

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DEWART:

H. R. 4235. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Ben Holte; to the Committee on Indian Affairs.

H. R. 4236. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Walter Montgomery; to the Committee on Indian Affairs.

By Mr. FELLOWS:

H. R. 4237. A bill for the relief of Mrs. Katherine I. Brooks and Sally Brooks; to the Committee on Claims.

By Mr. LANHAM:

H. R. 4238. A bill to restore Lt. Col. Sidney R. Williamson, United States Marine Corps (retired), to the active list of the United States Marine Corps; to the Committee on Naval Affairs.

By Mr. MILLS:

H. R. 4239. A bill granting to Guy A. Thompson, trustee, Missouri Pacific Railroad Co., debtor, and to his successors and as signs, authority to relocate, maintain, and operate a single-track railway across United States Government reservation at lock No. 3, White River, Independence County, Ark., and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. McDONOUGH:

H. R. 4240. A bill for the relief of Frank E. Wilmot; to the Committee on Claims.

H. R. 4241. A bill for the relief of Alessandro Gabellieri, Bruno Gabellieri, Celestine Gabellieri, and Ilia Gabellieri; to the Committee on Immigration and Naturalization.

By Mr. PINERO:

H. R. 4242. A bill for the relief of Antonio Rojas Velez; to the Committee on Claims.

H. R. 4243. A bill for the relief of the estate of Anastacio Acosta; to the Committee on Claims.

H. R. 4244. A bill for the relief of Fundador Nieves Del Valle; to the Committee on Claims.

H. R. 4245. A bill for the relief of José Villafane Muñoz; to the Committee on Claims.

H. R. 4246. A bill for the relief of the estate of the late Francisco J. Cordova; to the Committee on Claims.

H. R. 424. A bill for the relief of Jesús Lassalle; to the Committee on Claims.

H. R. 4248. A bill for the relief of Irma M. Delgado; to the Committee on Claims.

H. R. 4249. A bill for the relief of Lucy Delgado; to the Committee on Claims.

H. R. 4250. A bill for the relief of the estate of the late Domingo Acosta Arizmendi; to the Committee on Claims.

H. R. 4251. A bill for the relief of the estate of the late Francisca Sánchez Figueroa; to the Committee on Claims.

H. R. 4252. A bill for the relief of Jose Cotto Santiago; to the Committee on Claims.

By Mr. POAGE:

H. R. 4253. A bill for the relief of Mrs. Beatrice Brisbin, and the legal guardians of Wynona Gene Brisbin, Nelda Elaine Brisbin, Gwendoline Louise Brisbin, and Jacqueline Nadine Brisbin, minors; to the Committee on Claims.

By Mr. SCHWABE of Oklahoma:

H. R. 4254. A bill for the relief of Sarah Holmes Beeman; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

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

1204. By Mr. DONDERO: Petition of citizens of the twenty-second ward of Detroit, Mich., that all servicemen who have been in

the overseas armed forces prior to VJ-day (with the exception of those who volunteer for extended service for the war), irrespective of points, these men to be returned as quickly as possible to the United States; and their places taken by those who have not had overseas duty; to the Committee on Military Affairs.

1205. By Mr. GOODWIN: Petition of Boston Chapter, No. 10, Department of Massachusetts, Disabled American Veterans, regarding war service regular clerk appointments; to the Committee on the Civil Service.

1206. Also, petition of Department of Massachusetts, Disabled American Veterans, regarding war service regular clerk appointments; to the Committee on the Civil Service.

1207. By Mr. MOTT: Petition signed by Mrs. Josie Knapp and other citizens of the State of Oregon, urging enactment of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

1208. Also, petition signed by Mrs. Carrie H. Ferguson and numerous other citizens of Yamhill County, Oreg., urging enactment of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

1209. By Mrs. SMITH of Maine: Petition signed by Mrs. Nellie G. Saunders and other citizens of Rockland, Maine, asking that the Townsend plan gets a quick and complete hearing by the Ways and Means Committee and then by the Congress as a whole; to the Committee on Ways and Means.

1210. Also, petition signed by Miss Stella A. Kimball and other citizens of Skowhegan, Maine, asking that the Townsend plan gets a quick and complete hearing by the Ways and Means Committee and then by the Congress as a whole; to the Committee on Ways and Means.

1211. By Mr. SMITH of Wisconsin: Petition of Wisconsin State Legislature, to abolish rationing of butter and cheese; to the Committee on Banking and Currency.

1212. By the SPEAKER: Petition of the Potomac Cooperative Federation, petitioning consideration of their resolution with reference to retention of all necessary rationing of scarce food items; to the Committee on Foreign Affairs.

1213. Also, petition of Local Union 3500, United Steelworkers of America, CIO, petitioning consideration of their resolution with reference to private operation of naval ordnance plant, Milledgeville, Ga.; to the Committee on Expenditures in the Executive Departments.

1214. Also, petition of Board of County Commissioners, Hennepin County, Minn., petitioning consideration of their resolution with reference to their endorsement of Cannon Federal insurance bill H. R. 2229; to the Committee on Ways and Means.

1215. Also, petition of the Council of the City of Niagara Falls, N. Y., petitioning consideration of their resolution with reference to their endorsement of legislation relative to extensive improvements and particularly a new administration building and hangars at the Niagara Falls Municipal Airport; to the Committee on Public Buildings and Grounds.

SENATE

TUESDAY, OCTOBER 2, 1945

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

Eternal Father, we come to Thee at the noontide hour when from the Nation's beginning our fathers have turned aside to seek Thy face. Commissioned to be peacemakers for a war-torn world, we first need a peace within our own

hearts far deeper than the world can give. For never does a new day find us fit for the highest service until we have cleansed ourselves by communion with Thee.

We come with confession and contrition. There haunt us memories of duties unperformed, noble promptings disobeyed, deeds of kindness and of pity that we have left too late; words untrue, acts unkind, thoughts impure—the stain of these is on us all. Make us brave enough to bear the truth, even about ourselves, and clean and sincere enough to rise with our dead selves as stepping stones to higher things—our climbing feet upon the path of the just and our faces bathed with the shining light that groweth more and more unto the perfect day. In the Redeemer's name. Amen.

THE JOURNAL

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

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3951) to stimulate volunteer enlistments in the Regular Military and Naval Establishments of the United States; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MAY, Mr. THOMASON, Mr. BROOKS, Mr. ANDREWS of New York, and Mr. SHORT were appointed managers on the part of the House at the conference.

EXECUTIVE COMMUNICATIONS, ETC.

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

LEASE OF CERTAIN PUBLIC LANDS IN ALASKA

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to lease certain public lands in Alaska (with an accompanying paper); to the Committee on Public Lands and Surveys.

REPORT OF THE WAR SHIPPING ADMINISTRATION RELATING TO WATER-BORNE EXPORT AND IMPORT FOREIGN COMMERCE OF THE UNITED STATES

A letter from the Administrator of the War Shipping Administration, transmitting, pursuant to the provisions of section 217 (b) of the Merchant Marine Act of 1936, as amended (Public Law No. 498, 77th Cong.), the eleventh report of the War Shipping Administration relating to water-borne export and import foreign commerce of the United States (with an accompanying report); to the Committee on Commerce.

