under foreign flags. The trouble is that if they do not buy them they will be constructed abroad, and in a short time we shall have no opportunity to sell those we have.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Washington.

Mr. JACKSON. Is it not true that during the course of the discussion of this bill it has been admitted that it is a practice of the large oil companies to

utilize the tankers of the countries from which they are receiving oil, and that it was the common practice for them to do so?

Mr. BLAND. I think so.

Mr. JACKSON. Is it not true that there was no assurance from the officials of the Maritime Commission that even if we sold them for less they would be utilized in foreign trade? As a matter of fact, I believe Admiral Vickery stated explicitly that they should be sold for 100 percent, because they would not be used in foreign trade for the reason that they could not compete.

Mr. BLAND. I do not recall that statement on the part of Admiral Vickery. If the gentleman says he made it, I am ready to confess that that is true. I do not know.

Since we will meet our domestic oil requirements after the war to a much greater extent with oil imports, the domestic trade in oil may be smaller than it was before the war, and thus fewer tankers will be engaged in domestic trade than formerly.

I wish, however, particularly to call to the attention of the Committee the very impelling reasons assigned that gave us so much trouble. In a letter from Secretary Forrester to the gentleman from Georgia, the Honorable CARL VINSON, chairman of the Committee on Naval Affairs, dated March 20, 1945, he said:

With reference to the provision making special price concessions applicable in the case of tankers only when they are sold for operation in foreign trade of the United States, the Navy Department is of the opinion that the special price concession should be applicable when tankers are sold for operation in domestic trade. The Navy Department further feels that the provision for bare boat charter of vessels other than tankers should be liberalized to include tankers. The Navy Department, therefore, is in accord with your idea—

That is, Chairman VINSON—

that we should sell and charter as many tankers as possible under as liberal terms as possible to American citizens. It might further be desirable to require that all vessels with the possible exception of Liberty ships should be offered for sale or for charter to American citizens prior to the offering of them to foreign operators.

I have one long telegram pointing out the reasons why no preference should be made in the sale of tankers, and stating that they should be sold as low as dry cargo freighters. That comes from Pacific Tankers, Inc., Mr. Dawson, President.

We had communications before us at the time we reconsidered this matter. Representatives of the Navy view had advocated an adequate tanker fleet under the American flag and said that the tanker tonnage now approximates 12,000,000 dead-weight tons, more than our Merchant Marine in 1939, and it would be the utmost folly not to exhaust every possibility of selling or chartering them to American citizens and selling or chartering them upon such terms and conditions that our American operators would successfully meet foreign competition.

The argument was further made that the Navy desires the selling and charter-

ing of as many tankers as possible to American citizens, for the reason that Germany and Japan had possessed large tanker fleets carrying the oil of other countries, and the Navy desired that our citizens be given an approximate opportunity to absorb this business.

They said it was important to protect our national defense. Our attention was called to the testimony of Admiral Land that only industrial carriers would be interested in these tankers, and that is why he wished to keep the prices at the domestic limit. That is a very important question. It was said that the item of the \$60,000,000 on the refund was not to be left out of consideration. But the Navy seemed to think, or the representatives of the Navy, that we were not raising our sights high enough for us to see into the more important future and that Admiral Land did not see the possibility of building up an entirely new industry by creating a new group of independent American operators who would be induced to engage in the oil-carrying business. It was said that it must not be forgotten that the enemy nations engaged extensively in the oil transportation trade before the war and that both Germany and Japan had large tanker fleets carrying the oil of other countries and that there was no reason, with the huge tanker fleet we had at hand, why we should not attempt to absorb this business; and that most or all of our oil companies had huge oil reserves in foreign countries, while our own reserves were being depleted rapidly. It was said that there is no healthier way of stimulating the flow of this foreign oil into this country than by enabling the oil companies and our independent American operators to maintain a sizable tanker fleet under the American flag, and that the best way was to enable the American operator to obtain our surplus tanker tonnage at a price which is sufficiently low to meet foreign competition.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BLAND. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. It is said if these American operators can be induced to transport foreign oil into this country in huge quantities it will enable us to conserve—and this is an important point—our fast diminishing oil reserves such as the Elk Hills Naval Reserve which was of grave concern to the Committee on Naval Affairs. Everything possible should be done to stimulate the utmost growth of an independent group of American tanker operators. The American-flag industry would have far-reaching effects upon our future welfare. First, it would permit combined employment of large numbers of American seamen who otherwise would be thrown out of work when Government operations ceased at the close of the war, particularly if large numbers of our tankers are allowed to pass out from under the American flag. Second, it will necessitate continuous operation of

American repair yards. Third, that it was essential to the national defense. Fourth, that the best kind of assurance against another emergency was the sale of tankers at this price. Fifth, the \$60,000,000 readjustment mentioned by Admiral Land would be small when it is considered that few if any tankers would be disposed of at the price he proposed and that the cost of their building would be borne by the Government without any possibility of recouping any part of it through sale or charter. In other words, that the price would be so high there would be no sale for tankers. The figure of 75 was reached as a compromise and rather arbitrarily. We considered it many days. We were persuaded and impelled more by the views of the Navy Department as they are submitted at our hearings, our desire was to protect our reserves and also our desire was to establish a new business in America.

I am simply given you the reasons which induced us to report this committee amendment. I feel, as chairman of the committee, the matter having been considered by the committee, it is my duty to present those views to you. However, it is entirely agreeable to me that you shall do what you please.

In conclusion, all I would say is, you are the judges. If the question of national defense and the preservation of national reserves is as great as it was presented to us, you must take that into consideration. If the argument of my friends is correct, and there may be an immediate saving of money, the only question is, Shall we save or shall we raise our sights higher than we have done in the past?

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BUCK. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I suggest that it is well in considering any amendment to give thought to the effect of the amendment on the basic purpose of the bill. The purpose of H. R. 3603, as it clearly sets forth, is to foster the development and encourage the maintenance of an American merchant marine. In other words, we are striving to write a bill which will put American-built ships into operation on the high seas under the American flag and manned by American crews.

The amendment offered by the gentleman from Washington not only fails to further the objectives of the bill but it is in fact directly destructive to the purposes of the bill.

There is no feature of H. R. 3603 to which the committee gave more careful consideration than it did to tanker sales. The basis finally incorporated into the bill was the result of much testimony and discussion which at times seemed to be endless. The figures as finally arrived at represent a compromise which the great majority of the committee regard as fair both to the Government and to the tanker operators and which at the same time will further the bill's purposes.

All the Members of the House have read much of how requirements of war have depleted our country's petroleum reserves. There is no doubt but that in the years ahead the United States must

rely upon foreign sources of petroleum to an increasing extent. That means a constantly increasing number of tankers engaged in foreign trade.

The question for you to decide in voting on this amendment is whether our increasing imports of petroleum shall be carried in American ships, built and repaired in American yards, flying the American flag, and giving employment to American crews, or whether that tonnage shall be carried under foreign flag in ships manned by underpaid foreign seamen, each one of whom deprives an American seaman of a job.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. JACKSON. Is there any testimony in the record which indicates that the oil companies can compete with foreign operators in the transportation of oil from foreign countries to the United States?

Mr. BUCK. I was about to cover that point.

Mr. JACKSON. Is it not true that those people are industrial operators, and in any event would require a subsidy, and they would not be eligible for a subsidy because they are not common carriers?

Mr. BUCK. I will say that in this bill we put the price low so they will be able to compete.

Mr. JACKSON. Is there any testimony in the record? Did any of these companies say that that is true?

Mr. BUCK. There is no doubt but that under conditions as they existed American tanker operators were unable to compete with foreigners. I should like to finish my statement, Mr. Chairman.

Mr. JACKSON. I just wondered whether the gentleman would say there was anything in the record to that effect.

The CHAIRMAN. The gentleman declines to yield.

Mr. BUCK. Let us not fool ourselves. Tankers can be built in foreign yards at half the cost of building them in American yards. Foreign-flag tankers can be manned by crews receiving less than half the pay received by American crews. How then can American-flag tankers compete in overseas trade? They cannot and they have not.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. CHURCH. The record is full of that kind of testimony, is it not?

Mr. BUCK. It is; I thank the gentleman.

My home on Staten Island overlooks the Narrows, the entrance to New York Harbor. What tankers over the years have I seen entering and leaving the Port of New York in the overseas trade? There have been Dutch tankers and Swedish tankers and Norwegian tankers and Danish tankers and British tankers and Panamanian tankers and German tankers and Japanese tankers. American tankers were frozen out. They will continue to be frozen out under the Jackson amendment.

I do not say that the tanker sales provisions as embraced in the bill will give American operators and American crews

clear entry into this trade. Sale of tankers on the same basis as dry-cargo ships, as advocated by the able chairman of the Naval Affairs Committee, is a minimum step in that direction.

But I assure you that the Jackson amendment will bar American participation and American employment in the overseas petroleum trade.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto end in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HALE. Mr. Chairman, I rise in support of the amendment. I hope very much that the amendment proposed by the gentleman from Washington will not prevail. I doubt if the House realizes what a great amount of time was spent by the committee in its consideration of this question of the statutory sales price for tankers. The provision which was finally inserted in the bill was the result of the best compromise we could make on all the views that were expressed.

The bill was reported last June with no dissent on this provision and no attempt was made even this fall when we were considering committee amendments to the bill to raise this tanker price back to 100 percent of the prewar domestic cost. The suggestion was brought forth only late last week. It is really shocking to me that there should be any attempt to undo at this late hour so much painstaking work on the part of the committee.

The gentleman from Washington has suggested that there is nothing in the record from the independent tanker owners.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. HALE. I yield to the gentleman from New York.

Mr. COLE of New York. I fancy the gentleman is going to answer the question I shall ask him, but I would like to have him comment on the assertion of the gentleman from Washington that the prospective purchasers of these tankers raised no complaint about the percentage of 100.

Mr. HALE. That is what I am going to talk about. Of course, the effect of the amendment offered by the gentleman from Washington is simply to make things easier for the large oil companies and harder for the small tanker companies which are engaged in carriage for hire and not in any industrial operation.

Here is a letter from the Hillcone Steamship Co., which owns three small tankers. They say:

Under the bill, as presently drafted, tankers are to be sold at 75 percent of the prewar domestic cost, as compared to the sale of dry cargo vessels at 50 and 55 percent of their prewar domestic cost, to unsubsidized and subsidized dry cargo operators respectively. The reason for this differential is expressed at page 5 of the report:

"Since tankers present a special problem, being operated for the most part by industrial concerns for the carriage of their own products, the price consideration applicable to dry-cargo vessels are inapplicable to tank-



ers. Thus in the case of tankers, the statutory sales price is fixed on the basis of 75 percent of the prewar domestic cost."

Without admitting, and in fact denying, the logic of the argument advanced for the discrimination, the ownership of a part of the tanker fleet should not militate against the interests of the independent owners. The result would be an utter disregard for the small owner and a consignment, by legislation, to oblivion. Prior to the war the independent tanker operators owned between 16 and 17 percent of the entire American tanker fleet. This percentage totaled in excess of 700,000 dead-weight tons, which, in turn, is equal to over seventy-one 10,000-dead-weight-ton ships. No other law drafted by this or any other Congress has been designed to eliminate the smaller business interest from continued existence and participation in its services, nor is that the purpose of this bill. Your attention is accordingly directed to the result. The fact that most tankers are operated by industrial concerns should not place them in a different category from the dry cargo operators. That same situation prevails in the operation of both types of vessels. Among the larger and, tonnage wise, more important dry cargo vessel operators are several which are engaged mainly in carrying the goods or implementing the commercial trading activities of their own or their parent company activities. They may be divided into the following general groups: The steel companies, the coal companies, the fruit companies, the trading companies. There is no price or protection differential in such cases.

The cost of transportation of petroleum products is a factor in the final retail cost of petroleum products sold by the major oil companies—it is not an absolute norm for continued ship operation. Conversely, that factor is the absolute norm in the case of an independent tanker operator. The effect of the price differential is to make it an impossibility for any but the major oil companies to continue tanker operations. This is not, and should not be, the result contemplated.

The CHAIRMAN. The time of the gentleman from Maine has expired.

The Chair recognizes the gentleman from Ohio [Mr. WEICHEL].

Mr. WEICHEL. Mr. Chairman, the amendment under consideration is based on a so-called saving. The question is, therefore, Will there be a saving? It proceeds on the assumption that somebody must buy the tankers regardless of whether you sell them at 100 percent, 75 percent, or 50 percent. It seems to me that is not the question at all. If we are going to follow the philosophy of the Merchant Marine Act and have an American merchant marine, we should sell the tankers at such a price so as to induce people to buy them, and the primary question should not be how much we will save. The question is how low a price should be fixed in order to make a sale. Admiral Land testified they could be sold at 100 percent, but he did not say whether you could sell 1 or 50. The gentleman from Georgia, CARL VINSON, the chairman of the Committee on Naval Affairs, who should have some information with reference to the use of tankers, suggested that they be sold at 50 percent. The committee, after due consideration, felt that 75 percent might be a price low enough to sell surplus tankers. Talk about saving! Section 9 of this bill, which refers to the adjustment of prices, calls for paying \$87,000,000 out of the

Treasury of the United States to people who have already purchased ships, including the tanker buyers. My idea of saving some money is this: First of all, we should keep the ships in the hands of American buyers, and to do that you must sell them cheap enough so that they can buy them, and 75 percent of the cost is believed to be a price low enough to do that. If you really want to save, look at section 9, which will cost \$87,000,000 to adjust the price of the ships sold. Out of that the tanker people would get around \$57,000,000. My suggestion is not to adopt this amendment; but when it comes to section 9, let us limit the adjustment of prices to those people who are unsubsidized—and by that I mean the unsubsidized dry-cargo purchasers. If you limit section 9 to the unsubsidized dry-cargo purchasers, you will save around \$60,000,000, \$50,000,000 of which would go to the tanker buyers. The tanker buyers have not asked for this gift in section 9. Therefore, I would suggest that the saving come in section 9 and the price be left as it is. At 75 percent it might be low enough to keep these tankers operated by American operators. I am against the amendment for the reasons I have stated.

The CHAIRMAN. The Chair recognizes the gentleman from North Carolina [Mr. BONNER].

Mr. BONNER. Mr. Chairman, this is a most interesting part of this bill. We held hearings day in and day out. We held hearings on three different bills, and this question was never mentioned. Nobody from the tanker industry or the oil industry appeared before the Merchant Marine Committee in behalf of the tanker proposition. Nobody ever gave it a thought. Later on the chairman of the Committee on Naval Affairs came before the Merchant Marine Committee with a proposition that tankers be treated as dry-cargo vessels were to be treated in the bill. To say the least, it took the committee by surprise. There was considerable debate in committee. There were statements made within the committee that reductions in price would not add the sale of one single vessel. If I am incorrect in any statement I make, I would like to have a Member of the committee correct me.

In addition to that we brought down what we thought was the best authority in the Government on shipping. We asked Admiral Vickery, we asked Admiral Land, and we asked others from the Maritime Commission to appear before the committee and give us advice on this tanker proposition. It was continuously and substantially testified, and shown by facts and figures, that the price would not ever enter into the sale of one of these tankers. It is argued here about a foreign tanker fleet, when we know perfectly well that our tankers, flying our flag, cannot economically operate against foreign tankers in foreign transportation.

Mr. COFFEE. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Washington.

Mr. COFFEE. Is not the great problem in competition the cost of the main-

tenance or operation rather than the original cost price? Is not that what is facing the owners of the tankers?

Mr. BONNER. Certainly it is. I am just as anxious to see these ships put in operation as any man on the floor of the House. I am just as willing as anyone to reduce the cost due to the construction in view of the reason for the construction of these ships, and charge that cost to the war, but to be reasonable and frank, there is no reason on earth to give a windfall to certain operators as commercial carriers; when they are industrial carriers.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Washington.

Mr. JACKSON. Is it not true that even under my amendment they still get a refund of approximately \$500,000 on a new \$3,000,000 tanker?

Mr. BONNER. That is well understood. If anybody will read the figures here that have already been inserted in the RECORD, that is perfectly clear.

Mr. KEOGH. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from New York.

Mr. KEOGH. The gentleman from Washington who offered this amendment indicated that a percentage of the prewar domestic cost was never in any preliminary draft of this bill. I should like the record to show that I am informed that it appears in one of the early preliminary drafts and was the subject of considerable discussion.

Mr. BONNER. I will answer the gentleman from New York in this way. There was so much in the various bills that were presented to this committee and it caused so much confusion that I doubt whether anybody today knows all the varied and ramified features of the four different bills that were offered.

May I say that I have no interest pro or con as to the oil transportation features of this country. I have no interest one way or the other on that matter. I only want to see the Government get the best it can for these ships. I want to see fair play to our own operators.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Pennsylvania.

Mr. RICH. Is it not a fact that one of the greatest immediate needs we will have for shipping will be for oil transportation?

Mr. BONNER. Of course.

Mr. RICH. Then if there is that great need, is it not plausible that we will get a larger price for vessels that are in such demand by putting them on the market?

Mr. BONNER. Yes; that is right. It was stated in the committee that no matter what the price was it would be necessary for certain foreign countries to have their own tankers, and that we would not be permitted to bring into their area more than a small percentage of our tankers.

The CHAIRMAN. The time of the gentleman from North Carolina has expired. All time has expired.

The question is on the amendment offered by the gentleman from Washington [Mr. JACKSON].

The question was taken; and the Chair being in doubt, the Committee divided, and there were—ayes 76, noes 55.

So the amendment was agreed to.

The Clerk read as follows:

**SALES OF WAR-BUILT VESSELS TO CITIZENS**

SEC. 4. (a) Any citizen of the United States may make application to the Commission to purchase a war-built vessel, under the jurisdiction and control of the Commission, at the statutory sales price. If the Commission determines that the applicant possesses the ability, experience, financial resources, and other qualifications, necessary to enable him to operate and maintain the vessel under normal competitive conditions, and that such sale will aid in carrying out the policies of this act, the Commission shall sell such vessel to the applicant at the statutory sales price.