REPORT OF LANDS ACQUIRED FOR NAVAL PURPOSES

A letter from the Director of Budget and Reports of the Navy, transmitting, pursuant to law, a report of lands acquired for naval purposes out of appropriations (with an accompanying report); to the Committee on Naval Affairs.

REPORT ON ABORIGINAL RIGHTS OF ALASKA INDIANS

A letter from the Attorney General for Alaska, transmitting a report on aboriginal rights of Alaska Indians (with an accompanying report); to the Committee on Territories and Insular Affairs.

WAR STRICKEN PEOPLE OF GREECE

Mr. BUTLER. Mr. President, I present for appropriate reference and printing in the RECORD a resolution unanimously adopted by the Omaha Chapter, No. 147, of the Order of Ahepa of the United States of America, relating to the war-stricken people of Greece.

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

Whereas Omaha Chapter, No. 147, of the Order of Ahepa of the United States of America, in meeting duly assembled at the Rome Hotel in Omaha, Nebr., September 23, 1945, unanimously adopted the following resolution.

Whereas Omaha Chapter, No. 147, of the Order of Ahepa and nearly all of the members of said chapter are being besieged by their relatives living in the land of Greece to send shoes, clothing, and food. The description of the people and country are appalling. Dreadful conditions exist throughout the country. People live in want without homes, food, and clothing.

That the Order of Ahepa deeply deprecates the wretched condition in which the people of Greece now find themselves as the terrible results of the war inflicted upon them. These, brave and fearless people resisted with all their might and to their very last drop of blood forceful enemies on all sides until they were overwhelmed by superior strength. The people of Greece upon being conquered were horribly treated and afflicted with unbearable torture and death, and had depraved conditions forced upon them; driven from their homes, and homes destroyed, left them wandering through the streets and hills of their own beloved country, as browbeaten animals. All this and more, the brave people of Greece have stood and fought and endured for the price of freedom; and

Whereas since hostilities have ceased for more than 1 year last past in that country, want and hunger tramps in the streets, the naked go unclothed and the hungry are unfed, and immediate action will be required to save these people from a terrible winter; and

Whereas this small country of Greece has suffered so terribly from its enemies that unless the victorious Allied Nations of the world pause and hesitate in the march towards a rightful peace, the small country of Greece will not receive its full measure of justice and reparation from its vicious enemies. Thus it may be left a helpless and defeated nation in the hour of victory, for which this small nation struggled and bled alongside of its victorious Allied Powers of the world. The enemy nations fought and killed the flesh and blood of the soldiers of the Allied Powers and are now engaged by intrigue and subtle means in ingratiating themselves into the good graces of the representatives of the victorious Allied Nations for the avowed purpose of depriving this mighty and little nation of Greece of being restored to her just and rightful place among the nations of the world: Now, therefore, be it

Resolved, That Omaha Chapter, No. 147, of the Order of Ahepa in meeting assembled do beg and implore the representatives of the victorious Allied Nations of the world to immediately bring relief to the war stricken people of Greece and in their deliberations of the peace to come to see that the country of

Greece is restored to her lawful place among the nations of the world. That reparation in full measure be exacted from all enemies and that the nation of Greece and its possessions be restored unto her, and therefore be it further

Resolved, That copies of this resolution be forwarded to Hon. KENNETH WHERRY, United States Senator from Nebraska, Washington, D. C., Hon. HUGH BUTLER, United States Senator from Nebraska, Washington, D. C., and Hon. HOWARD BUFFETT, Congressman from District No. 2, State of Nebraska, Washington, D. C.

FELIX MELONIS,

President Chapter No. 147, Order of Ahepa, Omaha, Nebr.

Attest:

GUST PSERROS,
Secretary.

DEDUCTIONS UNDER WITHHOLDING TAX

Mr. LANGER. Mr. President, I present for appropriate reference and printing in the RECORD a letter from Raymond M. Shipman, secretary, North Central Jurisdictional Conference of the Methodist Church, Muscatine, Iowa, relating to the withholding tax.

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

THE METHODIST CHURCH NORTH
CENTRAL JURISDICTIONAL CONFERENCE,
Muscatine, Iowa, September 27, 1945.
The Honorable WILLIAM LANGER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR LANGER: The north central jurisdiction of the Methodist Church includes the nine States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, North Dakota, and South Dakota, in which States the total Methodist membership, ministerial and lay, is 1,927,377. At the session of the north central jurisdictional conference, composed of 360 delegates, equally divided between laymen and ministers, the following resolution was passed, which the secretary of the body was directed to send to the Senators and Representatives from the States mentioned.

I have, therefore, the honor to submit to you the resolution:

Whereas withholding tax bill H. R. 4646, in the interest of simplification, has used the principle of granting an average of 10 percent to every taxpayer with an income of \$5,000 or less for allowable deductions for contributions, interest, and taxes, whether or not such credits are earned; and

Whereas this may seriously impair the operation of the basic principle in the tax law which allows a deduction of 15 percent for religious, educational, and charitable gifts actually donated; and

Whereas this bill in the withholding process collects a tax on income, including amounts contributed for religious, educational, and charitable purposes, thus requiring the contributor to file application for refund of such tax collected on deductions in excess of 10 percent; and

Whereas this process may jeopardize the support of our religious, educational, and charitable institutions.

We therefore respectfully convey to the Congress of the United States our disagreement with the principle of granting an average deduction to all, whether or not such credits are earned, and request the Congress to initiate corrective legislation in this regard in order that contributions to religious, educational, and charitable institutions may be fully protected.

Sincerely yours,

R. M. SHIPMAN,

JURISDICTION OVER WATERWAY, RIVER, AND HARBOR IMPROVEMENTS—RESOLUTION OF MAYOR AND COUNCIL OF SHEBOYGAN, WIS.

Mr. WILEY. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted by the mayor and Common Council of the City of Sheboygan, Wis., relating to the retention of jurisdiction over waterway, river, and harbor improvements in the Corps of Engineers of the United States Army.

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

Whereas the Congress of the United States has for more than a century vested in the Corps of Engineers, United States Army, jurisdiction over the improvement of waterways, rivers, and harbors, flood control, and allied matters; and

Whereas the Corps of Engineers has carefully carried out these responsibilities with great fidelity to the public interest and with unsurpassed technical ability, and it is manifest to all concerned with our national commerce and transportation and familiarity with the requirements of navigation and shipping that these activities should be continued under the same jurisdiction and the same high standard now in effect: Now, therefore, be it

Resolved by the mayor and Common Council of the City of Sheboygan, Wis., That we respectfully urge the Congress of the United States to retain jurisdiction over waterway, river, and harbor improvements in the Corps of Engineers, United States Army, which has ably and impartially met this responsibility for more than a century, with the highest standards of efficiency and economy, and with high regard for the public interest; and be it further

Resolved, That by the passage and adoption of this resolution, the mayor and common council hereby go on record as opposed to the transfer of these duties and functions of the Corps of Engineers to any other agency of Government; and be it further

Resolved, That certified copies of this resolution be immediately transmitted to the President of the United States, to the Secretary of War, to the Chief of Engineers, United States Army, and to the Senators and Representatives in Congress from the State of Wisconsin.