(b) At the time of sale, the purchaser shall pay to the Commission at least 25 percent of the statutory sales price. The balance of the statutory sales price shall be payable in not more than 20 equal annual installments, with interest on the portion of the statutory sales price remaining unpaid, at the rate of 3½ percent per annum, or shall be payable under such other amortization provisions which permit the purchaser to accelerate payment of the unpaid balance as the Commission deems satisfactory. The obligation of the purchaser with respect to payment of such unpaid balance with interest shall be secured by a preferred mortgage on the vessel sold.

(c) The contract of sale, and the mortgage given to secure the payment of the unpaid balance of the purchase price, shall not restrict the use or operation of the vessel except insofar as may be necessary to preserve the value of the vessel as security for such payment.

Mr. BLAND. Mr. Chairman, I offer a committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. BLAND: Page 7, strike out lines 18, 19, and 20, and insert "price, shall not restrict the lawful or proper use or operation of the vessel."

Mr. BLAND. Mr. Chairman, this is a clarifying amendment. There was some question on the part of some members on the committee as to whether it was entirely clear. The amendment is offered for the purpose of making sure that the intention of the committee, that no restriction shall be imposed on the operation of vessels by reason of any provisions of this bill, will be carried out.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Virginia [Mr. BLAND].

The amendment was agreed to.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to proceed out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. CHURCH. Mr. Chairman, if we start this, it is just going to delay the consideration of the bill and run into tomorrow and Friday. I am very sorry. I object.

Mr. JACKSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACKSON: Page 7, after line 20, insert:

"(d) The contract of sale shall provide that if the purchaser owns or owned one or more vessels constructed prior to January 1, 1925, which were requisitioned for title or for use by the United States after December 31, 1940, the purchaser shall, for some one of such vessels—

"(1) if requisitioned for use, and lost prior to the date of such contract by reason of causes for which the United States was responsible, readjust the compensation paid or payable to him on account of such loss to an amount equal to the exchange allowance which would be permitted under section 8 if such vessel had not been lost and were being exchanged upon such purchase.

"(2) if requisitioned for title, readjust the compensation paid or payable to him on that account to an amount equal to the exchange allowance which would be permitted under section 8 if such vessel had not been so requisitioned and were being exchanged upon such purchase."

Mr. JACKSON. Mr. Chairman, shortly after Pearl Harbor the United States requisitioned, either for title or for use, virtually the entire American merchant marine.

The compensation to be paid to the owner on requisition for title and on loss of a vessel requisitioned for use, in the absence of judicial proceedings, was fixed by the War Shipping Administration on the recommendations of a just compensation board appointed by the President.

The compensation paid for vessels 20 or more years old was extremely high. Thus the United States is being placed in the position of paying an operator full wartime values for old ships and at the same time selling him new ships at less than half of their cost.

The amendment I have proposed will take the United States out of this position. It is very simple. It provides that for each war-built vessel purchased by an operator he must readjust the compensation he received with respect to some one old ship as follows:

If the old ship was requisitioned for title, or was requisitioned for use and lost, he must readjust the compensation he received to that provided in section 8, namely, 10 percent of the value of the new ship being purchased.

I think this amendment is quite simple. Its purpose is to take care of certain inflated insurance valuations which were paid during the war. Under section 8 of the bill as amended by the committee amendment and approved by the committee, we require old ships that are being turned in to be readjusted in accordance with the formula provided in that section, namely, that the trade-in value cannot exceed 10 percent of the construction cost of the vessel to be purchased.

I do not know whether the Congress realizes the true picture of these old vessels. Many old vessels were purchased from the Maritime Commission in 1937 and 1938 for \$5 a ton, and a short time after hostilities broke out were requisitioned for title by the Maritime Commission. They paid as high as \$60 a ton for some of those ships.

The same is true of insurance. They paid around an average of \$47 per dead-

weight ton for ships that had a value of only \$5 a ton before the war, and many of them were actually purchased from the Commission directly. It is to correct that situation that I have offered the amendment which I submit to you for your consideration.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. RICH. In 1937 and 1938 nobody thought we were going to get into war. They did not figure we were going to get into war. Suppose some fellow went out and bought a vessel from the Maritime Commission at \$5 a ton. That man wanted to buy something that he thought he could use to probably earn a livelihood for himself. Then the war came on, and because of the war the Maritime Commission offered him \$60 a ton. What was wrong with that, as far as an honest, legitimate business transaction is concerned?

Mr. JACKSON. I think it is a sort of two-way street. I think when the Government is giving price concessions, it is not more than fair to ask of the purchaser the same thing that the Government is giving him. The gentleman should look at the tables which I inserted in the RECORD yesterday.

Mr. RICH. I do not know anybody in the business, I do not know of any cases, but there are many times when a man's foresight gives him an opportunity to make a business transaction and then, by some circumstances, he falls into the category where somebody wants to buy what he has invested in. There is nothing crooked about that, is there?

Mr. JACKSON. We are not penalizing him. The only thing we are saying to him is, "If you want to buy one of these old vessels at 50 percent of the prewar domestic cost, then you have got to shell back."

Mr. RICH. I want to get every dollar for these ships that we can get, but I thought the gentleman was insinuating that that fellow had done something wrong.

Mr. JACKSON. No.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JACKSON. Mr. Chairman, I ask to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. WELCH. Mr. Chairman, I ask the gentleman from Washington [Mr. JACKSON] if it is not a fact that in many instances the insurance was actually placed with commercial underwriters, such as the American Insurance Syndicate, and therefore the insurance indemnities in such instances were paid to the private owner by the commercial underwriter and not by the Government.

Mr. JACKSON. I will answer the gentleman by saying that it is my understanding that virtually all the war risk—that is what we are dealing with here, not marine risk—since 1942 has been



paid by the Maritime Commission. All the so-called marine risks were taken care of by private companies.

A provision similar to the one I have offered to the House today is contained, I understand, in the Senate bill written by the Maritime Commission. They do not have to adjust on all of the lost vessels—only on the one that they are coming in to bargain for. They can elect the one they wish to readjust.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I will yield to the gentleman, although he did not always yield to me.

Mr. BUCK. The gentleman has offered his amendment only to the section that applies to the sale of war-built vessels to citizens. I wonder if he proposes to offer a similar amendment to the section that deals with the sale of vessels to noncitizens?

Mr. JACKSON. I believe the gentleman understands that the amendment would not be enforceable against noncitizens; I believe he understands the reason for not offering it to that section.

Mr. BUCK. Then the amendment discriminates against the American operator as compared with the foreign operator.

Mr. JACKSON. No; I would not say that because I do not know of any foreign purchasers.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Michigan.

Mr. DONDERO. What is the meaning of "dead weight" as the gentleman used it during his address to the House?

Mr. JACKSON. That would take us into quite a long discussion. As I understand it, dead-weight tonnage is the actual displacement weight of the ship, and dead-weight tonnage is more than gross tonnage. In the United States ship tonnage is figured on the dead-weight basis, but in Europe ship tonnage is figured generally on the gross-tonnage basis. I am not an expert on tonnage and do not pretend to be.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it appears to me that this amendment is one that calls on the United States Government to waltz on the agreement it has already made. Another amendment was proposed that provided that unless a person made certain agreements that certain things could not be considered in the purchase of these ships he could not qualify. It was distinctly a bludgeoning amendment, and to that I would never subscribe. A man has his rights in court; let him go there; if not, and the matter is squarely presented in a legislative way it may be considered.

This amendment never came before the committee in all of our many months of work on the different phases of the bill. I think it would be most unwise to accept it now. The bill is so drawn in its many provisions that one section so integrates with another that sometimes

we found when we were reaching the end of the consideration of the bill, we had agreed to put something in which carried us back to the beginning and a re-reading of the whole bill became necessary to determine that no injustice would be done. Under this amendment an operator might be required to accept less than the courts of the United States might hold him to be entitled to as just compensation under the Constitution. If he refuses to accept the lesser amount he will be prevented from purchasing a war-built vessel.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Michigan.

Mr. DONDERO. I just appealed to Webster's Dictionary to find out what "dead weight" means as it was used by the gentleman from Washington in reference to the price per ton paid for these ships. Can the distinguished gentleman from Virginia tell the Committee what "dead weight" means?

Mr. BLAND. This question of tonnage is one of the hardest possible and there is now a movement to have something that you can fix upon definitely. I have the definition and I will give it as soon as I can find it as taken from one of the volumes on the subject.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Washington.

Mr. JACKSON. May I ask the gentleman if it is not true that under section 8 of the committee amendment readjustments are required in the cost of trades similar to that required in my amendment?

Mr. BLAND. I do not know that it goes that far.

Mr. JACKSON. I may say to the gentleman that the way it stands now the fellow who has lost his ship and received payment from the Government will get twice as much as the fellow who saved his ship and trades it in. That is the purpose of my amendment.

Mr. BLAND. I think the gentleman from Pennsylvania put his finger on it a few moments ago. When acquisitions were made at a low cost for the ships, they went up to a much higher cost thereafter. Immediately after war was declared in 1939, and we passed the Neutrality Act, the value of ships went down. They were quickly affected. I really do not think we ought to adopt this amendment without knowing something about it and more about it than we can in this consideration.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Illinois.

Mr. CHURCH. The gentleman from Washington said this involves foreign ships. It does, but may I say that our country requisitioned such ships as the *Rex* and the *Normandie*, foreign ships; therefore the gentleman from Washington has not the correct information.

Mr. BLAND. The truth of the matter is no one of us has sufficient information as to the effect of the amendment to adopt it now.

Mr. KEOGH. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from New York.

Mr. KEOGH. Is there not quite a difference in establishing a formula for trading in a ship than, as this amendment proposes, to go back to those losses that have been agreed on in accordance with established law?

Mr. BLAND. I quite agree with the gentleman.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, I believe that my good friend, the gentleman from Washington [Mr. JACKSON], has conceived this amendment possibly through some ill or mistaken advice. I do not question his integrity whatsoever. The facts of the matter are these, as pointed out by the gentleman from Pennsylvania [Mr. RICH]. Some years ago when there was no market for these ships some of these operators bought them at a sacrifice price from the Government. Then they had to put up considerable money to make those ships usable. In those days we were told we were being kept out of war, but instead of that we got into the war and a tremendously increased demand for shipping came up; as a matter of fact, the demand for ships—every available ship—leaped as soon as we lifted the arms embargo.

The Members will recall that when we were debating the arms embargo, the great cry from our friends over in Europe was: "Give us the arms and we will do the job, just simply put them on the docks and we will come and get them." Then you will recall Britain started a delightful campaign in this country, putting signs in store windows and signs on each bottle of Scotch that they brought back in ships carrying our arms to them, that "Britain delivers the goods," implying that we ought to deliver the goods. And it was not long before we endeavored to do just that. The Maritime Commission had to have ships and they got them back from the owners as fast as they could just as soon as the President declared a national emergency faced this country, but before the Maritime Commission acquired these ships by acquisition of title or charter, millions of tons of our merchandise and munitions went overseas in ships that were being torpedoed by the Germans and so naturally ships greatly enhanced in value. Then, as the chairman of the committee pointed out, we entered into definite insurance agreements with those operators at the time that we requisitioned those ships for title or charter.

War-risk and other insurance was not carried by the Government in a great many instances. They were carried in

three ways: First, by the private companies; second, by the war-risk insurance of the Government; and, third, by a combination of the two when the Maritime Commission specifically asked these operators to share their insurance with private firms. How are you going to ask these men to return that insurance to the insurance companies now when they apply for insurance on the purchase of a new ship? The gentleman says that it does not apply to foreign ships. That was purely an error on his part because we did requisition a great many foreign ships for title. Our own committee reported out a bill authorizing their acquisition. Of course, those foreigners will come in, I hope, to buy some of these ships, and if, as the gentleman says, we cannot make the foreigners return the insurance money due us, then he is discriminating against the American operators.

There is one other point. I am talking now about ships that were lost during the war. All the time after these ships were lost up to the present time, when the owners hope to acquire new vessels under this act, the owners have been deprived of the earning power of those vessels ever since they went to the bottom. I do not think it is fair now, as the chairman so clearly stated, to welch on a Government contract with these private operators.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from Washington.

Mr. JACKSON. The gentleman is familiar with the provisions of section 8?

Mr. BRADLEY of Michigan. Yes.

Mr. JACKSON. Is it not true that under the committee amendment the adjustments must be made by the very people the gentleman refers to, the people that bought ships for \$5 a ton in 1937 and 1938? They must readjust according to the formula provided in that section, namely, 10 percent of the construction cost, whereas the operator who lost his ship—

Mr. BRADLEY of Michigan. I do not yield for a speech. Those men have been getting the earning power of these ships right up to the date they turned them in, and the man who lost his ship 4 years ago by enemy action has been denied that earning power.

Mr. JACKSON. Most of these companies used that money to buy these ships again on which they are getting readjustments under the bill; is that not true?

Mr. BRADLEY of Michigan. They may.

Mr. JACKSON. They have had the full use of their money. They have had twice as much.

Mr. BRADLEY of Michigan. We are telling them in section 9 that they have to pay back that money that they earned from the Government; do not forget that.

Mr. JACKSON. And they are not obligated to do that unless they trade in under section 9.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HERTER].

Mr. HERTER. Mr. Chairman, I hope very much that this amendment will not be adopted. I can understand why the gentleman from Washington offered it. He is trying to readjust at this late date some of what you might call the inequities which occurred in the early stages of the war years. To my mind it is absolutely impossible to do that at this time in fairness to everyone without essentially defeating the purposes of this bill which is to get as many ships in American hands to be operated profitably for the sake of the future of the merchant marine.

Before we entered the war and during the early days of the war a good many American operators of American-flag ships sold their ships at the urging of the Maritime Commission to foreign interests, and they sold them at going tonnage rates, running anywhere from \$50 to \$100 a ton. Later the Maritime Commission took over the entire American-flag tonnage under two methods, one, requisition for title, and the other, requisition for use. There was absolutely no uniformity in the way it was done. When they took over for title they paid outright a going rate for the ships, in spite of the fact that the law said that the value of the ship should not be enhanced by the circumstances under which it was taken. The courts under the special tribunal to which the gentleman from Washington referred set up a series of criteria by which the value of those ships was determined, and those criteria have been accepted by everyone. If we try to go back now and readjust what was previously done at the beginning of the war by putting all kinds of amendments into this bill, I think we will have a bill which will sell no American ships to American operators.

Furthermore, the amendment that was adopted by the committee, which will be voted on later—and I am sorry I was out of the country at the time it was adopted—to my mind is an amendment that is entirely unworkable. It is an amendment offered by the gentleman from Washington. He hitches this amendment with that amendment. I think they are both equally bad. His second amendment is one which will preclude the Government from paying more than 10 percent of war tonnage costs on the turn-in value of ships regardless of the amount of money that has been spent on those ships and regardless of the condition in which they have been kept. In other words, Congress will be setting a fixed price for trade-in of vessels as though all vessels were of identically the same kind and make and of the same age. That just cannot be done. It is not the way you can trade in ships. You have to allow some leeway in the trade-in of ships, exactly as you do in the trade-in of anything else.

The primary purpose of this bill was not to wring every last penny out of the American operator so that he could not possibly operate a merchant marine in the future; it was to try to get rid of this colossal surplus of ships on a fair basis so that we would have a future merchant marine.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time has expired.

The question is on the amendment offered by the gentleman from Washington [Mr. JACKSON].

The question was taken; and on a division (demanded by Mr. JACKSON) there were—ayes 30, noes 63.

So the amendment was rejected.

The Clerk read as follows:

#### CHARTER OF WAR-BUILT VESSELS TO CITIZENS

SEC. 5. (a) Any citizen of the United States may make application to the Commission to charter a war-built dry-cargo vessel, under the jurisdiction and control of the Commission, for bare-boat use. The Commission may, in its discretion, either reject or approve the application, but shall not so approve unless in its opinion the chartering of such vessel to the applicant would be consistent with the policies of this act. No vessel shall be chartered under this section unless it has been offered for sale under section 4 for a period of at least 3 months and no sale has been consummated under such section during such period.

(b) The charter hire for any vessel chartered under the provisions of this section shall be fixed by the Commission at such rate as the Commission determines to be consistent with the policies of this act, but, except upon the affirmative vote of not less than four members of the Commission, such rate shall not be less than 15 percent per annum of the statutory sales price (computed as of the date of charter). Except in the case of vessels having passenger accommodations for not less than 80 passengers, rates of charter hire fixed by the Commission on any war-built vessel which differ from the rate specified in this subsection shall not be less than the prevailing world market charter rates for similar vessels for similar use as determined by the Commission.

(c) The provisions of sections 708, 709, 710, 712, and 713, of the Merchant Marine Act, 1936, as amended, shall be applicable to charters made under this section.

#### SALE OF WAR-BUILT VESSELS TO PERSONS NOT CITIZENS OF THE UNITED STATES

SEC. 6. (a) Any person not a citizen of the United States may make application to the Commission to purchase a war-built vessel (other than a P-2 type or other passenger type and other than a bulk dry-cargo Liberty type), under the jurisdiction and control of the Commission. If the Commission determines—

(1) that the applicant has the financial resources, ability, and experience necessary to enable him to fulfill all obligations with respect to payment of any deferred portion of the purchase price, and that sale of the vessel to him would not be inconsistent with any policy of the United States in respect of relations with other countries; and

(2) that such vessel is not necessary to the defense of the United States; and

(3) that such vessel is not necessary to the promotion and maintenance of an American merchant marine described in section 2; and

(4) that for a reasonable period of time, which in the case of tankers and "C" type vessels shall not end before 6 months after the cessation of hostilities, such vessel has been available for sale at the statutory sales price to citizens of the United States, or for charter under section 5 to citizens of the United States, and that no responsible offer has been made by a citizen of the United States to purchase or charter such vessel; then the Commission is authorized to approve the application and sell such vessel to the applicant at not less than the statutory sales price. The determination of the



Commission under paragraph (2) shall be made only after consultation with the Secretary of War and the Secretary of the Navy. Notwithstanding paragraph (4) of this subsection, not to exceed five "C" type vessels actually under charter to noncitizens for at least 1 year prior to the date of the enactment of this act may be sold to noncitizens at any time after such date of enactment at not less than the statutory sales price.

(b) Notwithstanding any other provision of law, no war-built vessel shall be sold to any person not a citizen of the United States except in accordance with subsection (a), or upon terms or conditions more favorable than those at which such war-built vessel is offered to a citizen of the United States.