W. H. SPRENGER.

RESOLUTION RELATING TO GOVERNMENT OF POLAND

Mr. WILEY. Mr. President, I present for appropriate reference and printing in the RECORD a resolution adopted at the annual meeting of the state department of Polish-American Congress at the Polish National Alliance Home, at Milwaukee, Wis., on September 9, 1945, relating to the government of Poland.

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

We, the representatives of parishes, organizations, clubs, and groups of 300,000 Americans of Polish descent in the State of Wisconsin, gathered at the annual convention of the Polish-American Congress, Inc., solemnly declare as follows:

Our Government, together with the governments of Great Britain and the U. S. S. R. (Russia), is responsible for depriving Poland, the first country to fight Axis aggression, of her rightful constitutional government, and for establishing on Polish soil the present

provisional government of Poland. Our Government is responsible also, as well as the governments of Great Britain and U. S. S. R. (Russia), for depriving Poland of her eastern lands and for arbitrarily moving Poland's western frontier farther west.

It is because of this responsibility assumed by our commitments at Yalta and at Potsdam that we respectfully request the administration of President Harry S. Truman and the Congress of our United States immediately take steps to:

1. Demand that Russian troops and secret police leave Poland immediately.

2. Enable our Polish War Relief Organization and League for Religious Assistance to Poland to give relief and bring help to Poland immediately, otherwise we shall be responsible for the starvation and death of many of the people of Poland this coming winter. Our organizations have large amounts of clothing, food, and money available to give substantial help to Poland. We demand that this help be distributed under the direction of representatives of the Polish Relief Agencies or the American Red Cross.

3. See to it that the conditions of the Potsdam agreement be fulfilled and all the Poles serving or living abroad who are willing to return to Poland could do so with absolute guaranty of their lives and safety.

4. Assure the material assistance of the United States to those Poles who, because of the transfer of Polish soil to Russia, must seek settlements in the west of Poland.

5. Demand free and democratic elections in Poland in the immediate future, under joint Allied control, which would make sure that the elections are really free and unfettered, as promised by the Potsdam declaration.

We claim that the Polish nation, which fought so heroically and suffered so greatly, will not really be free and independent until our Government takes the steps which we ask it to take.

THADDEUS BORUN,
JOSEPH KOSCIUK,
Bp. FRANCIS BONCZAK,
*Committee on the Resolution of the
State Department of the Polish-
American Congress, Inc.*

BUSINESS, EMPLOYMENT, AND SECURITY INSURANCE ACT—PETITION

Mr. WILEY. Mr. President, I present for appropriate reference and printing in the RECORD a petition from Mr. and Mrs. Leslie Durkee and sundry other citizens of Fort Atkinson, Wis., addressed to Representative ROBERT K. HENRY, Senator LA FOLLETTE, and myself, in relation to House bills H. R. 2229 and H. R. 2230, and Senate bills S. 690 and S. 809, relating to the so-called Business, Employment, and Security Insurance Act.

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

HON. ROBERT K. HENRY,
*Congressman from the Second District
of Wisconsin.*

Senator ROBERT M. LA FOLLETTE,
Senator ALEXANDER WILEY.

GENTLEMEN: With millions of employees being dropped from industry's pay rolls during this transition period and with millions of soldiers being returned jobless to civilian life, we fear that American business may go into a downward spiral leading toward great depression unless Congress quickly adopts some program to keep purchasing power at high levels among the masses of the people. A bi-partisan measure represented by twin bills, one introduced by a Democrat and one by a Republican, which I believe would accomplish this end, is now before the House. The House bills are H. R. 2229 and H. R. 2230, respectively. Senate bills are numbers S. 690

and S. 809, respectively. It would provide high monthly annuities, as they retire from the labor market, for men and women past 60, for the blind and disabled, for mothers with dependent minor children. It would raise the money for such annuities by a 3-percent tax levied monthly upon the gross incomes of all business and upon that portion of gross individual incomes in excess of \$100 a month. Please use your influence to see that this measure, embodying principles of the Townsend plan, gets a quick and complete hearing by the Ways and Means Committee and then by the Congress as a whole. Please demand a roll-call vote upon it. Please vote for its enactment when it comes upon the floor. I am authorizing the distributors of this petition to inform me, by mail, of your helpful action on this measure, so that I can reciprocate in the only way I, as a voter, know how. Thank you.

THE ATOMIC BOMB—STATEMENT BY FORMER PRESIDENT HERBERT HOOVER

Mr. WILEY. Mr. President, I ask unanimous consent that a statement recently issued by former President Herbert Hoover in relation to his views on national policies concerning the atomic bomb be printed in the RECORD.

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

As the secret of the atomic bomb is only the "know-how" of manufacture, the scientists of other nations could make it if they had uranium ore, a billion or so of money, and some 2,000 contributing industries at their disposal. All this would take several years and would be even longer if we keep the practical methods of manufacture a secret.

In the meantime it gives the United States and Britain the power to dictate political policies to the whole world if we want to use it. No matter how desirable these policies might be we are not going to use it for this purpose. Therefore we should consider how we can prevent anyone else doing it.

This is the most terrible and barbaric weapon that has ever come to the hand of man. Despite any sophistries its major use is not to kill fighting men, but to kill women, children, and civilian men of whole cities as a pressure on governments. If it comes into general use, we may see all civilization destroyed.

The whole subject needs an entirely different approach. Aside from trying to prevent war, what we ought to be doing is to devise methods to prevent nations from using the bomb in any event. In the meantime we ought to keep the secret if for no other reason than to give time to devise methods for its control. Also possessing the secret gives power in negotiating on the subject.

If we consider methods of control, we have one precedent of some interest. We made international agreements among practically all nations not to use poison gas in war. Those agreements were generally adhered to during this last war. It was about the only agreement that was not seriously violated. The reason was not the sacred honor of our enemies, not perhaps of ourselves. It was the fear of reprisals upon the first to break the agreement. Such an agreement and such a fear would be no complete guaranty that the atomic bomb would not be used in case of war, but at least it would cause hesitation.

Another approach might be through control of uranium ores by the Security Council of the United Nations. That idea would be for all nations to agree that any uranium ores in their territory should be placed under the jurisdiction of joint representatives of other nations with resident inspectors in each country possessing such ores. This, if faithfully carried out, would limit their use to the peaceful arts. In consideration of such an agreement and its faithful adher-

ence, the United States and Great Britain could agree not to use the bomb nor to disclose the method of manufacture.

Certainly the idea that the making of this hideous instrument should be encouraged by giving any other nation or the world the method of its making is the negation of trying to keep it under control in the interest of civilization as a whole.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 1097. A bill to establish the status of funds and employees of the midshipmen's store at the United States Naval Academy; with an amendment (Rept. No. 600);

S. 1308. A bill to amend article 6 of the Articles for the Government of the Navy; with an amendment (Rept. No. 601);

S. 1364. A bill to provide for the compromise and settlement by the Secretary of the Navy of certain claims for damage to property under the jurisdiction of the Navy Department, to provide for the execution of releases by the Secretary of the Navy upon payment of such claims, and for other purposes; with amendment (Rept. No. 602); and

S. 1420. A bill to facilitate further the disposition of prizes captured by the United States, and for other purposes; without amendment (Rept. No. 603).