Mr. BLAND. Mr. Chairman, I offer a committee amendment, which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. BLAND: Page 9, lines 23 and 24, strike out "cessation of hostilities" and insert "date of the enactment of this act."

Mr. BLAND. Mr. Chairman, this amendment is another of the amendments made necessary by the surrender of Japan. It has the effect of preventing, for 6 months after the enactment of the bill, the sale foreign of C type vessels and tankers. Under this bill as reported, the 6-month period ran from the date of the cessation of hostilities.

The original bill was reported before the war ceased. The date of the cessation of hostilities may be confusing as to the specific date for which the period of time prescribed in the section may begin to run. Therefore, it is thought that a definitely ascertainable date free from dispute should be determined upon and as section 6 (a) (4) to which the language stricken out applies relates to a reasonable period of time wherein tankers and C type of vessels shall be first available to citizens for sales or for charters, within which time no responsible offers shall have been made by a citizen of the United States to purchase or charter such vessel, it is proposed to fix the time when the period of preference to citizens is to be operative on the date of the enactment of this act. That date is certain and accomplishes the purposes originally intended.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. BLAND].

The amendment was agreed to.

Mr. BUCK. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BUCK: Page 9, line 1, add a new section as follows:

**"TRANSFER OF VESSELS TO WAR AND NAVY DEPARTMENTS**

"SEC. 6. (a) Subject to the provisions of subsection (b) of this section, the Commission shall transfer to the War Department or to the Navy Department such war-built vessels under the jurisdiction and control of the Commission as may be nominated by the Secretary of War or the Secretary of the Navy, respectively, which have not been previously sold to, or are not then under charter to, citizens of the United States pursuant to the provisions of section 4 or section 5 of this act.

"(b) Nominations under this section may be made at any time, but in the case of any vessel other than a Liberty-type vessel, trans-

fer to the War Department or to the Navy Department will be made under this section only if such vessel shall not have been sold or chartered to a citizen of the United States under section 4 or section 5 hereof within such reasonable period as the Commission may fix not in excess of 4 months after the receipt by the Commission of the nomination of such vessel by the Secretary of War or the Secretary of the Navy."

Page 9, line 3, strike out "6" and insert "7." Page 10, line 5, after the semicolon insert the word "and."

Page 10, line 6, add a new paragraph as follows:

"(5) that such vessel has not been nominated for transfer to the War Department or the Navy Department under section 6."

Mr. BLAND. Mr. Chairman, I make a point of order against the amendment. I understand some of the amendment is directed to a section of the bill that has not yet been read.

Mr. BUCK. That is not my understanding, Mr. Chairman.

The CHAIRMAN. Will the gentleman be more explicit about his point of order?

Mr. BLAND. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from New York [Mr. BUCK] is recognized for 5 minutes.

Mr. BUCK. Mr. Chairman, I shall not require 5 minutes to explain this amendment.

On June 21, 1945, the Secretary of War wrote the Committee on the Merchant Marine and Fisheries urging that the War Department be given positive acquisition rights to certain war-built vessels for purposes of national defense. I think that it was due to inadvertence and the rush incidental to the impending recess that the committee failed to incorporate such a provision into the bill as introduced.

It is obvious that the Navy Department has similar need.

The amendment I have offered merely grants the War Department and the Navy Department the right to acquire ships essential for their purposes before such ships are offered to foreign buyers and after American citizens have purchased or chartered all the ships they wish to operate.

I yield back the balance of my time.

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from New York says the amendment was not considered. Perhaps not in the exact language of his amendment, but the substance of it was considered in one form of the bill that was considered by the committee. During the consideration of the shipping bill in 1945, when the committee had amendments before it, there was an amendment suggested by the War Department which provided:

Nor shall any such vessel with respect to which such a determination, return or transfer has been made or any other vessel especially subject to this act be sold or chartered under this act until such vessel has been determined by the War Department also to be surplus to its needs.

There was also a letter—I believe the gentleman refers to a letter—which came before the committee just shortly before we had our last meeting. When the question was taken up the letter was

read and the chairman called attention to the fact that it was before the committee for consideration. Some member of the committee said: "We thrashed that out several times. I do not see why we should go any further than we have already gone in the bill when we consider the wishes of the War Department and the Navy Department, and that we should not leave to them the determination of the particular vessels that will be declared to be surplus."

The amendment proposed by the gentleman from New York appears on its face plausible. The policy of the amendment was considered very carefully in the committee in the early days of its deliberations on the bill and decisively rejected. I think we spent some time on it.

It has always been the policy of the Congress, reaffirmed last year in the action of the Congress on the Surplus Property Act that there should be no transfer of property from one Government agency to another without reimbursement of appropriations; in other words, the acquiring agency before acquisition can take place must have appropriations available to it to pay for the acquisition. Any other policy would result in permitting agencies to acquire and operate property without any control whatsoever on the part of the Appropriations Committee and the Congress.

The War Department appears to have been trying for a long time to become the operator of a large merchant fleet. It seems to see an opportunity, through the medium of this bill, to achieve its desires in this respect—without the necessity of going through the Committee on Military Affairs and the Committee on Appropriations. It would have you believe that its amendment is necessary to the national defense. If it is, let that decision be made in the proper way—first by the Committee on Military Affairs and then by the Committee on Appropriations.

Under section 11 of the bill—providing for a national defense reserve fleet—the War and Navy Departments can determine what vessels are necessary to the national defense and prevent their sale. If the War Department is interested only in the national defense, it has all the power it needs under section 11. The fly in the ointment, however, is that what the War Department really seems to want is the operation of a large merchant fleet, acquired by it without reimbursement of appropriations, and thus without congressional controls.

There was a similar question up when we had the surplus-property legislation before us for consideration and at that time it was provided that the United States Maritime Commission should be the sole disposal agency for surplus vessels which the Commission determined to be merchant vessels or capable of conversion to merchant use and that such vessels should be disposed of only in accordance with the provisions of the Merchant Marine Act of 1936 as amended, and other laws authorizing the sale of vessels. I have a document which shows the interrogations in this body and in another body as to whether that

did leave with the Maritime Commission the determination of the sale of these vessels.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield.

Mr. WELCH. Is it not a fact that this amendment or a similar amendment was considered by the committee and rejected?

Mr. BLAND. That is what I was trying to point out. I think the substance of the amendment has been considered and has been rejected; and it runs in my mind that when it was last brought up the committee declared that to be its opinion. I understand the sale of these vessels as used by the other departments may be had only when they are declared surplus.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from New York.

Mr. BUCK. Is it not a fact that the letter from the Secretary of War was dated June 21; the bill, H. R. 3603, was introduced on June 27; and that the committee was in a considerable rush to get the bill completed at that time?

Mr. BLAND. That particular letter, yes; but it is my distinct recollection that before we finished our hearings and the day before we reported the bill the question rose again and the members were unanimously of the opinion that we had passed on that matter and did not propose to go into it again, as requested by the War Department. That being the case an amendment of this kind, I submit, should not be adopted at this time without the necessary consideration that the gentleman seems to think has not been given it. I think full consideration has been given it and on full consideration the committee decided against this amendment.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

The question is on the amendment offered by the gentleman from New York [Mr. BUCK].

The amendment was rejected.

The Clerk read as follows:

#### ORDER OF PREFERENCES

SEC. 7. (a) In exercising its powers under this act and under other provisions of law with respect to the sale and charter of war-built vessels, the Commission shall give preference to citizen applicants over noncitizen applicants, and as between citizen applicants to purchase and citizen applicants to charter, shall, so far as practicable and consistent with the policies of this act, give preference to citizen applicants to purchase. In determining the order of preference between citizen applicants to purchase or between citizen applicants to charter, the Commission shall consider, among other relevant factors, the extent to which losses and requisitions of the applicant's prewar tonnage have been overcome and shall in all cases, in the sale and charter of a war-built vessel, give preference in such sale or charter, as the case may be, to the former owner of such vessel, or to the person for whom the vessel was constructed but to whom delivery thereof was prevented by the United States.

(b) After the cessation of hostilities, operation of vessels in commercial service by the United States, either for its own account or through operating agents under agency agreements, shall be continued only to the

extent necessary to effect orderly transfer of vessels to private operation.

Mr. JACKSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JACKSON: Page 11, line 16, after the period, insert "in determining the order of preference between non-citizen applicants to purchase, the Commission shall consider the extent to which losses in prewar tonnage of the various member nations of the United Nations, incurred in the interests of the war effort, have been overcome, and the relative effects of such losses upon the national economy of such member nations."

Mr. JACKSON. Mr. Chairman, the purpose of this amendment is to give certain preferences to a small country like Norway and some others that have lost heavily of their merchant fleet during the war. It applies the same theory of preference as is available to certain of our own citizens and it has the additional factor which the Commission is to take into consideration, namely, the effect of such losses upon the national economy of such nations. This does not affect the order of preference of our own citizens. This only has to do with the order of preference that will exist among foreign purchasers.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. It is well recognized by the committee, of course, that we have a certain obligation to Norway and also to Brazil, I believe, to make certain replacements of ships which we took over and lost; is that not correct?

Mr. JACKSON. That is correct. I have discussed this with the committee, both the chairman and the ranking minority member, and there is no apparent objection to this amendment.

Mr. BLAND. Mr. Chairman, if the gentleman will yield, I have no objection to the amendment.

Mr. JACKSON. For instance, take the Norwegian situation as an example. Norway entered the war with 7,600,000 dead-weight tons. That country only has a population of 3,000,000. They have lost over half of their merchant fleet in this war. One can well imagine what effect those losses have had on her national economy. In addition to that, about 35 percent of Norway's foreign currency was derived from shipping service before the war.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from California.

Mr. WELCH. There is no objection to the amendment on this side, and there is no objection from the other side, so why debate it?

Mr. JACKSON. I appreciate that. I was just making a statement for the RECORD.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. JACKSON.]

The amendment was agreed to.

Mr. BONNER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BONNER: Page 11, line 18, strike out "United States" and insert "Maritime Commission."

Mr. BONNER. Mr. Chairman, I have discussed the amendment with the chairman and the ranking minority member of the committee. The amendment merely deals with the question whether we desire to effect some other legislation in this bill or not. By using the words "United States" we would affect a small amount of merchandise freight that is carried to Panama by the Panama Canal lines.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield to the gentleman from Virginia.

Mr. BLAND. I do not desire to be supertechnical, but I believe the proper wording would be to insert "Maritime Commission" after the words "United States."

Mr. BONNER. I agree to the modification so as to have the amendment read "United States Maritime Commission", and ask unanimous consent, Mr. Chairman, that the amendment be so modified.

The CHAIRMAN. Without objection, the amendment will be so modified.

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The amendment was agreed to.

The Clerk read as follows:

#### EXCHANGE OF VESSELS

SEC. 8. (a) The Commission is authorized to acquire, in exchange for an allowance of a credit on the purchase of any war-built vessel under this act—

(1) Any vessel owned by a citizen of the United States, other than a vessel purchased under this act; or

(2) Any vessel owned by a foreign corporation, if—

(A) the vessel was constructed in the United States, and has, after December 7, 1941, been chartered to, or otherwise taken for use by, the United States; and

(B) the controlling interest in such corporation is, at the time of acquisition of such vessel hereunder, owned by a citizen or citizens of the United States, and has been so owned for a period of at least 3 years immediately prior to such acquisition; and

(C) such corporation agrees that the war-built vessel purchased with the use of such credit shall be documented under the laws of the United States.

Such allowance shall not be applied upon the cash payment required under section 4. Except as provided in subsection (b) of this section, the provisions of section 510 (c), (d), (e), and (f), of the Merchant Marine Act, 1936, as amended, shall be applicable with respect to such acquisition to the same extent as such subsections are applicable with respect to the acquisition of obsolete vessels.

(b) (1) If, within 90 days after the date of the enactment of this act, the owner of a vessel eligible for exchange under subsection (a) and on such date of enactment under charter to the United States pursuant to a charter party or taking for use made or effected prior to such date of enactment, makes a firm offer, binding for at least 90 days, to transfer the vessel to the Commission in exchange for the allowance provided in paragraph (1), the amount of such allowance may be increased to (A) the amount which the owner has, prior to the enactment of this act, agreed would have been the lia-



bility of the United States to him if the vessel had been lost, on the day before such date of enactment, by reason of causes for which the United States was responsible, or (B) in the absence of such an agreement, the amount which would have been the liability of the United States to him if the vessel had been so lost on such day and if the valuation of the vessel for the purpose of fixing such liability had been that generally applicable to vessels of similar age and type.

(2) If, after such offer is made, and prior to its acceptance, or prior to the acquisition of the vessel, by the Commission, the vessel is lost by reason of causes for which the United States is responsible, then in lieu of paying the owner any amount on account of such loss, the offer shall, for the purposes of subsection (a) and this subsection, be considered as having been accepted and the vessel as having been acquired by the Commission under subsection (a) immediately prior to such loss.

(c) The Commission is also authorized to make available any war-built vessel for transfer to any citizen in complete or partial settlement of any claim of such citizen against the United States (1) for just compensation upon the requisition for title of any vessel which he owned, or (2) for indemnity for the loss of any vessel owned by him and taken by the United States for use.

(d) A war-built vessel shall be deemed to be a "new vessel" for the purposes of section 510 and section 511 of the Merchant Marine Act, 1936, as amended, provided it is documented, or agreed with the Commission to be documented, under the laws of the United States.

Mr. BLAND. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. BLAND: Beginning with line 19, page 12, strike out down through line 16 on page 14, and insert: "Such allowance shall not be applied upon the cash payment required under section 4. The amount of such allowance shall be determined by the Commission, having regard to the tonnage of the vessel being exchanged, but shall in no event be greater than 10 percent of the average construction cost (without national defense features) of warbuilt vessels (of the same type as that being purchased) delivered during the calendar year 1944, except that in the case of any type of dry-cargo vessel the principal deliveries of which were made after the calendar year 1944, there shall be used in lieu of the year 1944 such period of not less than 6 consecutive months as the Commission shall find to be most representative of war production costs of such type. In any case where the vessel offered in exchange was acquired from the United States, the exchange allowance under this section shall, unless subsequent to its sale by the United States it was acquired by a bona fide purchaser for value, in no event be greater than the price at which the vessel was acquired from the United States plus the depreciated cost of any capital improvements thereon. No vessel which is under charter to the United States on the date of the enactment of this act and which, pursuant to the terms of such charter, has been restored to condition by the United States, or for the restoring of which pursuant to the terms of such charter a cash allowance has been made to the owner, may be exchanged under this section.

"(b) The Commission is also authorized to make available any war-built vessel for transfer to any citizen in complete or partial settlement of any claim of such citizen against the United States (1) for just compensation upon the requisition for title of any vessel which he owned, or (2) for indemnity for the loss of any vessel owned by him and taken by the United States for use.

"(c) Except as hereinafter provided, a war-built vessel shall not be deemed to be a "new vessel" for the purposes of section 510 of the Merchant Marine Act, 1936, as amended, but shall be deemed a "new vessel" for the purposes of section 511 of such act. Section 510 (c) of the Merchant Marine Act, 1936, as amended, shall be applicable with respect to vessels exchanged under this section to the same extent as applicable to obsolete vessels exchanged under section 510 of such act."

Mr. BLAND. Mr. Chairman, this amendment deals with one of the most difficult questions which the committee had to decide—the amount of the trade-in allowance to be permitted on old vessels turned in to the Commission in connection with the purchase of war-built vessels.

The bill as reported contained two provisions dealing with the amount of the allowance—section 8 (a) and section 8 (b). Section 8 (a) stated the general rule—that is, that the Commission was authorized to allow, on a vessel traded in, the fair and reasonable value of the vessel, taking into consideration three factors: First, market value for operation in foreign and domestic trade; second, scrap value; and, third, book value.

Section 8 (b) of the reported bill authorized a value in excess of the section 8 (a) value under certain conditions:

First. The vessel must be under charter to the United States on the date of the bill's enactment; and

Second. The offer to trade the vessel in must be made within 90 days after the date of the bill's enactment.

If these two conditions were complied with, then the Commission was authorized to allow on the trade-in an amount not in excess of the "insurance valuation" of the vessel—which means the amount which the United States would have been required to pay to the owner if it had lost the vessel while under charter. This "insurance valuation" was equal to the "just compensation" value fixed by the War Shipping Administration, and in the case of vessels twenty or more years old averaged around \$47 per ton.

There has been a feeling that the allowance permitted by the bill as reported is too high, and hence the committee has agreed to the committee amendment which has just been offered. Under the amendment the allowance for a vessel traded in on a war-built vessel cannot be greater than 10 percent of the war-construction cost of the war-built vessel being purchased. The amount of the allowance, subject to the 10-percent maximum, is to be fixed by the Commission, having regard to the tonnage of the vessel being exchanged as compared with the tonnage of the vessel being purchased. Under the amendment the maximum allowance, according to information given to the committee, will be in the neighborhood of \$25 per ton. As a further limitation, the amendment provides that, if the vessel being turned in was once acquired from the United States, the allowance cannot exceed the price paid on such acquisition, unless subsequent to such acquisition the vessel was acquired by a bona fide purchaser for value.

A vessel which is under charter to the United States on the date of the bill's enactment cannot, under the terms of

the amendment, be turned in if the United States has been required to fulfill its obligation to restore the vessel to condition for delivery back to the owner. The cost of restoration of these vessels has been estimated to run as high as \$20 a ton. Since the reason for providing an increased trade-in allowance is, first, the saving of the cost of restoration and, second, the holding out of a reasonable inducement to the owner to replace his old tonnage with new tonnage in the interests of the merchant marine, it would be the height of folly to have the owner require the United States to expend large sums in restoring the vessel, and then permit him to turn it in at an attractive trade-in value and tell the United States he did not want it after all.

Under the amendment, no vessel may be traded in under section 510 of the 1936 act on a war-built vessel. On war-built vessels trade-ins must be made under section 8 of the bill, as proposed by the committee amendment, or not at all.

Mr. HERTER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I regret exceedingly that I find myself in opposition to the distinguished chairman of the committee and the majority of the committee on this amendment. I feel quite sincerely that in adopting this amendment the committee neglected to examine some of its more obvious provisions which, to my mind, are a complete absurdity if we are trying to modernize our merchant marine. The amendment, in effect, provides that for the turn-in of any vessels other than a war-built vessel in exchange for a war-built vessel there shall be a top limit of 10 percent of the construction costs during war conditions per ton for that old vessel. The reason, apparently, that the committee adopted that was that they were afraid the Chairman of the Maritime Commission might accept in certain deals old junk tonnage in exchange for new ships.

But as the bill is written and the way in which this amendment is made to apply to the bill, this limitation of 10 percent applies to any vessel owned by a citizen of the United States, other than a vessel purchased under this act. In other words, it does not apply necessarily to old tonnage. It may well apply to tonnage that is in first-class condition that is only 10 years old, but which for modernization purposes the owner would like to trade in for a new vessel.

Under this amendment, if adopted, the maximum trade-in price he can get is 10 percent. It was my understanding from the beginning that with this colossal surplus of vessels we have on our hands we were going to do our very best to make fair trade deals in order to get our merchant marine modernized so that we might compete, which we will have great difficulty in doing, with the merchant marines of other nations of the world. This amendment would completely prevent the modernization of our merchant fleet. It is a clear reflection on the trading ability of the Maritime Commission from the point of view of making a fair trade. I object to it on the same ground as to the other amendment that was offered by the gentleman from Washington [Mr. JACKSON], in that

in order to try to correct an evil an amendment has been proposed to the bill which is likely to be a very serious deterrent to the modernization of our merchant marine.

If the Members are interested in this amendment, I wish they would read it as appears on page 9201 of the CONGRESSIONAL RECORD of yesterday. I defy any Member to tell me the meaning of the entire amendment.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. WELCH. It is regrettable that the gentleman from Massachusetts was not present during the consideration of the amendment so that the committee could have had the benefit of his counsel but the fact still remains that the committee, by unanimous vote, approved what is known as the Bonner amendment.

Mr. HERTER. I fully share the regret at not having been present, but I still stick to my point, and in order that there be no misunderstanding as to my understanding of this amendment, I have just consulted with the counsel for the committee and he says that my interpretation is the correct interpretation.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. CHURCH. I think it is only fair to say that the gentleman from Massachusetts was in committee at most of its hearings, and this amendment came up lately while the gentleman was away. The gentleman has been at all the hearings and has been very much interested in the hearings on this very subject and has been a very valuable member. I do not believe he has neglected one bit of this legislation.

Mr. HERTER. I thank the gentleman for that. I tried for 15 months to follow this bill.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. BLAND. And the gentleman was a very great aid in preparing this bill. The chairman learned, and so did other members of the committee, to rely upon his excellent judgment and his knowledge of all matters pertaining to the bill. He was of great assistance and very valuable to the committee.

Mr. HERTER. I am very grateful to the chairman for those kind remarks, and am sorry I find myself in disagreement with other members of the committee on this amendment.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH to the committee amendment: At the end of section (b), after the words "for use" insert "Provided, That the value or price attributed to any war-built vessel made available under the provisions of this subsection shall not be less than the price at and for which such vessel may be sold under the provisions of this act."

Mr. WIGGLESWORTH. Mr. Chairman, I think the committee amendment which has been offered is a tremendous improvement as compared with the text of the bill as reported. I do not purport to say whether or not 10 percent is the proper ceiling, but I do think the original ceiling proposed in the bill as reported is absolutely without justification. I emphasized that fact in my remarks on the floor yesterday. I agree with Mr. Snyder, Director of Mobilization and Reconversion, who, in a letter addressed to the chairman of the Senate Commerce Committee, stated that "certainly there should be some drastic limitation placed upon the maximum trade-in allowance permitted."

The amendment to the amendment which I have offered is a very simple one; I hope the committee will accept it. The amendment simply proposes to put a minimum valuation on the ship that is traded in; namely, the value at which it can be sold under the provisions of this act. Without this limitation, as I read the proposed amendment, any claim in respect to the requisition for title or indemnity for loss can be settled in the discretion of the Commission without any yardstick for the valuation of the vessel to be turned in. I hope the amendment to the amendment will be accepted.

Mr. WELCH. Mr. Chairman, I ask unanimous consent that the Clerk again read the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk again read the amendment.

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. BLAND. Mr. Chairman, I believe the gentleman from North Carolina wishes to be heard on his amendment.

Mr. BONNER. Mr. Chairman, I should like to ask the gentleman from Massachusetts a question.

Mr. Chairman, I offer a pro forma amendment.

Mr. Chairman, I address my remarks to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The reason this amendment was offered was to assure at least a 25 percent return to the Treasury of the reduced prices, as we might term the price mentioned in the bill, the prewar domestic cost reduced. I should like to be assured that in no case will the return be less than that amount.

Mr. WIGGLESWORTH. I may say to the gentleman from North Carolina that the amendment which I offered goes only to section (b) of his amendment, that is to the section which authorizes the Commission to make available war-built vessels in complete or partial settlement of any claim that may now be outstanding. All it does is to provide that the ships so transferred shall not be transferred at a value less than the value which is provided in this bill for the sale of war-built vessels.

Mr. BONNER. And it still leaves the possibility for the Commission to get a higher amount than 25 percent.

Mr. WIGGLESWORTH. I assume it does.

Mr. BLAND. I thought we had agreed to that; I thought the amendment to the amendment had been accepted. We hope they will not set a floor of 25 percent but will seek to get the highest price possible.

Mr. WELCH. Mr. Chairman, will the gentleman yield?

Mr. BONNER. I yield.

Mr. WELCH. I should like to ask the gentleman from Massachusetts if his amendment will bring a greater financial return to the Federal Government for the sale of the ships than is provided for in the Bonner amendment.

Mr. WIGGLESWORTH. I can answer that only in terms of hope. I should hope it would, but I do not know how anybody can have any idea about the amount to be obtained under this bill.

Mr. WELCH. We are dealing with \$17,000,000,000 of the taxpayers' money, and we are duty bound to secure for the Government the greatest possible financial return for its ships.

Mr. BLAND. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLAND. Mr. Chairman, we have agreed to the Wigglesworth amendment to the amendment. The question is whether debate on the amendment offered by the gentleman from Massachusetts is proper.

The CHAIRMAN. As the Chair understands the situation, the committee has agreed to the Wigglesworth amendment to the amendment. The question will recur upon the amendment as amended.

Mr. BONNER. Mr. Chairman, that is what I understood. I wanted to be clear about it before I voted for or against my own amendment.

The CHAIRMAN. The question is on the amendment as amended.

The amendment as amended was agreed to.

The Clerk read as follows:

#### ADJUSTMENT FOR PRIOR SALES TO CITIZENS

Sec. 9. (a) A citizen of the United States who on the date of the enactment of this act—

(1) owns a vessel which he purchased from the Commission prior to such date, and which was delivered by its builder after December 31, 1940; or

(2) is party to a contract with the Commission to purchase from the Commission a vessel, which has not yet been delivered to him; or

(3) owns a vessel on account of which a construction-differential subsidy was paid, or agreed to be paid, by the Commission under section 504 of the Merchant Marine Act, 1936, as amended, and which was delivered by its builder after December 31, 1940; or

(4) is party to a contract with a ship-builder for the construction for him of a vessel, which has not yet been delivered to him, and on account of which a construction-differential subsidy was agreed, prior to such date, to be paid by the Commission under section 504 of the Merchant Marine Act, 1936, as amended; shall be entitled to an adjustment in the price of such vessel under this section if he makes application therefor, in such form and manner as the Commission may prescribe, within 60 days after the date of the enactment of this act.



(b) Such adjustment shall be made by crediting the amount thereof against any mortgage indebtedness to the Commission with respect to such vessel (prorated over the unpaid installments thereof), and by refunding the balance, if any.

(c) The amount of the adjustment under this section shall be the excess of—

(1) the purchase price of such vessel, reduced by an amount representing both normal depreciation, and excessive wear and tear by reason of war service, at the same rate and for the same period as that used in computing the statutory sales price under paragraph (2) or in lieu thereof by the amount of any amortization applicable up to such date under section 23 (t) of the Internal Revenue Code if such amount is larger; over

(2) the statutory sales price of the vessel as of the date of the enactment of this act, determined as if the vessel were owned by the Commission.

For the purposes of paragraph (1), the purchase price of a vessel on account of which a construction differential subsidy was paid or agreed to be paid under section 504 of the Merchant Marine Act, 1936, as amended, shall be the net cost of the vessel to the owner.

(d) An adjustment shall be made under this section only if there are included in the adjustment agreement provisions to the effect that—

(1) the liability of the United States for bare-boat use of the vessel under any charter party made prior to the date of the enactment of this act shall be limited to 15 percent per annum of the statutory sales price as of such date; and

(2) the liability of the United States under any such charter party for loss of the vessel shall be determined on the basis of the statutory sales price as of the date of the enactment of this act, depreciated to the date of loss at the rate of 5 percent per annum, plus not to exceed 3 percent per annum as representing excessive wear and tear by reason of war service; and

(3) in the event the United States, prior to the termination of the existing national emergency declared by the President on May 27, 1941, uses such vessel pursuant to a taking, or pursuant to a bare-boat charter made, on or after the date of the enactment of this act, the compensation to be paid to the purchaser, his receivers, and trustees, shall in no event be greater than 15 percent per annum of the statutory sales price as of such date.

(e) Section 506 of the Merchant Marine Act, 1936, as amended, shall not apply to any vessel with respect to which an adjustment is made under this section.

Mr. BLAND. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND: Page 15, line 12, after "shall", insert "", except as hereinafter provided," and after the period in line 15, insert "No adjustment shall be made under this section in respect of any vessel the contract for the construction of which was made after June 30, 1945, under the provisions of title V (including sec. 504) or title VII of the Merchant Marine Act, 1936, as amended."

Mr. BLAND. Mr. Chairman, substantially a similar amendment was adopted yesterday after debate. This amendment is another of the amendments made necessary by the surrender of Japan and by the stopping of contract authority for new construction. It has the effect of preventing adjustments in the price of vessels contracted for under title V or title VII of the Merchant Marine Act, 1936, after June 30, 1945.

The amendments are merely clarifying amendments and consist first of the

insertion on page 15, line 12, after the word "shall" of the words "except as hereafter provided" and then in line 15 inserts the matter contemplated by the exception, the language so inserted being as shown in this amendment. The insertion was recommended by the Maritime Commission and the reasons therefor have been discussed in connection with amendment No. 1.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. BLAND. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. BLAND: Beginning with line 16 on page 15, strike out down through line 23 on page 16 and insert:

"(b) Such adjustment shall be made, as hereinafter provided, by treating the vessel as if it were being sold to the applicant on the date of the enactment of this act, and not before that time. The amount of such adjustment shall be determined as follows:

"(1) The Commission shall credit the applicant with the excess of the cash payments made upon the original purchase price of the vessel over 25 percent of the statutory sales price of the vessel as of such date of enactment. If such payment was less than 25 percent of the statutory sales price of the vessel, the applicant shall pay the difference to the Commission.

"(2) The mortgage indebtedness of the applicant with respect to the vessel shall be canceled, and a new mortgage indebtedness, payable in not more than 20 equal annual installments, with interest on the portion of the statutory sales price remaining unpaid, at the rate of 3½ percent per annum, shall be assumed by the applicant.

"(3) The new mortgage indebtedness shall be in an amount equal to the excess of the statutory sales price of the vessel as of the date of the enactment of this act over the sum of the cash payment retained by the United States under paragraph (1) plus the readjusted trade-in allowance (determined under paragraph (6)) with respect to any vessel exchanged by the applicant on the original purchase.

"(4) The Commission shall credit the applicant with the excess, if any, of the sum of the cash payments made by the applicant upon the original purchase price of the vessel plus the readjusted trade-in allowance (determined under paragraph (6)) over the statutory sales price of the vessel as of the date of the enactment of this act to the extent not credited under paragraph (1).

"(5) The Commission shall also credit the applicant with an amount equal to interest at the rate of 3½ percent per annum (for the period beginning with the date of the original delivery of the vessel to the applicant and ending with the date of the enactment of this act) on the excess of the original purchase price of the vessel over the amount of any allowance allowed by the Commission on the exchange of any vessel on such purchase; the amount of such credit first being reduced by any interest on the original mortgage indebtedness accrued up to such date of enactment and unpaid. Interest so accrued and unpaid shall be canceled.

"(6) The applicant shall credit the Commission with all amounts paid by the United States to him as charter hire for use of the vessel (exclusive of service, if any, required under the terms of the charter) under any charter party made prior to the date of the enactment of this act, and any charter hire for such use accrued up to such date of enactment and unpaid shall be canceled; and the Commission shall credit the applicant

with the amount that would have been paid by the United States to the applicant as charter hire for bare boat use of vessels exchanged by the applicant on the original purchase (for the period beginning with date on which the vessels so exchanged were delivered to the Commission and ending with the date of the enactment of this act).

"(7) The allowance made to the applicant on any vessel exchanged by him on the original purchase shall be readjusted so as to limit such allowance to the amount provided for under section 8.

"(8) There shall be subtracted from the sum of the credits in favor of the Commission under the foregoing provisions of this subsection the amount of any overpayments of Federal taxes by the applicant resulting from the application of subsection (c) (1), and there shall be subtracted from the sum of the credits in favor of the applicant under the foregoing provisions of this subsection the amount of any deficiencies in Federal taxes of the applicant resulting from the application of subsection (c) (1). If, after making such subtractions, the sum of the credits in favor of the applicant exceeds the sum of the credits in favor of the Commission, such excess shall be paid by the Commission to the applicant. If, after making such subtractions, the sum of the credits in favor of the Commission exceeds the sum of the credits in favor of the applicant, such excess shall be paid by the applicant to the Commission. Upon such payment by the Commission or the applicant, such overpayments shall be treated as having been refunded and such deficiencies as having been paid.

"For the purposes of this subsection, the purchase price of a vessel on account of which a construction differential subsidy was paid or agreed to be paid under section 504 of the Merchant Marine Act, 1936, as amended, shall be the net cost of the vessel to the owner.

"(c) An adjustment shall be made under this section only if an adjustment is applied for on all vessels of the applicant with respect to which an adjustment may be made under this section, and then only if the applicant enters into an agreement with the Commission to the effect that, in the case of each such vessel—

"(1) Depreciation and amortization allowed or allowable with respect to the vessel up to the date of the enactment of this act for Federal tax purposes shall be treated as not having been allowable; amounts credited to the Commission under subsection (b) (6) shall be treated for Federal tax purposes as not having been received or accrued as income; amounts credited to the applicant under subsection (b) (6) shall be treated for Federal tax purposes as having been received and accrued as income in the taxable year in which falls the date of the enactment of this act; and the amount credited by the Commission under subsection (b) (5) shall be treated for Federal tax purposes as having been received and secured as income ratably over the period beginning with the date of the original delivery of the vessel to the applicant and ending with the day before the date of the enactment of this act;

"(2) The liability of the United States for use (exclusive of service, if any, required under the terms of the charter) of the vessel on or after the date of the enactment of this act under any charter party shall not exceed 15 percentum per annum of the statutory sales price of the vessel as of such date of enactment; and the liability of the United States under any."

Page 17, line 14, strike out "(e)" and insert "(d)."

Mr. BLAND. Mr. Chairman, the gentleman from Washington [Mr. JACKSON], the chairman of the subcommittee will handle this amendment.

Mr. JACKSON. Mr. Chairman, this is an amendment agreed to by the subcommittee and by the full committee, which considered amendments to the bill.

Section 9 of the bill as reported seeks to provide for adjustments in the price of vessels sold during the war period and prior to the enactment of the bill to the price provided under the bill. To make an adjustment of this character is plain simple justice. An operator who bought a vessel from the Commission before the enactment of the bill should not be penalized in comparison with one who waits until after the bill's enactment to buy.

There have been sold during the war, and prior to the bill's enactment, 153 dry-cargo vessels and 68 tankers. Of the dry-cargo vessels 139 were sold with a construction differential subsidy, and 19 were sold without any subsidy whatsoever. All of the tankers, of course, were sold without subsidy. The contracts for the sale of all these vessels contained a provision which purported to grant to the purchaser in the event legislation should be enacted to provide for the sale of war-built ships the benefits of any price fixed in that legislation. Whether or not the Commission had authority to make such a commitment, the fact is that it was made and the good faith of the United States is involved in section 9 of the bill.

There has been a feeling that the amount of the adjustment provided for in section 9 of the bill as reported is too high. The committee amendment seeks to cut down the amount of this adjustment and at the same time to be perfectly fair to all concerned—those who bought before the enactment of the bill, those who bought after the enactment of the bill, and the United States.

The committee amendment treats all of these prior sales as being made on the date of the bill's enactment and not before that time, so that the previous purchaser and a future purchaser will be put on exactly the same basis. In order to accomplish this result it is necessary to "unwind" a previous transaction, and most of the provisions of the committee amendment which appear complicated are the provisions describing how this unwinding is to be done.

First. The cash payments, which include the principal payments made on the mortgage, made in connection with the original transaction have to be readjusted to the cash payment requirements of the bill.

Second. The old mortgage indebtedness assumed on the original transaction must be canceled and a new mortgage indebtedness running from the date of the bill's enactment has to be assumed.

Third. The amount of the new mortgage indebtedness must be fixed in relation to the statutory sales price of the vessel under the bill—that is, the price at which it is now being sold.

Fourth. The Commission must credit the applicant with any amount of cash which he has already paid in excess of the statutory sales price.

Fifth. Since the United States has had the use of the applicant's money from the time of the original transaction to

the date of the bill's enactment, the Commission must credit the applicant with interest on that money.

Sixth. The applicant must credit the Commission with amounts paid by the United States to him as charter hire for the use of the vessel from the date of the original transaction to the date of the bill's enactment, and if the applicant traded in any vessel on the original transaction, the Commission must credit him with the amount that he would have earned as charter hire on the old vessel traded in from the time when the old vessel was traded in up to the date of the bill's enactment.

Seventh. The trade-in allowance made to the applicant in the original transaction must be readjusted down to the allowance permitted under section 8 of the bill.