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

H. J. Res. 15. Joint resolution authorizing the President of the United States of America to proclaim October 11, 1945, General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; without amendment (Rept. No. 604).

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

H. Con. Res. 81. Concurrent resolution providing that the war emergency has been relieved to an extent which will justify proceeding with the highway-construction program under the Federal-Aid Highway Act of 1944; without amendment (Rept. No. 605).

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

S. 131. A bill to authorize the conveyance of the United States Fish Hatchery property at Butte Falls, Oreg., to the State of Oregon; without amendment (Rept. No. 606);

S. 927. A bill to revive and reenact the act entitled "An act granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Mont.," approved July 23, 1937; without amendment (Rept. No. 607);

S. 1219. A bill authorizing the city of St. Francisville, Ill., to construct, maintain, and operate a toll bridge across the Wabash River at or near St. Francisville, Ill.; without amendment (Rept. No. 608);

H. R. 476. A bill to revive and reenact the act entitled "An act creating the St. Lawrence Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.," approved June 14, 1933, as amended; without amendment (Rept. No. 609);

H. R. 3150. A bill to revive and reenact the act entitled "An act to authorize the city of Duluth, in the State of Minnesota, to construct a toll bridge across the St. Louis River, between the States of Minnesota and Wisconsin, and for other purposes," approved August 7, 1939; without amendment (Rept. No. 610); and

H. R. 3373. A bill authorizing the reconstruction of the Spring Common Bridge on Mahoning Avenue, across the Mahoning River in the municipality of Youngstown, Mahoning County, Ohio; without amendment (Rept. No. 611).

By Mr. GURNEY, from the Committee on Military Affairs:

H. R. 1123. A bill to provide for a temporary increase in the age limit for appointees to the United States Military Academy; without amendment (Rept. No. 612).

By Mr. HILL, from the Committee on Military Affairs:

H. R. 2525. A bill to include stepparents among those persons with respect to whom

allowances may be paid under the Pay Readjustment Act of 1942, and for other purposes; with an amendment (Rept. No. 613).

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

The PRESIDENT pro tempore laid before the Senate reports from the chair-

men of certain committees, in response to Senate Resolution 319 (78th Cong.), relating to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

COMMITTEE ON PENSIONS

OCTOBER 1, 1945.

To the Senate:

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

name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of September 1945, in compliance with the terms

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Louis J. Meyerle.....	612 Bennington Drive, Silver Spring, Md.....	Veterans' Administration.....	\$5,000

JAMES M. TUNNELL, Chairman.

SUBCOMMITTEE ON WARTIME HEALTH AND EDUCATION

OCTOBER 1, 1945.

To the Senate:

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

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

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lauretta April.....	2714 Quarry Rd., NW., Washington, D. C.....	War Production Board, 3d St. and Independence Ave. SW.....	\$4,300
Charles Bragman.....	Arlington Village Apartments, Arlington, Va.....	Federal Public Housing Authority, 1201 Connecticut Ave.....	6,440
Betty Brumberg.....	5331 16th St., Washington, D. C.....	Farm Security Administration, U. S. Department of Agriculture.....	2,100
Groff Conklin.....	514 2d St., NW., Washington, D. C.....	War Production Board, 3d St. and Independence Ave. SW.....	6,230
Philip C. Curtis.....	4303 Russell Ave., Mount Rainier, Md.....	Navy Department, 18th St. and Constitution Ave.....	4,000
Patricia Daines.....	2000 F St. NW., Washington, D. C.....	Department of Labor, 14th St. and Constitution Ave. NW.....	2,320
Richard P. Daniels.....	1743 Columbia Rd. NW., Washington, D. C.....	Federal Public Housing Authority, 1201 Connecticut Ave. NW.....	1,704
Marion L. Dillon.....	3659 Minnesota Ave., Washington, D. C.....	Navy Department, 18th St. and Constitution Ave.....	3,200
Rose Gerber.....	2513 14th St. NW., Washington, D. C.....	do.....	2,000
Joseph McMurray.....	120 C St. NE., Washington, D. C.....	Department of Labor, 14th St. and Constitution Ave.....	5,180
Carl Malmberg.....	1813 F St. NW., Washington, D. C.....	Federal Security Agency, 1825 H St. NW.....	7,175
Love Morgan.....	1607 18th St. SE., Washington, D. C.....	Veterans' Administration, Vermont Ave. and I St. NW.....	2,320
Ruth Morgenstein.....	3022 Redman St. NW., Washington, D. C.....	do.....	2,980
Dolores B. Raschella.....	2028 Wisconsin Ave. NW., Washington, D. C.....	Federal Public Housing Authority, 1201 Connecticut Ave. NW.....	2,320
Milton Rossoff.....	2712 26th St. SE., Washington, D. C.....	Office of Labor, U. S. Department of Agriculture.....	4,500
Capt. Leslie Falk, Medical Corps, AUS.....	2804 Terrace Rd. SE., Washington, D. C.....	War Department, Pentagon Bldg.....	2,000
Lt. Comdr. John B. Truslow, Medical Corps, USNR.....	2007 Feabody St., West Hyattsville, Md.....	Navy Department, 18th St. and Constitution Ave. NW.....	3,000
Olivia F. Calbeck.....	227 Mississippi Ave. SE., Anacostia 10, D. C.....	Federal Public Housing Authority, 1201 Connecticut Ave. NW.....	2,320

CLAUDE PEPPER, Chairman.

SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

OCTOBER 1, 1945.

To the Senate:

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

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

of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Alice M. Allen.....	2000 16th St. NW., Washington, D. C.....	War Production Board, Washington, D. C.....	\$2,320.00
Emerald G. Devitt.....	2425 27th St. South, Arlington, Va.....	do.....	2,430.00
Parley P. Eccles.....	4408 1st Pl. NE., Washington, D. C.....	Foreign Economics Administration, Washington, D. C.....	7,175.00
Herman Edelsberg.....	2141 Suitland Ter. SE., Washington, D. C.....	do.....	7,175.00
Harry J. Evans.....	3010 Gainesville St. SE., Washington, D. C.....	Reconstruction Finance Corporation, Washington, D. C.....	7,175.00
F. Preston Forbes.....	502 Four Mile Rd., Alexandria, Va.....	Department of Commerce, Washington, D. C.....	5,180.00
Scott K. Gray, Jr.....	119 Joliet St. SW., Washington, D. C.....	Reconstruction Finance Corporation, Washington, D. C.....	5,390.00
Stella J. Groeper.....	1127 Branch Ave. SE., Washington, D. C.....	War Production Board, Washington, D. C.....	2,980.00
John W. Nelson.....	The Delano Apartments, Washington, D. C.....	do.....	6,440.00
Martha G. Ray.....	5909 32d St. NW., Washington, D. C.....	do.....	2,430.00
Lt. George H. Soule.....	4020 Beecher St. NW., Washington, D. C.....	Navy Department, Washington, D. C.....	2,400.00
Margie L. Strubel.....	1708 Kilbourne Pl. NW., Washington, D. C.....	War Production Board, Washington, D. C.....	3,090.00
Frederick W. Steckman.....	4000 Cathedral Ave. NW., Washington, D. C.....	Maritime Commission, Washington, D. C.....	5,000.00
Allen G. Thurman.....	4632 12th St. NE., Washington, D. C.....	War Production Board, Washington, D. C.....	2,320.00
Alfred J. Van Tassel.....	9729 Bexhill Drive, Rock Creek Hills, Md.....	Maritime Commission, Washington, D. C.....	7,175.00
	1622 Mount Eagle Pl., Alexandria, Va.....	War Production Board, Washington, D. C.....	7,437.50

JAMES E. MURRAY, Chairman.