Eighth. Depreciation which the applicant has taken on the vessel purchased from the date of the original transaction to the date of the bill's enactment must be treated as not having been allowed and must be put back into the income account. Similarly, charter hire which the applicant received and which, under the terms of the amendment he is required to pay back must be taken out of the income account.

These are the provisions which the amendment includes for the purpose of unwinding the previous transaction. The basic principle of the amendment is very simple—the previous transaction is to be looked upon as having taken place not when it actually did but as taking place on the date of the bill's enactment and subject to all of the bill's provisions. The amendment reduces the amount of the adjustment under section 9 substantially and is fair to all concerned.

I might say incidentally that the adjustments under the bill as originally reported out amounted to \$89,000,000. That included a scaling down of the mortgage indebtedness owing to the Maritime Commission and a small amount of cash. This amendment reduces that adjustment to the owners down to \$68,000,000, or a total saving of \$21,000,000.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I ask unanimous consent that the gentleman from Washington [Mr. JACKSON] may proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. Mr. Chairman, as I understand it, this readjustment is made both in respect to contracted sale and sales which are actually executed?

Mr. JACKSON. That is correct.

Mr. WIGGLESWORTH. And the gentleman says it will involve the repayment of about \$69,000,000?

Mr. JACKSON. Not in cash, no. It scales down their indebtedness. In

other words, it treats the transaction as though it took place on the date of the enactment of this bill. Then they must go through all the necessary procedure set out in the amendment to make the adjustments.

Mr. WIGGLESWORTH. Is this \$68,000,000 to be paid to nonsubsidized owners, to subsidized owners, or to tanker owners, or to all three?

Mr. JACKSON. The adjustment applies to subsidized and unsubsidized owners. If I understand the record correctly, there will be a very small amount to subsidized owners. I believe there will be about \$200,000 to the subsidized owners and the rest to unsubsidized owners and to the tanker operators.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. WEICHEL. Mr. Chairman, I ask unanimous consent that the gentleman from Washington may proceed for another minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. WEICHEL. Mr. Chairman, will the gentleman yield?

Mr. JACKSON. I yield to the gentleman from Ohio.

Mr. WEICHEL. With reference to the amendment offered by the gentleman, how much do you claim you will save out of the \$87,000,000 now proposed to be given away by section 9?

Mr. JACKSON. The gentleman will recall, that he was a member of the subcommittee which drafted this amendment. My original amendment which was approved by the subcommittee made a reduction of roughly \$28,000,000. It brought it down from \$89,000,000 to \$60,000,000. Then the gentleman from Michigan [Mr. BRADLEY] offered an amendment to the full committee which I did not agree to, which brought it up \$8,000,000.

Mr. WEICHEL. Your amendment would reduce the \$89,000,000 now proposed to be adjusted under section 9 by \$29,000,000.

Mr. JACKSON. No. It would bring it from \$89,000,000 to \$68,000,000, or a saving of \$21,000,000. This is not an entire cash outlay. A small amount of cash is involved, because these ships were purchased with a mortgage back to the Commission. Most of it involves a scaling down of mortgage indebtedness, and puts individuals on a parity with those who buy when this bill becomes law.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. BUCK. Mr. Chairman, I rise in opposition to the amendment.

By his statement, the sponsor of this amendment tells us it involves some \$20,000,000. This is a large sum of money in anyone's language. I suggest that it is too large a sum of money to be dealt with hastily in an eleventh hour amendment after 18 months of committee work on the bill. As I mentioned in my address of yesterday, those who would stand the \$20,000,000 have not had their day in court and have had no opportu-



nity whatever to present their viewpoints thereon.

Those of you who read the amendment in two columns of fine print in the CONGRESSIONAL RECORD this morning and those of you who have just heard it read will agree with me that it is involved and complicated. I have been told by those who helped draft it that a dollar by dollar comparison with section 9 as written is impossible to compile. Certainly no such compilation has been presented to the Congress thus far. The amendment is therefore a shot in the dark.

Let us examine for a moment the alleged \$20,000,000 savings. From where was this figure obtained? I have seen no such compilation and no such compilation has been presented to the Congress.

I have been told, however, that as to one segment of the shipping industry—a favored segment under the amendment—the Government will pay out more money under the amendment than under the bill as written. Who then are those who suffer under the amendment? Is not the Congress entitled to know? Lacking such a break-down, can we be assured that the Government benefits at all? No one seems to know precisely. The Maritime Commission and the War Shipping Administration are silent. Are they, too, uncertain as to what the amendment means?

Mr. Chairman, if the House adopts this amendment, it will be acting without benefit of knowledge, without benefit of analysis. Under these circumstances the amendment should be defeated.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. BATES of Massachusetts. Has the Maritime Commission been asked for an opinion in respect to this amendment that was read today, and which it is impossible for any Member to fully interpret?

Mr. BUCK. The text of the amendment was not completed until the committee went into session Friday morning.

Mr. BATES of Massachusetts. We are being asked to vote on an amendment which covers at least three or four pages of very technical language, and apparently nobody is willing to say that the Maritime Commission is in favor of that amendment.

Mr. BUCK. The gentleman is exactly correct, as far as I know.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. JACKSON. Is it not correct that the gentleman was in attendance at the subcommittee meeting, although he was not a member of the subcommittee, and this amendment was presented and discussed, and a representative of the Commission stated that it would save, roughly, \$21,000,000? I believe the gentleman from Michigan [Mr. BRADLEY] will bear me out in that.

Mr. BUCK. The gentleman is correct in saying I was present at the subcommittee meeting by invitation. At times the subcommittee was composed of four members. There are 21 members of the committee. The bill came to the com-

mittee on Friday morning and eight members adopted this complicated, involved amendment to which we have just listened.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. WIGGLESWORTH. Am I correct in understanding that the fundamental justification for paying these large adjustments are clauses inserted in every contract of purchase, without authority by the Maritime Commission?

Mr. BUCK. When a prospective purchaser was about to buy a ship during the course of the war, and knowing that he faced a drop in value at the end of the war, any prudent man would have been unwilling to buy a ship at war-cost prices. Therefore, the only way the Maritime Commission was able to sell ships during the war was to put in a protecting clause, which was put into every contract which the Maritime Commission made with the buyer.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BUCK. I yield.

Mr. CHURCH. Would the gentleman state the nature of that clause?

Mr. BUCK. In every contract for the sale of a ship made heretofore, and to which this amendment applies, there has been a clause stating that the Maritime Commission would adjust the price paid to the price as determined under a ship sale bill when, as, and if enacted.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BRADLEY of Michigan. Mr. Chairman, I rise in support of the amendment.

Mr. BLAND. Mr. Chairman, will the gentleman yield for a consent request?

Mr. BRADLEY of Michigan. I yield.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BRADLEY of Michigan. I believe the gentleman from New York unwittingly perhaps makes a very unfair charge against the full committee and against the subcommittee.

In answer to the gentleman from Massachusetts [Mr. WIGGLESWORTH] let me say that this clause was written into some of the purchase agreements that the Maritime Commission executed—not all of them—but in one particular transaction to which the gentleman from New York referred on yesterday this clause appears:

ARTICLE 12. Future legislation: The Commission agrees that in the event of the enactment of legislation authorizing the sale by the United States of vessels, constructed or sold under conditions similar to the construction and sale of the vessel herein agreed to be sold, at a price less than the actual construction cost thereof, exclusive of the cost of national defense features installed in any such vessel, the buyer shall be granted the benefit of such legislation with respect to the sale price of the vessel, in which event the Commission shall make an appropriate adjustment with the buyer on the purchase price of the vessel.

I think in all fairness to the shipping interests, this kind of adjustment should be made and ought to be made in all fairness to everyone.

Whether or not the Maritime Commission had any legal right to insert such a clause in these contracts has been subject to question. However, that is not the point as I see it. The fact of the matter is that the Maritime Commission has been charged with the responsibility by Congress of disposing of ships and it is the duly recognized agent of the United States Government in its dealings with the operators. Therefore, after the operators have entered into a bona fide agreement, with the Maritime Commission acting as agents of the Government, and this clause appears, certainly it is up to us if it has not been done heretofore to write specifically into law the method by which these adjustments shall be made.

After prolonged discussion last spring in the full committee on this subject, section 9 as it appears in the bill seemed to be the answer. We now seek to amend it. Many discussions were held this fall in the full committee on this subject of fair adjustments, and the chairman, tiring of trying to get a quorum of the committee together day after day after day, appointed a subcommittee of six members, three on the majority side and three on the minority side. The chairman of the subcommittee was the very able gentleman from Washington [Mr. JACKSON]. This subcommittee invited to attend its meetings any other member of the full committee who cared to attend. To my knowledge—and I think I attended every one of those meetings at the request of our senior minority member, the gentleman from California [Mr. WELCH]—the gentleman from New York [Mr. BUCK] was also in attendance and made no suggestion or criticism of this amendment. And to prove the fairness of the committee, the committee itself considered the original Jackson amendment, and in addition several amendments I suggested myself; and in the full committee session of last Friday the full committee adopted an additional amendment which I offered and which the gentleman from New York supported; and then, as he said, with a quorum of 12 members of the committee present, seven, as I recall it, voted in favor of the amendment that is presently before us; one, the gentleman from New York, voted in opposition to it; and four others voted present.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. JACKSON. Is it not true also that the subcommittee consisted of three Republicans and three Democrats?

Mr. BRADLEY of Michigan. I said so.

Mr. JACKSON. Most of the votes were unanimous.

Mr. BRADLEY of Michigan. Yes.

Mr. JACKSON. And is it not true that this particular amendment merely makes it possible for these people to get these ships at a price which other individuals would be entitled to get them at when the bill is enacted?

Mr. BRADLEY of Michigan. The purpose of the amendment is to put everybody on the same basis as of the date of the enactment of the legislation.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield to the gentleman from New York.

Mr. BUCK. It is perfectly true, as the gentleman says, that I was invited as a nonmember of the subcommittee to sit in with the subcommittee but I did not feel as a nonmember of the committee that it was my right to enter in an involved manner into the discussions of the committee.

Mr. BRADLEY of Michigan. Other Members, including myself, did not hesitate to express their views and I gathered they were always very welcome. But I can easily appreciate and I am sure all the other members of the committee appreciate that the gentleman from New York, being a relatively new member of the committee would undoubtedly hesitate to be too forward in expressing himself before a subcommittee of which he was not a member. The gentleman from New York has always been very diligent in his attention to all matters coming before our committee and has been extremely regular in his attendance at all the full committee meetings and is doing a most commendable job in lending his views and fighting for his convictions at all times in all matters that come before the committee; and I want to say to him I consider him a very valuable member of our committee and in that, I know, I am joined by our chairman and the entire membership.

Mr. BUCK. As far as last Friday morning is concerned, it is true that I offered an amendment to improve the amendment offered by the gentleman from Washington, but that did not mean necessarily I was in favor of that amended amendment. I was trying to make it as good as possible.

Mr. BRADLEY of Michigan. The gentleman in fact offered and did support my amendment which I appreciated. I hope the amendment will be accepted.

The CHAIRMAN. The time of the gentleman from Michigan has expired. All time has expired.

The question is on the amendment offered by the gentleman from Virginia [Mr. BLAND].

The amendment was agreed to.

Mr. HOBBS. Mr. Chairman, I ask unanimous consent to revert to the committee amendment as amended by an amendment offered by the gentleman from Massachusetts [Mr. WIGGLESWORTH], and to offer an amendment at that point. I was through inadvertence misinformed by one of the reading clerks who told me my amendment would come up after disposition of that amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. WEICHEL. Mr. Chairman, I object, in view of the fact that my amendment fits in immediately after the one that has just been adopted. I would like to have my amendment considered, then the gentleman may make his motion.

Mr. HOBBS. Mr. Chairman, I so amend my unanimous consent request.

Mr. CHURCH. Mr. Chairman, I object for the present.

Mr. WEICHEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WEICHEL: Page 14, line 18, strike out "a citizen of the United States" and insert "an unsubsidized operator", in line 20 and line 24, page 15, in line 1 and in line 7, before "vessels", insert "dry cargo."

Mr. WEICHEL. Mr. Chairman, up to this time no one has told the Members of this House that section 9 as now written in the bill will cost the taxpayers of this country \$87,000,000 out of the Treasury of the United States. Some of you gentlemen will say that this is merely a bookkeeping arrangement, but any time that you give credit to somebody out of the Treasury of the United States, even though they call it a bookkeeping arrangement, the taxpayers will pay the \$87,000,000.

As I said yesterday, the Maritime Commission was not satisfied with putting up a fund that went up to \$329,000,000 of tax-exempt funds. They were not satisfied with that, but in addition, they put a clause into every sales contract, which they had no authority to do, saying that they would refund to every purchaser money under section 9 to make it line up with sales under this bill.

With reference to the amendment offered by the gentleman from Washington [Mr. JACKSON], which raised the tankers from 75 percent to 100 percent, the gentleman in answer to my question said all that would do would be to reduce the \$87,000,000 only \$29,000,000. In other words, his offer to raise the price did not do anything very much with reference to paying out \$87,000,000 under section 9.

My amendment simply proposes to do this: It did not go through and it does not go through a long-winded statement of six pages. It is very simple and says this: The bill as now set up provides for returning \$87,000,000 out of the Treasury of the United States. I say that if you are going to adjust price to those who have purchased, if you are going to adjust it and give it to any one, I believe you should give it to the American citizen who put down his own dollars and bought his own ships; the person who is unsubsidized and not to the subsidized. If you adopt this amendment you will save \$70,000,000; in other words this amendment says that the adjustment in price shall only be given to unsubsidized dry-cargo operators, and by that you will take away \$57,000,000 from the tankers as a gift and you will take away the gift to the subsidized people who resort to pay for these very ships under this bill out of the tax exempt fund which amounted to \$329,000,000. I plead with you to adopt this amendment and save the taxpayers of this country \$70,000,000 and only adjust the price to the American citizen who bought ships with his own dollars.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. WEICHEL. I yield to the gentleman from Washington.

Mr. JACKSON. I thought I cleared up the amount of refund allowable—

Mr. WEICHEL. Mr. Chairman, I do not yield for a speech. The gentleman said \$25,000,000, and he made that speech once. I yield no further.

Mr. JACKSON. I have always yielded to the gentleman.

Mr. WEICHEL. I will yield for a question.

Mr. JACKSON. Is it not true as I stated that under this amendment the refunds are \$68,000,000 less what we have allowed for tankers, bringing it down under \$50,000,000? I just want the gentleman to be fair with the facts.

Mr. WEICHEL. I am fair with the facts. The gentleman said that under his amendment with reference to tankers it would help \$29,000,000. This amendment will save \$70,000,000, if you want to save it.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JACKSON. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. WEICHEL. I will yield for a question.

Mr. JACKSON. Is it not true that the original section provided for a readjustment of \$89,000,000?

Mr. WEICHEL. That is correct.

Mr. JACKSON. Is it not true that my amendment brought that down \$21,000,000?

Mr. WEICHEL. The gentleman said so.

Mr. JACKSON. Well, I assume the gentleman knows that to be true?

Mr. WEICHEL. That is all I know; the gentleman said so.

Mr. JACKSON. The gentleman recalls that he was at the committee meeting when a Maritime Commission representative stated that to be the fact. Is it not true also that the tanker adjustment which the committee has agreed to here will bring that down fifteen or twenty million dollars more? So we must deduct that also. The gentleman has been talking about \$89,000,000 all the time.

Mr. WEICHEL. If the gentleman is satisfied with \$21,000,000, why should he not be for this amendment which will save \$70,000,000? It will save over three times as much as the gentleman's amendment. Why does the gentleman not agree to it; will he tell me that? Will the gentleman tell me why he will not agree to this amendment which saves two or three times as much?

Mr. JACKSON. If the gentleman will let me answer, I will tell him. The answer is simply this, that I do not believe in arbitrary and capricious legislation. I believe if we are going to allow an adjustment to one we should allow it to all. I see no reason why the dry-cargo people whether subsidized or unsubsidized and the tanker people should not be given the same fair treatment. I believe in being fair to all.



Mr. WEICHEL. The gentleman still believes in taking twenty or thirty million dollars from the fund to help those people but will not save an additional fifty or sixty million dollars. That is not a good answer.

Mr. JACKSON. The gentleman knows that a suit is pending in connection with that matter. I agree with him 100 percent that that adjustment ought to be made, but this is no way to do it by just being arbitrary and saying one group can have it and the other cannot.

Mr. WEICHEL. The gentleman wants to make a gift of \$70,000,000, which I do not want to make, and this story about court action just confuses the issue.

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, considerable mention has been made about certain tax-exempt funds. I am satisfied that if any funds have been exempted from taxation which should not have been exempted the Treasury Department will look into it, and the offending party made to put up money to the Treasury. The gentleman from Washington says there is a suit about this matter. I understand there is some question about tax-exempt funds. If so, it is a matter for the courts to decide. It is not for us now to undertake to say that persons shall be penalized if they have improperly received a tax exemption for they will be made to pay in the future. Shall we make them pay here? I do not care as to the result, as far as I am concerned, except that I want justice done.

Furthermore, many of the funds tax exempt were tax exempt under the regulations of the Treasury, funds representing depreciation funds that were received representing capital gains, or otherwise properly exempt and funds of that kind. Those sums would materially reduce the amount that has been mentioned. Those questions have not been decided. I say to you that if we were to hold our session another day we would not settle the question here before this Congress. It is for the courts to decide.

Mr. WEICHEL. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Ohio.

Mr. WEICHEL. Does not the gentleman believe it is desirable to adopt an amendment that will save \$70,000,000, which is more than any other amendment that was proposed to this bill? The gentleman will admit that the bill as it now stands would cost the taxpayers \$89,000,000 under the adjustment.

Mr. BLAND. I understand it would have been something like that except for the amendment that has been offered by the gentleman from Washington [Mr. JACKSON], but I am not in favor of saving anything if it is unjust.

Mr. WEICHEL. The amendment of the gentleman from Washington [Mr. JACKSON] does not cut it down to \$70,000,000, it just cuts it down a little bit. It is a sort of a token amendment.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield.

Mr. JACKSON. I think the record is clear. I do not understand why the gentleman from Ohio keeps repeating the

same thing over and over. My amendment cuts the readjustment from \$89,000,000 to \$68,000,000. In addition, there is between \$15,000,000 and \$20,000,000 that is readjusted below \$50,000,000 due to the adjustment in tanker prices.