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
September 29, 1945.

HON. KENNETH MCKELLAR,
President pro tempore of the Senate,
Senate Office Building, Washington, D. C.
DEAR MR. PRESIDENT: Pursuant to Senate

Resolution 319, I am transmitting herewith, for the months of August and September 1945, a list of employees of the Senate Banking and Currency Committee who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of

the department paying the salary of such employee, and the annual rate of compensation for each such employee.

Respectfully yours,
ROBERT F. WAGNER,
Chairman, Banking and
Currency Committee.

Name of individual	Address	Name and address of department or agency by whom paid	Annual rate of compensation
Bertram M. Gross	613 South Quincy St., Arlington, Va.	Reconstruction Finance Corporation	\$8,750
Violet Abraham	2300 19th St. N.W., Washington, D. C.	do.	2,300
Betti C. Goldwasser	305 East George Mason Rd., Falls Church, Va.	Smaller War Plants Corporation	5,180
Doris Phippen	McLean Gardens, Washington, D. C.	Navy Department	2,650
Ruth C. Steele	4609 Quarles St. N.E., Washington, D. C.	Treasury Department	1,704
Samuel H. Thompson	3535 R St. N.W., Washington, D. C.	Commerce Department	8,750
Eve Zidel	24 C Crescent Rd., Greenbelt, Md.	Reconstruction Finance Corporation	2,650

¹Temporarily borrowed from Surplus Property Subcommittee (S. R. 129).

BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. REED:

S. 1446. 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 Finance.

By Mr. WALSH:

S. 1447. A bill to grant to personnel in the naval forces certain benefits with respect to accumulated leave, and for other purposes; to the Committee on Naval Affairs.

By Mr. ELLENDER (by request):

S. 1448. A bill for the relief of William Wilson Wurster; to the Committee on Claims.

(Mr. MURRAY introduced Senate bill 1449, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. BUTLER:

S. 1450. A bill to amend sections 4 and 5 of the act entitled "An act authorizing the Nebraska-Iowa Bridge Corp., a Delaware corporation, its successors and assigns, to construct, maintain, and operate a bridge across the Missouri River between Washington County, Nebr., and Harrison County, Iowa," approved March 6, 1928; to the Committee on Commerce.

By Mr. McKELLAR:

S. J. Res. 101. Joint resolution authorizing the President to proclaim November 2, 1945, as Woman's Enfranchisement Day in commemoration of the day when women throughout the United States first voted in a Presidential election; to the Committee on the Judiciary.

(Mr. BROOKS introduced Senate Joint Resolution 102, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

(Mr. HILL introduced Senate Joint Resolution 103, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. BARKLEY (for himself, Mr. WAGNER, Mr. AIKEN, Mr. LA FOLLETTE, Mr. FERGUSON, Mr. LANGER, Mr. VANDERBERG, Mr. SHIPSTEAD, Mr. HILL, and Mr. TAYLOR):

S. J. Res. 104. 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 Foreign Relations.

ADVANCE PLANNING OF PUBLIC WORKS

Mr. MURRAY. Mr. President, I introduce a bill to aid in the stabilization of construction by advance planning of

public works, and so forth, and ask that it be referred to the Committee on Education and Labor. At a later time I shall present a statement in connection with the bill.

The PRESIDENT pro tempore. The bill introduced by the Senator from Montana will be referred as requested.

The bill (S. 1449) to aid in the stabilization of construction by advance planning of public works; and to reduce, by timing of public construction and by other means, the violence of seasonal and long-term fluctuations in the total volume of new construction, maintenance, and repair work in the United States, introduced by Mr. MURRAY, was read twice by its title and referred to the Committee on Education and Labor.

CEREMONIES TO HONOR ENLISTED MEN

Mr. BROOKS. Mr. President, I introduce a joint resolution and ask unanimous consent to speak about 6 minutes to explain it.

The PRESIDENT pro tempore. The present order is the introduction of bills and joint resolutions, and the Senator from Illinois is recognized for the purpose of introducing the joint resolution.

Mr. BROOKS. Mr. President, the plans are being laid for the triumphant return of Admiral Chester W. Nimitz into the Capital City. Out of the dark course that ran through hail of bombs, torpedoes, shells, ships, and planes from the dismal day of Pearl Harbor to the dawn of the day when Japan came meekly to surrender on the decks of the U. S. S. Missouri, comes this senior fighting man of the sea to receive the plaudits and appreciation of those who will be privileged to participate in the Capital City of the Nation which he has served so well.

Throughout the entire war, Washington has been the host city to the leaders of the nations of the world who came to seek the friendship and aid of free America. The halls and rostrums of both Houses of Congress flew open upon their appearance—Winston Churchill from England; Madame Chiang Kai-shek from China; George II, King of Greece; Peter II, King of Yugoslavia; Edward Beneš, President of Czechoslovakia; Wilhelmina, Queen of the Netherlands; Manuel L. Quezon, President of the Philippine Islands; and many others, reached the Nation's ears through the facilities of the Halls of Congress.

As the wars came to an end, the conquering heroes began to appear—Gen. Dwight Eisenhower, the Allied commander in Europe; Gen. Charles de Gaulle, from France; Gen. Jonathan Wainwright, from the tragedies of the prisons of Japan, the hero of Corregidor; and now comes Admiral Nimitz, the hero

of the Navy's unprecedented triumph across the vast reaches of the dangerous Pacific. There may be more of these professional leaders of military and naval strategy and tactics who will come, and they, too, should share in the overflowing appreciation of a grateful people.

However much we bestow our demonstrated devotion on these professional military and naval heroes and the professional dignitaries of the governments of the world, we should always remember that American might and main was developed by the superior, courageous contribution of our American civilian servicemen. We honor the ability of our professional leaders, trained through a lifetime at Government expense, to lead the American people who temporarily laid aside their peaceful pursuits to face death in the defense of their loved ones, their homes, and their country. More than 12,000,000 enlisted men left their schools, stores, farms, and factories to meet and defeat the forces of evil in the cause of common men. The great majority of the officers of the armed forces came from civilian life; the overwhelming majority of our enlisted men gave up their civilian homes and happiness to serve humbly, far removed from high places where generals and statesmen ordered events. These men filled the ranks of combat forces, they met our country's enemies face to face, matched brain and brawn and brought them to their knees. These men undoubtedly will, and surely should, receive a hearty welcome in their home towns.

Up to now, they have not adequately shared in the parade, the glamor, and glory of their returning leaders, yet it was they who sacrificed the most, suffered the greatest hardships, and performed the miracles in courage that brought victory to their leaders and to their country.

After the last World War, a grateful America recognized these common men and set a pattern for the world. We did not build great monuments to military and naval leaders. We built a tomb to the Unknown Soldier as our national shrine, to which Presidents and foreign dignitaries and diplomats have journeyed for 27 years to place wreaths to the glory of the common soldier—a shrine to which countless thousands of Americans have journeyed to do honor to the common man who sacrificed so much for our beloved country.