Mr. WEICHEL. Why does the gentleman object to cutting these down the whole way?

Mr. JACKSON. I do not believe in trying to pass legislation that is arbitrary and unjust to all the people concerned.

Mr. WEICHEL. The gentleman's amendment is just a token amendment. It goes only half way.

Mr. BLAND. Mr. Chairman, I thought I had the floor; maybe I do not have it. At any rate, I want to have the floor long enough to say, vote down this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. WEICHEL].

The question was taken; and on a division (demanded by Mr. WEICHEL) there were—ayes 34, noes 58.

So the amendment was rejected.

Mr. HOBBS. Mr. Chairman, I ask unanimous consent to revert in the consideration of the bill for the purpose of offering an amendment to the committee amendment as amended by the gentleman from Massachusetts [Mr. WIGGLESWORTH].

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. CHURCH. Mr. Chairman, reserving the right to object, the gentleman has a perfecting amendment which has been agreed to by both sides and there is no reason why the amendment should not be adopted.

Mr. BLAND. Do I understand that the amendment to be offered is not objected to? Is that what the gentleman said?

Mr. CHURCH. That is correct.

Mr. BLAND. If that is so, then let us hear the amendment.

Mr. CHURCH. There is no reason why the gentleman's amendment should not be read.

The CHAIRMAN. Without objection, the Clerk will report the amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. HOBBS to the committee amendment as amended by the Wigglesworth amendment: In section (b) of the committee amendment as amended by the Wigglesworth amendment after the words "United States", insert a semicolon and strike out the following: "(1) for just compensation upon the requisition for title of any vessel which he owned, or (2) for indemnity for the loss of any vessel owned by him and taken by the United States for use."

The CHAIRMAN. Is there objection to the consideration of the amendment?

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, will the gentleman from Alabama explain what his amendment does and what change it makes? It is impossible to know where we are without having that before us. We are dealing with an amendment to an amendment, neither of which is available in printed form.

Mr. BLAND. May I ask the gentleman first if this interferes with the

Bonner amendment in inserting the words "Maritime Commission?"

Mr. HOBBS. Not at all.

I would be delighted to explain the amendment. The only purpose of this amendment and the only thing it does is to strike out two restrictions which appear in the bill and gives the United States through the Maritime Commission an opportunity to sell some vessels that they would not otherwise have the opportunity to sell.

Mr. CASE of South Dakota. Does it change the terms under which they may be sold?

Mr. HOBBS. If I may be permitted to answer the gentleman's question, the first part of it now reads:

The Commission is also authorized to make available any war-built vessel for transfer to any citizen in complete or partial settlement of any claim of such citizen against the United States.

Then follow two restrictions which my amendment would strike out.

Mr. CASE of South Dakota. Restrictions on whom or what?

Mr. HOBBS. It limits the ones who have claims against the United States to those who have claims under two heads which are as follows: One, for just compensation upon the requisition for title of any vessel which he owned; or, two, indemnity for the loss of any vessel owned by him and taken by the United States for use. I see no reason, and no one else can, why we should so limit it. Anybody who has a just claim against the United States ought to be able to buy one of these vessels and get credit for it, if the Maritime Commission sees fit to make a trade on that basis that is fair and right.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. JACKSON. I would like to make this observation, that as I understand it, this is merely permissive. It is not mandatory. I mean, leaving the section as it is. The amendment offered by the gentleman from Alabama strikes out the opportunity of the Commission to settle some of these claims with ships instead of cash. In other words, we are confronted with the situation where we have more ships than we have money, and we have an opportunity to make adjustments if people who desire to have that adjustment can receive a ship instead of money. I do not know that that is a desirable thing.

Mr. WEICHEL. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. WEICHEL. In other words, the gentleman's amendment merely provides that the United States Government, in settling any claim, may give a ship in place of money, provided the value placed on the ship is no greater than set forth in this bill.

Mr. HOBBS. That is right. Provided it is to an American citizen who has an honest claim.

Mr. WEICHEL. Why not give it to anybody? If they can give them a ship instead of money, why not give it to a foreigner as well?

Mr. HOBBS. That is right. Please let me say I submitted this amendment

to the gentleman from Virginia [Mr. BLAND] and to the gentleman from California [Mr. WELCH], and to the gentleman who is head of the drafting service, and there is no objection at all. It will benefit the bill by increasing our opportunity to permit the Maritime Commission to sell some of the Liberty ships, which are the least desirable.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. VORYS of Ohio. I thoroughly understand the idea of permitting the Maritime Commission to use ships instead of money to settle claims, but as I understand this amendment, if adopted, it would give the Maritime Commission sole and exclusive jurisdiction, subject to no review at all, to decide what kind of claims they would settle by paying in ships. For instance, anyone that the Maritime Commission wanted to say had a claim—it could be a tort claim, somebody had a finger hurt, or something like that—if you wanted to go to the Maritime Commission instead of the Court of Claims or somewhere else, they would say, "We will give you a ship, and we have got the power to give you a ship if we find your claim is good." That is the part that concerns me about the amendment.

Mr. CASE of South Dakota. Let me say I simply was reserving the right to object in order that we might know exactly what we were doing. With no printed text of the original amendment before us, it is difficult to determine what this would do to what we have already done. As I understand, the gentleman from Alabama [Mr. HOBBS] is seeking to make it possible for anyone who has a claim against the United States to settle that claim by taking ships instead of money. Now, does the gentleman's amendment require that that claim be reduced to a judgment, or could anyone who wants to assert a claim come before the Maritime Commission and say, "I have a claim against the United States and I will settle it for one of your boats"?

Mr. HOBBS. Not at all. It simply strikes out two of the restrictive categories.

Mr. CASE of South Dakota. Yes; I understand that is what it does structurally; what I am trying to determine is the effect. The language of the amendment as it was adopted restricts the class of claimants who can settle to certain classes.

Mr. HOBBS. That is right.

Mr. CASE of South Dakota. The gentleman is seeking to eliminate those restrictions.

Mr. HOBBS. That is right. The purpose of the amendment is simply to permit, where a claim is definite and so decided by the Commission, if there is any question about it—

Mr. CASE of South Dakota. Just a moment. Does the gentleman's amendment make it possible for the Maritime Commission to determine whether or not the claim against the United States is just?

Mr. HOBBS. No, sir; but here is an American citizen who is subject to the requirements of this act. That is, he must be a man in the shipping business.

He must know his stuff and satisfy the Commission that he knows how to run a ship. Under those circumstances, if he is an American citizen and he has a claim which they recognize as just, then the Commission can, under the terms of this bill, not only in the two categories mentioned, but anyone else who qualifies, give one of these ships and do so by that kind of payment instead of in any other way.

Mr. CASE of South Dakota. It occurs to me that the purpose of the gentleman's amendment may be highly desirable as far as selling ships is concerned, but what I am afraid of is the judicial authority granted the Commission. What his amendment does is to confer jurisdiction on the Commission, so to speak, to consider and determine the justness and validity of claims that may not have any warrant for consideration by the Maritime Commission, claims that might not fall within the categories he has in mind, claims that should be passed upon by the Court of Claims or the Congress.

Mr. HOBBS. I do not think it is susceptible of that interpretation, if the gentleman will pardon me; and I believe it is wholly warranted if we mean to sell these ships.

Mr. CASE of South Dakota. I may say to the gentleman that in view of the discussion this has precipitated I believe this is a matter that ought to be considered more carefully and exactly than is possible here this afternoon without a printed copy of the amendments available. The gentleman can draw attention to his idea from this debate when the bill goes over to the other body. I question the advisability of trying to pass it by returning to the Bonner-Wigglesworth amendment at this time.

I therefore insist on my objection.

The CHAIRMAN. Objection is heard. The Clerk read as follows:

#### LIMITATION ON ELIGIBILITY FOR BENEFITS OF ACT

SEC. 10. No person shall be eligible to purchase or charter a war-built vessel under this act, or to receive an adjustment under section 9, unless such person makes an agreement with the Commission to the effect that the liability of the United States under any charter party or taking for use, made or effected prior to the date of the enactment of this act, for the loss, on or after such date of enactment and prior to the expiration of 2 years from the date of the cessation of hostilities, of any vessel owned by such person and under charter to the United States (excluding a vessel with respect to which an application under section 9 can be made) shall be limited to an amount equal to just compensation as of the date of said loss, determined pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or such valuation as may be agreed upon subsequent to the date of the enactment of this act.

Mr. BLAND. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. BLAND: Beginning in line 25 on page 17, strike out "the expiration of 2 years from the date of the cessation of hostilities" and insert "September 3, 1947."

Mr. BLAND. This is another one of the amendments made necessary by the

surrender of Japan and in line with other amendments that have been offered.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 18, line 7, after the words "as amended" strike out the words "or such valuation as may be agreed upon subsequent to the date of the enactment of this act" and insert "or such amount as may be mutually agreed upon subsequent to the date of the enactment of this act as just compensation under the provisions of section 902."

Mr. CASE of South Dakota. Mr. Chairman, this is an amendment that I have submitted to the chairman of the committee and also to the ranking minority member.

Mr. BLAND. Mr. Chairman, I accept the amendment.

Mr. WELCH. Mr. Chairman, I accept the amendment.

The CHAIRMAN. Without objection, the amendment is agreed to.

There was no objection.

The Clerk read as follows:

#### NATIONAL DEFENSE RESERVE FLEET

SEC. 11. The Commission shall place in a national defense reserve (1) such vessels owned by it as, after consultation with the Secretary of War and the Secretary of the Navy, it deems should be retained for the national defense, and (2) all vessels owned by it at the expiration of 2 years from the cessation of hostilities, for the sale of which a contract has not been made by that time, except those determined by the Commission to be of insufficient value for commercial and national defense purposes to warrant their maintenance and preservation. A vessel under charter at the expiration of such 2 years shall not be placed in the reserve until the termination of such charter. Unless otherwise provided for by law, all vessels placed in such reserve shall be preserved and maintained by the Commission for the purpose of national defense. A vessel placed in such reserve shall in no case be used for commercial operation, except that any such vessel may be used during any period in which vessels may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended.

Mr. BLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND as a committee amendment: Page 18, lines 14 and 15, strike out "at the expiration of two years from the cessation of hostilities" and insert "on September 3, 1947"; and in lines 19 and 20, strike out "at the expiration of such two years" and insert "on that date."

Mr. BLAND. Mr. Chairman, this is another one of the amendments made necessary by the surrender of Japan.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. BLAND].

The amendment was agreed to.

Mr. McCONNELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCONNELL: Page 19, after the period in line 3, insert a new paragraph reading as follows:

"( ) The Commission is authorized to lend to any State maritime academy, for



such period or periods, definite or indefinite, as the Commission may prescribe, any war-built vessel or vessels for use by such academy in connection with its course of instruction."

Mr. BLAND. Mr. Chairman, I accept the amendment.

Mr. WELCH. Mr. Chairman, I have no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

Mr. BATES of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts: Page 18, lines 11 and 12, strike out "as, after consultation with", in line 12 strike out "and" and insert "or", and in line 13, strike out the comma and "it deems" and insert "deem."

Mr. BATES of Massachusetts. Mr. Chairman, this amendment has as its purpose the retention in both the Army and the Navy of those ships which those departments feel is in the interest of the national defense. I am speaking from some knowledge of the situation confronting the Navy, particularly in the postwar period, when we are about to lay up part of the fleet and to reorganize the Navy on a postwar basis. We want to be certain that the auxiliary fleet that supplies the combat fleet shall not be sold either to citizens or to aliens when there is a need for those ships in the interest of the national defense.

Mr. Chairman, the Navy, I know, is very much disturbed about this bill. They have spoken to me about it as they have to other members of the committee. Of course, there is some feeling that we ought to let this go to the other branch in order that they may give it further consideration over there; but I think we ought to take a definite stand here in the House.

Mr. BLAND. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Virginia.

Mr. BLAND. Does this strike out the War Department from consideration?

Mr. BATES of Massachusetts. It does not.

Mr. BLAND. It leaves it so that the War Department and the Navy Department may be considered?

Mr. BATES of Massachusetts. Yes. The language of the bill, as it will be with my amendment, is as follows:

The [Maritime] Commission shall place in a national reserve such vessels owned by it which the Secretary of War or the Secretary of the Navy deem should be retained for the national defense.

That is all my amendment means, and it ought to become part of this bill. The Army and the Navy ought to have something to say about the maritime ships that are presently in the service of the Army and Navy.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. BATES of Massachusetts. I yield to the gentleman from Illinois.

Mr. CHURCH. The gentleman's amendment takes away from the Maritime Commission authority over these ships.

Mr. BATES of Massachusetts. The language of the bill itself implies what the intent of the Committee on the Merchant Marine is when they say that the "Commission shall place in a national-defense reserve such vessels owned by it as and after consultation with the Secretary of War and the Secretary of the Navy." What is going to happen? If the Secretary of War and the Secretary of the Navy say they want these ships for national defense, the Maritime Commission is not bound to follow their request, and anything can happen to these ships. My amendment says that such vessels owned by the Maritime Commission which the Secretary of War or the Secretary of the Navy deems necessary for the national defense shall be retained. It makes it mandatory that these ships cannot be taken away from either one of these war agencies. I trust, Mr. Chairman, that this amendment will be adopted so that the Navy particularly can depend on these auxiliary ships to maintain our active fleet. They can be put in a reserve fleet which we may need for the active operating fleet in the days to come.

Mr. BLAND. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment as offered leaves the Maritime Commission on a limb. It is entirely out of it. The Navy and the War Departments are going to determine just what they want and the Maritime Commission has no say. We are dealing with ships for the building up of the merchant marine. The best example is what has happened. It has been shown in this war that the Maritime Commission, cooperating with the Army and the Navy, has conducted the most magnificent defense in all the world's history, yet we are going to take away from these people who have cooperated with them that judgment which is necessary for the maintenance and the preservation and the continuance of a merchant marine which is also necessary for the defense of the country. I implore you that you should not do this.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. BATES].

The amendment was rejected.

The Clerk read as follows:

#### REACQUISITION BY UNITED STATES

SEC. 12. There shall be included in every contract for the sale of a vessel under section 4 to a citizen of the United States provisions, binding on, and running with the title of, the vessel, to the effect that in the event the United States, prior to the termination of the existing national emergency declared by the President on May 27, 1941, or prior to the expiration of 5 years from the termination of such emergency, charters or takes such vessel for bare-boat use, the charter hire paid to the person who is the owner of the vessel, shall be at a rate in no event greater than 15 percent per annum of the adjusted basis of the vessel in the hands of such owner as of the date of such charter or taking, determined under section 113 (b) of the Internal Revenue Code, and that in the event, prior to the termination of such emergency or prior to the expiration of such 5 years, such vessel is repurchased or requisitioned for title by the United States, or is lost by reason of causes for which the United States is responsible, the compensation paid to the person who is the owner of the vessel shall not

exceed the adjusted basis of the vessel in the hands of such person as of the date of requisition or loss, determined under section 113 (b) of the Internal Revenue Code.

Mr. BLAND. Mr. Chairman, I offer another committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. BLAND: Page 19, strike out lines 5 to 24, both inclusive, and page 20, strike out lines 1 and 2, and insert:

"SEC. 12. There shall be included in every contract for the sale of a vessel under section 4 to a citizen of the United States provisions, binding on, and running with the title of, the vessel, to the effect that if, during any period during which the vessel may be requisitioned under section 902 of the Merchant Marine Act, 1936, as amended—

"(1) the vessel is repurchased or requisitioned by the United States, or is lost by reasons or causes for which the United States is responsible, the compensation paid to the owner shall not exceed that which would be applicable under section 802 of the Merchant Marine Act, 1936, if the difference between the construction cost of the vessel (exclusive of national defense features), and the price at which such vessel was sold by the United States, constituted a construction differential subsidy; or

"(2) the vessel is chartered or taken for use by the United States, the charter hire paid to the owner for bare boat use of the vessel shall not exceed 15 percent per annum of the compensation permitted to be paid to the owner under clause (1) upon repurchase or requisition."

Mr. BLAND. Mr. Chairman, this amendment carries into this bill the policy of section 802 of the Merchant Marine Act, 1936. That section provides that in the event it becomes necessary for the United States to requisition a vessel on account of which a construction differential subsidy has been paid, the compensation paid by the United States to the owner cannot exceed the construction cost of the vessel and of any capital improvements thereon minus the subsidy, in each case depreciated to the date of requisition. Under the committee amendment, the compensation paid upon requisition in any future emergency cannot exceed the original statutory sales price plus the cost of any capital improvements, in each case depreciated to the date of the taking. Similarly, if the vessel is taken for use, the charter hire cannot exceed 15 percent per annum of the original statutory sales price plus the cost of capital improvements, depreciated. Under the bill as reported, the owner, whether or not he was the original purchaser, was to be paid his depreciated cost, rather than the original statutory sales price depreciated, and this restriction applied only for 5 years after the termination of the existing national emergency.

This amendment carries into effect the substance, as I understand, of section 802 of the Merchant Marine Act. There was never any question about the application of that act. There was considerable question about the application of section 902, and there the President called in his board to advise him upon the determination of the rules and regulations upon which settlement was to be made.

Mr. BUCK. Mr. Chairman, I rise in opposition to the amendment.

Here is another amendment rushed through the committee last Friday morning at the eleventh hour. It is hasty legislation.

The purpose of the amendment is simple. It is to grant the Government reacquisition rights during the life of the vessel based on the sales price of the vessel under the act.

At first glance this is reasonable. It seems entirely proper that the Government, after selling a vessel at a low price, should not be required to pay a high price in the event of necessary reacquisition.

But what is not clear at first thought is that the bill also contemplates sales to foreigners at prices no higher than sales to American citizens. Sales to foreigners are final. There can be no compulsory reacquisition. Thus, in the event of an emergency which dictates reacquisition by the Government, the American owner receives a price based on the cost to him under the act, whereas the foreigner is entirely free to sell his vessel in the fabulously high war market which always accompanies a war emergency. This is discrimination against American citizens in favor of foreigners.

A compromise between the interest of the Government and the interest of the American ship owner is the only logical solution. Section 12 as written in the bill is such a compromise.

The amendment should be defeated because it is discriminatory against the American merchant marine.

Mr. BLAND. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Chairman, section 12 of the bill as drawn represents what I think is a clumsy and ill-conceived attempt to circumvent that provision of the Constitution which provides that when the United States takes under eminent domain my property or the property of any other citizen, it shall pay just compensation. Under the provisions of section 12 as drawn, the right to just compensation is modified only for a period of 5 years. Under the proposed committee amendment, there purports to be a perpetual inhibition running with the ship, an inhibition on the automatic operation of the Constitution when the United States requisitions the ship. For that provision of the Constitution is substituted the provision of section 802 of the Merchant Marine Act of 1936. That is a restriction running with the title of the vessel. I appeal to the Members of this House who are members of the legal profession that restrictive covenants running with chattels are not a very wholesome legislative precedent. In this particular case, this restrictive covenant plainly contradicts the provision of section 6 (b) of the bill which provides that no foreign purchaser shall get a ship on terms or conditions more favorable than the citizen. Now, a foreign purchaser who takes one of these

ships, of course, has no obligation ever to turn it in to the United States. He gets a clear title whereas our citizens get a title clouded with the necessity possibly of having to surrender his ship under the artificial provisions of this restriction. I think the effect of this restriction will be to drive vessels under foreign flags. But at any rate this is an attempt to circumvent the Constitution of the United States and I believe it is morally wrong.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. HERTER].

Mr. HERTER. Mr. Chairman, I hope very much that this amendment will not be adopted. This question was debated in the committee for many, many months. We went through a great many different phases of it. In effect, what it does is this: You or I buy a ship under this ship-sales act. Every year, if the Government wants to take that ship back, it is worth to you 5 percent less than it was the year before. At the end of 20 years, no matter in which condition you have kept that ship, no matter what you have done to maintain it in good order, the Government can take it away from you and you will get no compensation for it whatsoever. A ship that may be built under the Merchant Marine Act or shortly after the ship-sale bill goes into effect will not have that same restriction applied to it.

In considering the matter, there were many of us who felt that the principle of just compensation for property taken by the Government ought not to be violated in this bill. We were willing to compromise on a 5-year basis so that within a 5-year period if a person bought a ship under this bill the Government could recapture and he could not make any profit out of that recapture. But for the Government to say in perpetuity that it has the right to buy that ship from a man at any time for a fixed and arbitrary price regardless of conditions the world over, seems to me to be legislating 20 years ahead. It seems to me to be legislating for the future and legislating in a way which will make the purchase of ships under this bill very much less desirable. It may, in fact, militate to a very great extent against a sound merchant marine.

Mr. HALE. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. HALE. If this amendment is defeated, I shall offer an amendment to strike the entire section.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. HERTER. I yield.

Mr. JACKSON. Is it not true that under the Merchant Marine Act of 1936 in connection with every ship that was purchased with a construction differential subsidy, a similar provision, such as is offered here, was contained in that contract of purchase?

Mr. HERTER. That is correct, and it was proved to be so unworkable during the present emergency that the President had to set up a special tribunal to determine what fair value was. Everybody was very doubtful of the constitu-

tionality of that provision in the 1936 act.

Mr. JACKSON. The tribunal to which the gentleman refers has no reference to the 1936 act, but refers to vessels which were requisitioned for title.

Mr. HERTER. The gentleman is correct, but you did not hold to the requisition for title price.

The CHAIRMAN. The time of the gentleman has expired.

All time has expired.

The question is on the amendment offered by the gentleman from Virginia [Mr. BLAND].

The question was taken; and on a division (demanded by Mr. JACKSON) there were—ayes 49, noes 49.

Mr. HALE. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. JACKSON and Mr. HALE.

The Committee again divided; and the tellers reported that there were—ayes 56, noes 61.

So the amendment was rejected.

Mr. HALE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HALE: On page 19, line 5, strike out section 12 and renumber accordingly sections 13, 14, and 15.

The CHAIRMAN. Does the gentleman desire to be heard on his amendment?

Mr. HALE. I believe it is unnecessary, Mr. Chairman.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The Clerk read as follows:

#### GENERAL PROVISIONS

Sec. 13. (a) The Commission is authorized to reconvert or restore for normal operation in commercial services, including removal of national defense or war service features, any vessel authorized to be sold or chartered under this act. The Commission is authorized to make such replacements, alterations, or modifications with respect to any vessel authorized to be sold or chartered under this act, and to install therein such special features, as may be necessary or advisable to make such vessel suitable for commercial operation on trade routes or services or comparable as to commercial utility to other such vessels of the same general type.

(b) The provisions of section 202 of the War Mobilization and Reconversion Act of 1944 shall not apply to contracts of the Commission for or relating to construction of ships.

(c) Notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., title 46, sec. 883), no vessel sold or chartered by the Commission under this act to a citizen of the United States shall be prohibited from engaging in the coastwise trade of the United States while owned by or chartered to such citizen or citizen successors in interest merely because it was under foreign registry on May 27, 1941, and prior to its sale or charter under this act to such citizen, if it is otherwise entitled under the laws of the United States to engage in such trade.

(d) All moneys received by the Commission under this act shall be deposited in the construction fund of the Commission, and all disbursements made by the Commission in carrying out this act shall be paid from such fund. The provisions of sections 201 (d), 204 (b), 207, 209 (a), and 905 (c) of the Merchant Marine Act, 1936, as amended,



shall apply to all activities and functions which the Commission is authorized to perform under this act.

Mr. BLAND (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of this section be dispensed with, the section to be printed at this point.

Mr. RICH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RICH. Would this prevent the making of a point of order against a portion of the matter that otherwise would be read?

The CHAIRMAN. It would not.

Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BONNER. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BONNER. Mr. Chairman, I make the point of order against the language on page 21, line 6, first sentence, on the ground that it is an appropriation.

The CHAIRMAN. Does the gentleman from Virginia care to be heard on the point of order?

Mr. BLAND. Reluctantly, upon advice from the parliamentarian on the point of order that I would be foolish to argue otherwise, I concede the point of order.

The CHAIRMAN. The point of order is conceded; the point of order is sustained.

The Clerk read as follows:

#### REPORTS

SEC. 14. The Commission shall, at the beginning of the second regular session of the Seventy-ninth Congress, and every 6 months thereafter, make a report to Congress with respect to all activities and transactions under this act which have not been covered by any previous such report.

#### TERMINATION DATE

SEC. 15. No contract of sale or of charter shall be made under this act after the expiration of 2 years from the date of the cessation of hostilities.

Mr. BLAND (interrupting the reading). Mr. Chairman, I ask unanimous consent that the remaining sections of the bill may be considered as read and be printed in the Record. I have a clarifying amendment to offer to section 15, but none before that.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BLAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Committee amendment offered by Mr. BLAND: Page 21, lines 22 and 23, strike out "the expiration of 2 years from the date of the cessation of hostilities" and insert "September 2, 1947."

Mr. BLAND. Mr. Chairman, this amendment has the effect of preventing vessels from being sold under the bill after September 2, 1947. Under the bill as reported, the cut-off date was 2 years after cessation of hostilities.

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. BLAND. I yield to the gentleman from Minnesota.

Mr. GALLAGHER. Under other sections September 3 is the date. Here it is September 2?

Mr. BLAND. Yes, September 2. The other was fixing a date. This is after a date, which would be September 2, 1947.

The CHAIRMAN. The question is on the committee amendment offered by the gentleman from Virginia [Mr. BLAND]. The amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STIGLER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes, pursuant to House Resolution No. 358, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

#### HOOR OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

#### EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. DOUGHERON] may have permission to extend his remarks in the Record and include a statement made by Secretary of the Treasury Vinson before the Ways and Means Committee. According to the Public Printer, this will exceed two pages of the Record and will cost \$208, but I ask that it may be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

#### AMERICA MUST BE ON THE ALERT

Mr. D'ALESSANDRO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. D'ALESSANDRO. Mr. Speaker, America must be on the alert. America has too long closed its eyes to those, who, while enjoying the best that is in our land, have been secretly plotting its downfall. The Communist, the Fascist, and Nazi in our midst, bent on spreading discontent, must be ferreted out and exposed.

Freedom of speech, freedom of opinion, we must preserve. But the abuse of these liberties by those who are boring from within, and who seek only the destruction of the American way of life, must be curbed by a firm Government hand and by a sound public opinion.

I wish to call the attention of the House to articles in the Hearst newspapers calling the attention of the American people to the communistic propaganda in our armed forces. I understand that Senator ALEXANDER WILEY, of Wisconsin, is inserting these articles in the Record today. I demand that an investigation into the facts and circumstances surrounding these charges be made immediately.

The first in a series of these articles shows how the Communists have succeeded in boring within the ranks of the 10,000,000 soldiers in the United States Army who went to war to protect the American Government and the American way of life. Every American soldier has been getting a subtly administered weekly dose of subversive, Communist doctrine. Furthermore, the treatment is compulsory and under official auspices. This has been done through the Army orientation course which every GI has been compelled to take once a week.

One hour every week every American soldier has been required to attend an orientation course. The highly laudable objective was to provide an educational and informational service, including the discussion of current events, for the members of the armed forces. However, much of the text and prepared material used in these orientation courses has been shot through with the Marxism and the Communist party line.

The proper committee to make this investigation is the Committee on Un-American Activities. They should determine who is responsible for it and whether the War Department has been cognizant of the use of this educational course as a Red transmission belt.

The return of the Communist Party of the United States to its old revolutionary tactics, calls for the Hitler technique of divide and conquer. It means stirring up religious and racial prejudices, fomenting a class warfare and turning on a smear campaign against all attackers of communism.

It will not be long before a Communist delegation is again picketing the White House, just as they did during the infamous Hitler-Stalin pact.

#### EXTENSION OF REMARKS

Mr. GORE asked and was given permission to revise and extend the remarks made previously in the day.

Mr. DOYLE (at the request of Mr. PATTERSON) was given permission to extend his remarks in the Record.

#### ANNOUNCEMENT

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, if a record vote had been taken on the bill just passed, I would have voted in the negative.

#### EXTENSION OF REMARKS

Mr. McDONOUGH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from Collier's.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include an address by Frank E. Gannett. I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost \$117, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Without objection, notwithstanding the cost, the extension may be made.

There was no objection.

#### RESIGNATION FROM COMMITTEES

The SPEAKER laid before the House the following resignation from committees:

OCTOBER 2, 1945.

Mr. SAM RAYBURN,  
*Speaker, House of Representatives,*  
*Washington, D. C.*

DEAR MR. SPEAKER: I herewith resign from the following committees: Flood Control, Indian Affairs, Irrigation and Reclamation, Public Lands, Territories.

With best personal wishes, I am

Respectfully yours,

MIKE MANSFIELD.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

#### EXTENSION OF REMARKS

Mr. GAMBLE asked and was given permission to extend his remarks in the RECORD and include two editorials.

The SPEAKER. Under previous order of the House, the gentleman from Illinois [Mr. VURSELL] is recognized for 20 minutes.

#### ADMINISTRATION OF AMERICAN SECTOR IN OCCUPIED GERMANY

Mr. VURSELL. Mr. Speaker, a few months ago General Eisenhower came triumphantly home to be feted, honored, and receive the thanks of a grateful Nation for directing the greatest and most difficult military operation probably ever achieved, certainly the greatest ever entrusted to one man by the American people. He was acclaimed by every American in the Nation for leading our troops and those of our allies to victory. He spoke to the Members of this House, winning the further admiration and confidence of all of us. He typifies and represents the American Government and the American people in the great problems confronting him in the administration and reconstruction of Germany.

General Eisenhower needs and deserves the continued support of this Government and the people in the trying days ahead. He has the overwhelming support of Congress and the people.

Notwithstanding the action of the President, he undoubtedly must still have the confidence of the President.

Mr. Speaker, I, for one, and I believe the majority of the Members of Congress was disturbed and greatly disappointed with the publicity carried in the headlines of the papers here in Washington and throughout the country which might well put a doubt in the minds of a great many people as to the efficiency of his administration on the American sector of the administration of Germany under his direction of our Army of Occupation.

This news carried in foreign papers may weaken his position and that of the United States Government in such administration in the future. It seems most unfortunate and it is hard to understand why this unfavorable publicity should be given at this time.

The news came out of the fact that apparently the President, sometime back, sent to Europe one Earl G. Harrison, formerly an employee of the Federal Government, to make a survey of conditions in Germany for the purpose of bringing back a report to the President on the treatment of Jews in that part of Germany occupied by the American forces. Apparently, the President has had this report for some 30 days. The Congress and the people have no information as to whether General Eisenhower has been contacted during that time to ascertain if the conditions are as stated by Mr. Harrison.

Here, in substance, is one of the charges in his report made public by the President for the Sunday newspapers among other charges.

Mr. Harrison is quoted in the press supposedly released by the President that "As matters stand we appear to be treating the Jews as the Nazis treated them except that we do not exterminate them. They are in concentration camps in large numbers under our military guards instead of SS troops."

Mr. Speaker, to any American familiar with conditions when the camps were liberated, the implications of that remark are wholly untrue, libelous, unwarranted and are misleading. One newspaper says "it is about time that Americans called a halt on this type of rhetorical exaggeration which subjects a Nation to such invidious criticism."

The report further states that in food the Jews are receiving about 1,350 calories a day. This is also untrue and a gross misrepresentation. Since General Eisenhower took charge millions of Jews have been returned to their homes and it is said that there are only about 25,000 now that are homeless in the American zone. The report of dozens of Congressmen who have gone into Germany since General Eisenhower took charge attest to the desperate, deplorable, and chaotic conditions found there when General Eisenhower took charge. I doubt if any Member of Congress has had a report from one of these Congressmen criticizing the administration of General Eisenhower, or that any of them have found the conditions there since, as bad as are described in the report of Mr. Harrison.

The great majority of the Members of Congress would like to see England open up the gates of Palestine to these Jews

in Germany and elsewhere so that those who so desire could make it their home in the future. Every Member of Congress will applaud the splendid work General Eisenhower and his staff have done in finding homes for the Jews and in reuniting their families since he has had charge of the affairs of administration in Germany and they have the confidence that he will continue to alleviate the suffering so far as it lies within his power.

Mr. Speaker, the most regrettable and unfortunate action has been that after such splendid work has been done by General Eisenhower and his staff, and further that most of the complaints of the report which was given to the President 30 days ago have already been corrected, is in the fact that the President at this late date has seen fit to give out to the press this report and by so doing has practically given it his confirmation as stating the facts as they exist today.

Certainly, in the interest of the prestige of our Government in European affairs, if conditions existed as reported by Mr. Harrison, an attempt should have been made to correct them without trying the case on the front pages of the newspapers, thereby weakening the administrative power of General Eisenhower and lowering the prestige of the Nation.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Returning colleagues report that there are only two classes in Germany, Communists and anti-Communists. Those who are against the Communists are branded as Nazis, although many of them may have been violently opposed to the Nazi rule. I think the gentleman does not need to be convinced of the fact that all this we hear as to what is going on in Germany is propaganda to put the American forces in bad and promote the cause of the Russians.

Mr. VURSELL. I fear there is considerable truth in a lot the gentleman from Minnesota has just said. As long as we have an army of occupation in Germany, and as long as we have an administrator, with the terrible conditions that have existed, even though they become better, if the State Department, if the Congress, and if the President are swayed and persuaded not to stand behind the administrator and be sure of his facts, we will do harm to this Government, we will weaken ourselves in the eyes of the world, and we will not accomplish the result we are attempting and hoping to accomplish in the liberated countries.

Certainly, if the administration of General Eisenhower was called into serious question the President should have asked for a report from him, and a correction of such maladministration. There is no indication that such a course was pursued. General Eisenhower should have had a chance to answer such charges.

Mr. Speaker, billions of dollars were spent by the Government to defeat the Nazi, liberate our prisoners of war, the Jews, the Russians, Czechs, French, and



civilian and military prisoners from many of the countries being held in the concentration camps in Germany. Months of desperate fighting with the loss of many thousands of American boys killed on the battle fronts, many thousands of them wounded and crippled for life, yet, after the victory, the kindly and helpful American soldiers, who would harm no one except in the defense of their lives, are charged with treating these civilian refugees "as badly as they were formerly treated by the Nazis except that they did not exterminate them." And the administration of one of our foremost American citizens and one of the greatest generals who ever led an army in the field is brought into question. A regrettable mistake has been made. It is a shameful charge to place against the good-natured, friendly and kind GI soldier—it will not set well with the American people for it is not the truth.

General Eisenhower's headquarters is willing to prove it is not the truth. Has already proved it is not true. In the newspapers here in Washington under the date of October 1, 1945, is an article from Frankfort, Germany, by the United Press and I quote:

General Eisenhower's headquarters countered charges of inhuman treatment of Jews in the American occupation zone today by proposing that correspondents make an immediate investigation of the "worst" refugee camps.

You have all read the newspapers and you know these people are getting 2,500 to 3,000 calories a day over there, that they are being fed twice as well as this report indicates they are being fed, that there are only 25,000 of them left, and that Lt. General Smith, under General Eisenhower, has offered his own plane and enough planes for every correspondent to visit these camps at once to show the fallacy of this charge and to prove that it is not true.

We would like for the condition of the refugees to be improved and in fact it is being improved under the administration of the Army at the expense of the taxpayers of America. But we cannot get them back to a living condition that might be likened to that before the war and before the persecution broke out in Germany. We would like to see the gates of Palestine opened and a haven provided for the refugees so that they would have a chance to work out their own salvation economically and financially. But those are things that the American Congress has not had a chance to help accomplish. May I remind you there has been before this House for quite some time a resolution dealing to a large extent with an attempt to get England to open the gates of Palestine for the refugees in Germany, and that very resolution I understand was not acted upon in this House at the suggestion of the administration. Certainly, if the President wants to help out, he will find that the Congress of the United States would like also to help him and cooperate with him in an effort to help get England into an attitude of mind where that government would be willing to admit more of

these stricken people in Europe into Palestine.

Quoting further:

General Eisenhower's chief of staff, Lt. Gen. Walter B. Smith, said his own plane would be at the disposal of any newsmen who want to inspect the camps.