Today we welcome the professional leaders, and well we should, but I suggest that we open the Halls of our National Congress—the Senate and the House—to honor enlisted men from civilian life who distinguished themselves in combat as symbolic of the might of free America.

I introduce a joint resolution which will direct the Army, Navy, Marine Corps, and Coast Guard each to select one enlisted man from its combat service to be symbolic of all of the enlisted men of their respective services, to be honored as official guests of the United States Senate and House of Representatives on a date to be set within 60 days, and designated as Welcome Home Day to the millions of enlisted men who faced death that the Congress, the Nation, and the form of government it represents might live to make its continuing contribution to the future welfare of free mankind.

The PRESIDENT pro tempore. The joint resolution introduced by the Senator from Illinois will be received and referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 102) providing for the reception by the Senate and the House of Representatives of representatives of enlisted men who have served in the armed forces of the United States in World War II, was read twice by its title and referred to the Committee on Military Affairs.

EXPERIMENTS WITH ATOMIC BOMBS, ETC.

Mr. HILL. Mr. President, I introduce a joint resolution authorizing experiments with bombs or other weapons utilizing atomic energy to determine their effect on naval vessels. I ask that the joint resolution be referred to the Committee on Military Affairs for consideration and after consideration by the Committee on Military Affairs that it be referred to the Committee on Naval Affairs before going to the calendar.

The PRESIDENT pro tempore. Without objection, the joint resolution will be referred to the Committee on Military Affairs and when reported by that committee it will be referred to the Committee on Naval Affairs.

The joint resolution (S. J. Res. 103) authorizing experiments with bombs or other weapons utilizing atomic energy to determine their effect on naval vessels, introduced by Mr. HILL, was read twice by its title and referred to the Committee on Military Affairs.

AMENDMENT OF TRANSPORTATION ACT OF 1940—AMENDMENTS

Mr. BILBO submitted amendments intended to be proposed by him to the bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic, which were ordered to lie on the table and to be printed.

PRINTING OF ADDITIONAL COPIES OF HEARINGS OF COMMITTEE ON IRRIGATION AND RECLAMATION ON MISSOURI VALLEY AUTHORITY

Mr. OVERTON submitted the following concurrent resolution (S. Con. Res. 34), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Irrigation and Reclamation of the Senate be, and is hereby, authorized and empowered to have printed for its use nine thousand additional copies of the hearing held

before said committee on S. 555 entitled "a bill to establish a Missouri Valley Authority."

STIMULATION OF VOLUNTARY ENLISTMENTS IN MILITARY AND NAVAL ESTABLISHMENTS

The PRESIDING OFFICER (Mr. HOEY in the Chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H. R. 3951) to stimulate volunteer enlistments in the Regular Military and Naval Establishments of the United States, and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. JOHNSON of Colorado. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSON of Colorado, Mr. HILL, Mr. MAYBANK, Mr. GURNEY, and Mr. REVERCOMB conferees on the part of the Senate.

CONTROL OF ATOMIC ENERGY—ADDRESS BY SENATOR MCMAHON

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address entitled "Controlling Atomic Energy," delivered by Senator MCMAHON on September 25, 1945, which appears in the Appendix.]

THE EMANCIPATION PROCLAMATION—ADDRESS BY JOHN S. TILLEY

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an address entitled "The Emancipation Proclamation," delivered by John S. Tilley, of Montgomery, Ala., before the Jonesboro Historical Society, January 19, 1945, which appears in the Appendix.]

BUTTER RATIONING—EDITORIAL FROM CRESTON (IOWA) NEWS-ADVERTISER

[Mr. WILSON asked and obtained leave to have printed in the RECORD an editorial entitled "How Endless-Spenders Bungled Butter Trade," published in the Creston (Iowa) News-Advertiser, on September 26, 1945, which appears in the Appendix.]

GOVERNMENT EXPENDITURES AND TAXES—EDITORIAL FROM CENTERVILLE (IOWA) IOWEGIAN

[Mr. WILSON asked and obtained leave to have printed in the RECORD an editorial from the Centerville (Iowa) Iowegian, on The Most Discouraging Thing of the Age, which appears in the Appendix.]

RETIREMENT OF CHARLES M. GALLOWAY

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "Mr. Galloway Retires," published in the State, of Columbia, S. C., on August 27, 1945, which appears in the Appendix.]

THE ATOMIC SECRET—ARTICLE BY WALTER LIPPMANN

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "The Atomic Secret" by Walter Lippmann, from the Washington Post of October 2, 1945, which appears in the Appendix.]

ST. LAWRENCE SEAWAY MIGHT AID STEEL MILLS—EDITORIAL FROM ROCHESTER (N. Y.) TIMES-UNION

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an editorial entitled "St. Lawrence Seaway Might Aid Steel Mills," from the Rochester (N. Y.) Times-

Union of September 24, 1945, which appears in the Appendix.]

SHORTAGE OF CORN SUGAR

Mr. McKELLAR. Mr. President, I wish to read into the RECORD a telegram dated Nashville, Tenn., September 29, addressed to me. It reads:

NASHVILLE, TENN.,
September 29, 1945.

Senator KENNETH McKELLAR,

Washington, D. C.:

We are wondering why whisky is more important than bread. Corn-sugar plants closed down account no corn. Distillers granted three-quarters of a million bushels. Bakers operating with far too little sugar to bake quality bread with prospects of no sugar in the immediate future. Prompt action is necessary to insure the continued flow of corn sugar to bakers if we are to continue supplying the public with a good and low-priced food.

COLONIAL BAKING Co.,
C. J. MURPHY, President.

HIGHWAY CONSTRUCTION

Mr. McKELLAR. Mr. President, on September 27, 1945, the House of Representatives passed House Concurrent Resolution 81, and such action, it will be remembered, was recommended by the President. The concurrent resolution is very short, and I wish to read it. It is as follows:

Be it resolved by the House of Representatives (the Senate concurring), That for the purposes only as specified in section 2 of the Federal-Aid Highway Act of 1944 (Public Law 521, 78th Cong.), it is hereby found as a fact that the war emergency has been relieved to an extent that will justify proceeding with the highway-construction program provided for by said act, and for the purposes of said act the first postwar fiscal year referred to therein shall be the fiscal year ending June 30, 1946.

Mr. President, it will be recalled that last December Congress passed a road bill authorizing the appropriation of about a billion and a half dollars, to be matched by the States, providing approximately \$3,000,000,000 in all, for the building of roads and for the repair of roads, on which practically nothing has been done during the years of the war. The President recommended that the consent of Congress to proceed be given by concurrent resolution.

The House has adopted Concurrent Resolution 81, and yesterday the Senate Committee on Post Offices and Post Roads unanimously recommended that the Senate agree to it. I do not think there is a Senator who is not in favor of our proceeding as soon as possible with the building of roads under the law of 1944.

The Senator from Arizona [Mr. HAYDEN] has just reported the concurrent resolution, and submitted a full report, indicating the unanimous action of the committee, and I ask unanimous consent that the concurrent resolution be reported to the Senate for its information, and that it then be passed. I hope there will be no objection to the measure. It is recommended by the President.

The PRESIDING OFFICER. The concurrent resolution will be stated by title for the information of the Senate.

The CHIEF CLERK. A concurrent resolution (H. Con. Res. 81) providing that the war emergency has been relieved to

an extent which will justify proceeding with the highway-construction program under the Federal-Aid Highway Act of 1944.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

Mr. WHITE. Of course, Mr. President, this is a matter of substantial importance, and I think it is one in which all Members of the Senate have a real interest. As I understand, this is a House concurrent resolution, adopted by the House, and it is reported to the Senate unanimously by the Committee on Post Offices and Post Roads of the Senate.

Mr. McKELLAR. Just as it passed the House.

Mr. WHITE. I have just this moment seen a copy of the concurrent resolution. It refers to the war emergency, but it touches the war emergency only with respect to the highway program.

Mr. McKELLAR. The Senator is correct.

Mr. WHITE. It does not remove any other inhibitions which we have imposed?

Mr. McKELLAR. Not at all. It applies only to roads, and it refers only to the war program to the extent of saying it is sufficiently relieved to permit our going forward.

Mr. WHITE. I take it that when the Senator says there was a unanimous report from the committee, he includes the minority members of the committee in the action?

Mr. McKELLAR. I do, and I wish to say that the Senator from Kansas [Mr. REED] was present, the matter was gone over most carefully, really meticulously considered, and I am sure that every member of the committee, as well as every Member of the Senate, will be glad to see the concurrent resolution adopted.

Mr. WHITE. I have no objection.

Mr. REED. Mr. President, I should like to join with the Senator from Tennessee in the request he has made.

When Congress passed the Highway Act last December there was included in it a provision that no part of the funds recommended to be appropriated should be used for the construction of roads or the improvement of roads until after the President by proclamation, or the Congress by concurrent resolution, had found as a fact that the emergency had diminished to such a point that such construction could properly begin. The House concurrent resolution declares as a fact that we have reached the point where we can proceed with the road work without detriment to any other activity.

Yesterday the Senate Committee on Post Offices and Post Roads, including myself, unanimously voted to report the concurrent resolution; indeed, I think I made the motion to report it—

Mr. McKELLAR. The Senator did.

Mr. REED. And all members of the minority, as well as of the majority, of the Committee on Post Offices and Post Roads favored the concurrent resolution. I hope there will be no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (H. Con. Res. 81) was considered and agreed to.

THE PALESTINE PROBLEM

Mr. TAFT. Mr. President, a year ago, the senior Senator from New York [Mr. WAGNER] and I introduced a resolution calling on our Government to take up with the British Government the solution of the Palestine problem. We asked that the British be requested to carry out the Balfour declaration, to repudiate the white paper of 1937, to reopen Palestine to Jewish immigration, and to resume the policy leading to an independent commonwealth with a majority of Jewish citizens. The administration then opposed the passage of such a resolution, and promised to take quiet steps to accomplish its purpose. Such steps, if taken, however, proved a complete failure.

Now I wish to express my strong approval, and I think that of a majority of the Senators, of President Truman's action in suggesting to the British Prime Minister that 100,000 immigration certificates to Palestine be issued to the homeless Jews of Europe. If the British Government follows this suggestion of the President, it will provide relief for many of the Jews who survived the horrible persecution and torture of the Nazis.

I may add, too, that such a step would be some atonement for what we have failed to do during the war, for during the war period we did little more than express a polite sympathy for the Jews in Germany and in the occupied countries. They were Hitler's first victims, and more than half of them were exterminated. We sent them hearty messages on their holidays, we convened conferences and formed governmental boards to discuss the refugee problem, but the number of those whom our War Refugee Board and other governmental agencies saved in Europe was insignificant, not only in comparison with the overwhelming numbers of Jewish victims in Europe, but even in comparison with the numbers we might have saved if there had been a determination to do so, carried through with ability and careful planning. There was a time when thousands of Jews could have been rescued from Rumania, Hungary, and other countries in Europe. But whenever such a possibility arose, it was invariably linked with Palestine, for only Palestine offered a safe haven for those Jews. And whenever the question of Palestine arose, we refused to tackle the problem, or even urge its solution on the British.

I think we should realize, however, that President Truman's request, even if acted upon by the British Government, will not solve the problem. It is still a belated emergency measure. The problem of the surviving Jews of Europe will not be solved by a hundred thousand immigration certificates. There are, perhaps, 3,000,000 Jews left in central and eastern Europe. They face a terrible aftermath of war in a continent still imbued with bitter Jewish hatred. Palestine is still closed to them.

Both England and the United States are pledged to establish Palestine as a Jewish national home. It cannot be that if it is ruled by a majority of an anti-Jewish population, and so this pledge can only be fulfilled by permitting immigration which will create a majority of Jewish citizens. Great Britain pledged itself to this policy by the Balfour Declaration. As long ago as 1922 the Congress endorsed the same policy, and it has been repeatedly endorsed by American Presidents. We became a party to Great Britain's mandate in Palestine, which was based upon the Balfour Declaration.

Now is the time to carry out these obligations. If they are not carried out in this postwar settlement, they probably never will be carried out.

Thus far we have received no indication that the new Government of Great Britain is determined to alter British policies in Palestine. On the other hand, in spite of the fact that the British Labor Party is officially committed to a Zionist solution of the Palestine problem, it is reported that the Labor Government intends to continue, with slight modifications, the policy of excluding further Jewish immigration into Palestine. I believe we should continue to exercise our influence, as President Truman has begun to do, toward securing from Great Britain a pledge to carry out the Balfour Declaration. We are in constant touch with Great Britain. They are asking us for assistance and support in various matters where their vital interests are at stake. It seems to me that we have the right, and in view of the historical position of both nations, the duty, to insist that Great Britain do justice to the long-suffering Jewish people and that Palestine be opened to them without any reserve or restriction.

Mr. President, I ask unanimous consent that there may be printed at the end of my remarks the report made by Mr. Earl G. Harrison on the conditions among refugees in western Europe, for the most part Jews, and the letter of the President to General Eisenhower dated August 31, 1945.

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

[From the New York Times of September 30, 1945]

REPORT TO THE PRESIDENT BY EARL G. HARRISON ON CONDITIONS AMONG REFUGEES IN WESTERN EUROPE

Pursuant to your letter of June 22, 1945, I have the honor to present to you a partial report upon my recent mission to Europe to inquire into (1) the conditions under which displaced persons, and particularly those who may be stateless or nonrepatriable, are at present living, especially in Germany and Austria, (2) the needs of such persons, (3) how those needs are being met at present by the military authorities, the governments of residence and international and private relief bodies; and (4) the views of the possibly nonrepatriable persons as to their future destinations.

My instructions were to give particular attention to the problems, needs, and views of the Jewish refugees among the displaced people, especially in Germany and Austria. The report, particularly this partial report,

accordingly deals in the main with that group.

On numerous occasions appreciation was expressed by the victims of Nazi persecution for the interest of the United States Government in them. As my report shows, they are in need of attention and help. Up to this point, they have been liberated more in a military sense than actually.

For the reasons explained in the report their particular problems to this time have not been given attention to any appreciable extent; consequently, they feel that they, who were in so many ways the first and worst victims of nazism, are being neglected by their liberators.