Smith refused to comment on President Truman's statement denouncing conditions in the camps, but other headquarters sources were indignant at the charges.

They contended that much of the criticism in the Harrison report was directed against refugee camps in Austria and in the British zone of Germany.

Representatives of the Jewish welfare agencies in Frankfurt also were surprised at the report. They said it was greatly exaggerated and out of date.

"It is not up to us to dispute what the President says," one high authority said, "but it seems that our Jewish camps are in splendid shape now compared with a few months ago."

Eisenhower's headquarters said Jews now were receiving a minimum 2,500-calory daily diet, almost twice that of German civilians. In camps, they have been allotted space per person even larger than the minimum required by American soldiers.

Mr. Speaker, yet, President Truman on this report a month old seems to give confirmation to it by releasing to the press the report and stating that he has directed General Eisenhower to correct conditions or, in substance, that was the meaning I got from reading the newspapers of Sunday and Monday.

Mr. Speaker, there has been a question as to why this publicity should come out at this time.

Cloakroom conjecture in the Halls of Congress is that there was an ulterior reason for this unfortunate publicity. Some suggest that it might have been intended to have a favorable bearing on the mayoralty election in New York, where some quick move was necessary to offset the successful settling of the elevator strike by Governor Dewey; and that some appeal was necessary to open the gates of Palestine to the Jews, to offset the speech by Governor Dewey in the Madison Square Garden Friday night urging the administration to take such action in the interest of Jewish refugees of Germany. I cannot agree with this reasoning—I cannot believe that the President would make such a move for political purposes, knowing that it would weaken the hand of General Eisenhower as a representative of the great American Government in the affairs of Europe, and that it would hurt the prestige of our Nation. Undoubtedly, the President was ill-advised and undoubtedly he made a grave mistake.

Mr. JONKMAN. Mr. Speaker, will the gentleman yield?

Mr. VURSELL. I am glad to yield.

Mr. JONKMAN. I notice a condition that has a bearing on that situation in Europe. That is the terrible confusion and dilatory tactics caused by the Control Council as well as the American Military Government operating together and having a host of bureaucrats there. I was told by very capable military officers that when it became necessary to initiate a certain policy, if they were to wait and ask the Control Council for authority to initiate that policy, they

would never get it. So the only alternative was to make it an accomplished fact and then see later whether they had permission from the Control Council on that. There is a myriad of bureaucrats that are confusing the whole situation. Then I think our military officers have one of the most difficult tasks you can imagine under all the circumstances.

Mr. VURSELL. There is not any doubt but that the gentleman is right. When we think of the conditions prevailing, and the destruction that was visited on that country, and when we remember that we have sent over there a man with the capabilities and the background of General Eisenhower, certainly we American people ought to be willing to be patient, because it will take a long time to get the machinery of government working smoothly and to the satisfaction of the people there. Those in charge of government in high places ought to move with great caution before they take any action that might weaken the hand of our administrator there, before the people of the world.

The SPEAKER. The time of the gentleman from Illinois has expired.

#### SELECT COMMITTEE ON POSTWAR MILITARY POLICY

The SPEAKER. Pursuant to the provisions of House Resolution 55, Seventy-ninth Congress, the Chair appoints as a member of the Select Committee on Postwar Military Policy, to fill the existing vacancy thereon, the gentleman from Michigan [Mr. ENGEL].

#### ADJOURNMENT

Mr. WORLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 12 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 3, 1945, at 11 o'clock a. m.

#### COMMITTEE HEARINGS

##### COMMITTEE ON PATENTS

The Committee on Patents will continue public hearings on October 3, 1945, at 10 a. m., in the Banking and Currency hearing room, 1301 New House Office Building, for the consideration of H. R. 2111 and H. R. 4079.

The Committee on Patents will continue public hearings on October 4, 1945, at 10 a. m. in the Rivers and Harbors hearing room, 1304 New House Office Building, for the consideration of H. R. 2111 and H. R. 4079.

##### COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

There will be a meeting of the Committee on World War Veterans' Legislation, in open session, on Wednesday, October 3, 1945, at 10 o'clock a. m., in the committee room 356, Old House Office Building.

##### COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The Interstate and Foreign Commerce Committee, or a subcommittee thereof, will meet at 10 a. m. Tuesday, October 9, to begin hearings on H. R. 2536, the Bulwinkle bill.

Various groups who have representation in Washington will be heard during

the first week, such as Members of Congress first, the Interstate Commerce Commission, the National Association of Railroad and Utilities Commissioners, Association of American Railroads, railroad traffic organizations, railroad labor, and truck and bus associations.

The second week will be devoted to various State commissions, agricultural associations, National Industrial Traffic League, and various citizens' traffic associations, and traffic boards and chambers of commerce.

It is going to be necessary to limit the time for this hearing as much as possible. It is also desired to avoid any repetition in statements before the committee.

The committee would be pleased to have those who are intending to appear to advise the clerk promptly the least amount of time they will need in which to present their testimony.

#### COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will meet in executive hearing on Thursday, October 4, 1945, at 10 o'clock a. m., to consider the bill (H. R. 3367) to amend Public Law 44, Seventy-eighth Congress, as amended.

The Committee on the Merchant Marine and Fisheries will hold a public hearing Thursday, October 18, 1945, at 10 a. m., on H. R. 2346, the seamen's bill of rights, to provide aid for the readjustment in civilian life of those persons who rendered war service in the United States merchant marine during World War II, and to provide aid for the families of deceased war-service merchant seamen.

#### COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Committee on the Public Lands on Thursday, October 4, 1945, at 10:30 a. m., to consider the following bills: H. R. 608, H. R. 2418, H. R. 3028, H. R. 3444, and S. 504.

#### EXECUTIVE COMMUNICATIONS, ETC.

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

710. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the fiscal year 1946 in the amount of \$3,030,000, for the Department of State (H. Doc. No. 299); to the Committee on Appropriations and ordered to be printed.

711. A letter from the Administrator, War Shipping Administration, transmitting the eleventh report by the War Shipping Administration of action taken under section 217 of the Merchant Marine Act of 1936, as amended (Public Law 498, 77th Cong.); to the Committee on the Merchant Marine and Fisheries.

712. A letter from the rear admiral, United States Navy, Director of Budget and Reports, transmitting a report of lands acquired for naval purposes out of various appropriations; to the Committee on Naval Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Concurrent Resolution 83. Concurrent resolution creating a joint committee of the House of Representatives and the Senate of the United States to study and investigate the control of the atomic bomb; without amendment (Rept. No. 1036). Referred to the House Calendar.

Mr. HOBBS: Committee on the Judiciary. H. R. 4160. A bill to amend an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1893, and acts amendatory thereof and supplemental thereto; without amendment (Rept. No. 1037). Referred to the House Calendar.

#### CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 1633) for the relief of Raymond Crosby, and the same was referred to the Committee on War Claims.

#### PUBLIC BILLS AND RESOLUTIONS

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

By Mr. KEFAUVER:

H. R. 4255. A bill to amend section 33 of the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on the Judiciary.

By Mr. McDONOUGH:

H. R. 4256. A bill to permit extension of insurance of Federal Housing Administration loans; to the Committee on Banking and Currency.

By Mr. RIZLEY:

H. R. 4257. A bill to terminate the rationing of beef and pork; to the Committee on Banking and Currency.

By Mr. ROE of Maryland:

H. R. 4258. A bill to amend the Social Security Act, as amended, to authorize grants to the States for the operation of employment services, to provide for returning employment service operations to the States, and for other purposes; to the Committee on Ways and Means.

By Mr. WHITTEN:

H. R. 4259. A bill to amend certain provisions of the Flood Control Act of June 15, 1936, as amended, so as to increase the amount paid to States from moneys received by the United States on account of certain leases; to the Committee on Flood Control.

By Mr. BEALL:

H. R. 4260. A bill to provide the same exemptions from distraint on wages in connection with the collection of Federal taxes as are allowed under the applicable State laws; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 4261. A bill to increase the compensation of certain officers of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H. R. 4262. A bill authorizing and directing the Secretary of War to cancel War Department leases on State fairgrounds, and to deliver up possession of such grounds; to the Committee on Military Affairs.

By Mr. KEFAUVER:

H. R. 4263. A bill to provide for the selection of an acting President in the case of failure to qualify of both President-elect and Vice President-elect; to the Committee on the Judiciary.

By Mr. LEWIS:

H. Con. Res. 91. Concurrent resolution declaring the date of termination of hostilities in the present war; to the Committee on the Judiciary.

By Mr. CURTIS:

H. J. Res. 246. Joint resolution permitting federally owned alcohol plants to produce sugars or sirups simultaneously with the production of alcohol; to the Committee on Ways and Means.

By Mr. MILLS:

H. J. Res. 247. Joint resolution permitting federally owned alcohol plants to produce sugars or sirups simultaneously with the production of alcohol; to the Committee on Ways and Means.

By Mr. SABATH:

H. J. Res. 248. Joint resolution approving the agreement between the United States and Canada relating to the Great Lakes-St. Lawrence Basin with the exception of certain provisions thereof, expressing the sense of the Congress with respect to the negotiation of certain treaties, authorizing the investigation through the Department of State and with Canada of the feasibility of making the Great Lakes-St. Lawrence seaway self-liquidating, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. GRANT of Indiana:

H. J. Res. 249. Joint resolution requesting the President to declare November 10, 1945, a day for the observance of the creation of the United States Marine Corps; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

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

By Mr. CELLER:

H. R. 4264. A bill for the relief of the estate of Reuben Malkin; to the Committee on Claims.

By Mr. CHURCH:

H. R. 4265. A bill for the relief of Mary Jane Sherman; to the Committee on Claims.

By Mr. CUNNINGHAM:

H. R. 4266. A bill for the relief of Lt. Col. Homer G. Hamilton; to the Committee on Claims.

By Mr. GILLESPIE:

H. R. 4267. A bill for the relief of Solyman G. Hamlin; to the Committee on War Claims.

By Mr. JONES:

H. R. 4268. A bill for the relief of Grace M. Collins; to the Committee on Claims.

By Mr. MILLER of California:

H. R. 4269. A bill for the relief of Ida Barger, Hazel A. Beecher, Etta Clark, Jesse Ruth France, John W. Nolan, Anna Palubicki, and Frank J. Schrom; to the Committee on Claims.

By Mr. SHEPPARD:

H. R. 4270. A bill for the relief of Southern California Edison Co., Ltd.; to the Committee on Claims.

#### PETITIONS, ETC.

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

1216. By Mr. CLASON: Petition of the Massachusetts Public Utilities Commission, recommending the passage of H. R. 2536; to the Committee on Interstate and Foreign Commerce.

1217. By Mr. HALLECK: Resolution of Polish-American Congress of the State of Connecticut, adopted at a meeting held at Hartford, Conn., on September 9, 1945, urging action looking to the termination of conditions existing in Poland and eastern Europe as complained of in their resolution; to the Committee on Foreign Affairs.

1218. By Mr. IZAC: Petition of citizens of San Diego, Calif., residents of the Twenty-third California Congressional District, requesting the Army authorities to provide a system whereby men who have been in com-



bat in the European theater may not be sent to the Pacific theater for occupational duties but that those men in service in the States with no overseas service be sent instead. Submitted by Mrs. Ralph Stacy; to the Committee on Military Affairs.

1219. By Mr. LANE: Memorial of Boston Chapter, No. 10, Department of Massachusetts, Disabled American Veterans; to the Committee on the Civil Service.

1220. Also, resolution of the Massachusetts Public Utilities Commission; to the Committee on Interstate and Foreign Commerce.

1221. By Mr. SMITH of Wisconsin: Petition of citizens of Brodhead, Wis., concerning payment and allowances to enlisted men of the Army of the United States for accrued furlough time; to the Committee on Military Affairs.

1222. Also, petition of Seymour White, West Geneva Street, Burlington, Wis., on subject of occupational forces in Europe and Asia; to the Committee on Military Affairs.

1223. By Mr. WEISS: Petition sponsored by Local 601, United Electrical, Radio, and Machine Workers of America, CIO, in support of the Murray-Patman full employment bill, with signatures of approximately 3,000 in East Pittsburgh, Pa., and vicinity; to the Committee on Ways and Means.

1224. By the SPEAKER: Petition of the Democratic Committee of Milwaukee County, Milwaukee, Wis., petitioning consideration of their resolution with reference to their endorsement of the Kilgore legislation, providing employment compensation of \$25 per week for 26 weeks; to the Committee on Ways and Means.

## SENATE

WEDNESDAY, OCTOBER 3, 1945

(Legislative day of Tuesday, October 2, 1945)

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

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

O God of law as well as of mercy, groping for light in this era shadowed by horror and for life in this dread day darkened by death, we but reap the harvest our hands have sown. Open our ears as the long centuries toll the knell of systems that have had their day and ceased to be.

O Thou before whose face nations wax and wane, Thou who wilt not be mocked, for tomorrow's weal make us to know and obey Thy will, that it may be done on earth as it is in heaven. Amen.

### THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, October 2, 1945, was dispensed with, and the Journal was approved.

### MESSAGES FROM THE PRESIDENT

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

### PARADE IN HONOR OF ADMIRAL CHESTER W. NIMITZ

Mr. BARKLEY. Mr. President, I ask unanimous consent that a letter just received by Mr. Biffle, the Secretary of the Senate, relating to the arrangements for

the parade in honor of Admiral Nimitz, be printed in the RECORD for the information of the Senate.

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

WASHINGTON BOARD OF TRADE,  
Washington, D. C., October 2, 1945.

Hon. LESLIE BIFFLE,  
Secretary of the Senate,  
United States Senate,

Washington 25, D. C.

DEAR MR. BIFFLE: The Commissioners of the District of Columbia and the citizens' committee for the reception to Admiral Chester W. Nimitz have arranged for the public parade immediately following the joint session of Congress on Friday, October 5, to form near the United States Capitol Building and to pass along the east front so that all Members of the Congress may have an opportunity to participate in this colorful feature on the program.

We shall be grateful if you will share this information with the officers and Members of the Senate.

According to the tentative schedule, the parade will begin as soon as Admiral Nimitz takes his place at the head of the procession, at approximately 1:10 p. m.

With appreciation of your unfailing interest and cooperation, I am,

Sincerely yours,

FLOYD D. AKERS,  
General Chairman,  
Citizens' Committee for the Reception  
to Admiral Chester W. Nimitz.

### CALL OF THE ROLL

Mr. BARKLEY. 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     | Hart            | Myers         |
| Andrews   | Hatch           | O'Daniel      |
| Austin    | Hawkes          | O'Mahoney     |
| Bailey    | Hayden          | Overton       |
| Ball      | Hickenlooper    | Radcliffe     |
| Bankhead  | Hill            | Reed          |
| Barkley   | Hoey            | Revercomb     |
| Bilbo     | Johnson, Colo.  | Robertson     |
| Briggs    | Johnston, S. C. | Russell       |
| Brooks    | Kilgore         | Saltstall     |
| Buck      | Knowland        | Shipstead     |
| Butler    | La Follette     | Smith         |
| Byrd      | Langer          | Stewart       |
| Capper    | Lucas           | Taft          |
| Capehart  | McCarran        | Thomas, Okla. |
| Carville  | McClellan       | Tunnell       |
| Chavez    | McFarland       | Tydings       |
| Connally  | McKellar        | Vandenberg    |
| Cordon    | McMahon         | Wagner        |
| Donnell   | Magnuson        | Walsh         |
| Ellender  | Maybank         | Wheeler       |
| Ferguson  | Mead            | Wherry        |
| Fulbright | Millikin        | White         |
| George    | Mitchell        | Wiley         |
| Gerry     | Moore           | Willis        |
| Guffey    | Morse           | Wilson        |
| Gurney    | Murray          | Young         |

Mr. HILL. I announce that the Senator from Mississippi [Mr. EASTLAND] and the Senator from Virginia [Mr. GLASS] are absent because of illness.

The Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GREEN], the Senator from Utah [Mr. MURDOCK], and the Senator from Idaho [Mr. TAYLOR] are detained on public business.

The Senator from Florida [Mr. PEPPER] is absent on official business.

The Senator from Utah [Mr. THOMAS] is absent as a delegate from the United States to the International Labor Conference in Paris.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES], the Senator from Maine [Mr. BREWSTER], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from South Dakota [Mr. BUSHFIELD] and the Senator from Idaho [Mr. THOMAS] are absent because of illness.

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

### DEVELOPMENT OF THE GREAT LAKES-ST. LAWRENCE BASIN—MESSAGE FROM THE PRESIDENT (H. DOC. NO. 302)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read by the legislative clerk, referred to the Committee on Foreign Relations, and ordered to be printed, as follows:

#### To the Congress of the United States:

As a part of our program of international cooperation, expanding foreign trade, and domestic progress in commerce and industry, I recommend the speedy approval by the Congress of the agreement of March 19, 1941, between the United States and Canada for the development of the Great Lakes-St. Lawrence Basin. When approved, the two countries will be able to harness for the public benefit one of the greatest natural resources of North America, opening the Great Lakes to ocean navigation, and creating 2,200,000 horsepower of hydroelectric capacity to be divided equally between the people of the United States and Canada.

The development, utilization, and conservation of our natural resources are among those fields of endeavor where the Government's responsibility has been well recognized for many generations.

During the war we were forced to suspend many of the projects designed to harness the waters of our great rivers for the promotion of commerce and industry and for the production of cheap electric power. We must now resume these projects and embark upon others.

The Congress and the people of our country can take just pride and satisfaction in the foresight they showed by developing the Tennessee and Columbia Rivers and the rivers in the Central Valley of California. Without the power from these rivers the goal of 50,000 airplanes a year—considered fantastic only five short years ago, but actually surpassed twice over—would have been impossible. Nor could we have developed the atomic bomb as early as we did without the large blocks of power we used from the Tennessee and Columbia Rivers.

The timely development of these rivers shortened the war by many years and saved countless American lives. We must ever be grateful for the vision of the late President Franklin D. Roosevelt and the wisdom of Congress in urging and approving the harnessing of these priceless natural resources.

One of the great constructive projects of the North American Continent, in fact, one of the great projects of the world, which was delayed by the exigencies of war, is the St. Lawrence seaway and power project.