Upon my request the Department of State authorized Dr. Joseph J. Schwartz to join me in the mission. Dr. Schwartz, European director of the American joint distribution committee, was granted a leave of absence from that organization for the purpose of accompanying me. His long and varied experience in refugee problems as well as his familiarity with the Continent and the people made Dr. Schwartz a most valuable associate. This report represents our joint views, conclusions, and recommendations.

During various portions of the trip I had, also, the assistance of Mr. Patrick M. Malin, vice director of the intergovernmental committee on refugees, and Mr. Herbert Katzski of the war refugee board. These gentlemen, likewise, have had considerable experience in the refugee matters. Their assistance and cooperation were most helpful in the course of the survey.

I. GERMANY AND AUSTRIA—CONDITIONS

1. Generally speaking, 3 months after VE-day, and even longer after the liberation of individual groups, many Jewish displaced persons and other possibly nonrepatriables are living under guard behind barbed-wire fences in camps of several descriptions (built by the Germans for slave laborers and Jews), including some of the most notorious of the concentration camps, amid crowded, frequently unsanitary and generally grim conditions, in complete idleness, with no opportunity, except surreptitiously, to communicate with the outside world, waiting, hoping for some word of encouragement and action in their behalf.

2. While there has been marked improvement in the health of survivors of the Nazi starvation and persecution program, there are many pathetic malnutrition cases, both among the hospitalized and in the general population of the camps. The death rate has been high since liberation, as was to be expected. One Army chaplain, a rabbi, personally attended, since liberation, 23,000 burials (90 percent Jews) at Berger Belsen alone, one of the largest and most vicious of the concentration camps, where, incidentally, despite persistent reports to the contrary, 14,000 displaced persons are still living, including over 7,000 Jews. At many of the camps and centers, including those where serious starvation cases are, there is a marked and serious lack of needed medical supplies.

3. Although some camp commandants have managed, in spite of the many obvious difficulties, to find clothing of one kind or another for their charges, many of the Jewish displaced persons, late in July, had no clothing other than their concentration-camp garb—a rather hideous striped pajama effect—while others, to their chagrin, were obliged to wear German SS uniforms. It is questionable which clothing they hate the more.

4. With a few notable exceptions, nothing in the way of a program of activity or organized effort toward rehabilitation has been inaugurated, and the internees, for they are literally such, have little to do except to dwell upon their plight, the uncertainty of their future, and, what is more unfortunate, to draw comparisons between their treatment under the Germans and in liberation.

Beyond knowing that they are no longer in danger of the gas chambers, torture, and other forms of violent death, they see—and there is—little change, the morale of those who are either stateless or who do not wish to return to their countries of nationality is very low. They have witnessed great activity and efficiency in returning people to their homes, but they hear or see nothing in the way of plans for them, and consequently they wonder and frequently ask what liberation means.

This situation is considerably accentuated where, as in so many cases, they are able to look from their crowded and bare quarters and see the German civilian population, particularly in the rural areas, to all appearances living normal lives in their own homes.

5. The most absorbing worry of these Nazi and war victims concerns relatives, wives, husbands, parents, children. Most of them have been separated for 3, 4, or 5 years and they cannot understand why the liberators should not have undertaken immediately the organized effort to reunite family groups. Most of the very little which has been done in this direction has been informal action by the displaced persons themselves with the aid of devoted Army chaplains, frequently rabbis, and the American Joint Distribution Committee.

Broadcasts of names and locations by the Psychological Warfare Division at Luxembourg have been helpful, although the lack of receiving sets has handicapped the effectiveness of the program. Even where, as has been happening, information has been received as to relatives living in other camps in Germany, it depends on the personal attitude and disposition of the camp commandant whether permission can be obtained or assistance received to follow up on the information. Some camp commandants are quite rigid in this particular while others lend every effort to join family groups.

6. It is difficult to evaluate the food situation fairly because one must be mindful of the fact that quite generally food is scarce and is likely to be more so during the winter ahead. On the other hand, in presenting the factual situation, one must raise the question as to how much longer many of these people, particularly those who have over such a long period felt persecution and starvation, can survive on a diet composed principally of bread and coffee, irrespective of the caloric content.

In many camps, the 2,000 calories included 1,250 calories of a black, wet and extremely unappetizing bread. I received the distinct impression and considerable substantiating information that large numbers of the German population—again principally in the rural areas—have a more varied and palatable diet in their requisitions with the German burgomeister and many seemed to accept whatever he turned over as being the best that was available.

7. Many of the buildings in which displaced persons are housed are clearly unfit for winter use and everywhere there is great concern about the prospect of a complete lack of fuel. There is every likelihood that close to a million displaced persons will be in Germany and Austria when winter sets in. The outlook in many areas so far as shelter, food and fuel are concerned is anything but bright.

II. NEEDS OF THE JEWS

While it is impossible to state accurately the number of Jews now in that part of Germany not under Russian occupation, all indications point to the fact that the number is small, with 100,000 probably the top figure; some informed persons contend the number is considerably smaller. The principal nationality groups are Poles, Hungarians, Rumanians, Germans and Austrians.

The first and plainest need of these people is a recognition of their actual status

and by this I mean their status as Jews. Most of them have spent years in the worst of the concentration camps. In many cases, although the full extent is not yet known, they are the sole survivors of their families and many have been through the agony of witnessing the destruction of their loved ones. Understandably, therefore, their present condition, physical and mental, is far worse than that of other groups.

While SHAEF (now combined displaced persons executive) policy directives have recognized formerly persecuted persons, including enemy and ex-enemy nationals, as one of the special categories of displaced persons, the general practice thus far has been to follow only nationality lines. While admittedly it is not normally desirable to set aside particular racial or religious groups from their nationality categories, the plain truth is that this was done for so long by the Nazis that a group has been created, which has special needs. Jews as Jews (not as members of their nationality groups) have been more severely victimized than the non-Jewish members of the same or other nationalities.

When they are now considered only as members of nationality groups, the result is that special attention cannot be given to their admittedly greater needs because, it is contended, doing so would constitute preferential treatment and lead to trouble with the non-Jewish portion of the particular nationality group.

Thus there is a distinctly unrealistic approach to the problem. Refusal to recognize the Jews as such has the effect, in this situation, of closing one's eyes to their former and more barbaric persecution, which has already made them a separate group with greater needs.

Their second great need can be presented only by discussing what I found to be their wishes as to future destinations.

1. For reasons that are obvious and need not be labored, most Jews want to leave Germany and Austria as soon as possible. That is their first and great expressed wish and while this report necessarily deals with other needs present in the situation, many of the people themselves fear other suggestions or plans for their benefit because of the possibility that attention might thereby be diverted from the all-important matter of evacuation from Germany.

Their desire to leave Germany is an urgent one. The life which they have led for the past 10 years, a life of fear and wandering and physical torture, has made them impatient of delay. They want to be evacuated to Palestine now, just as other national groups are being repatriated to their homes. They do not look kindly on the idea of waiting around in idleness and in discomfort in a German camp for many months until a leisurely solution is found for them.

2. Some wish to return to their countries of nationality, but as to this there is considerable nationality variation. Very few Polish or Baltic Jews wish to return to their countries; higher percentages of the Hungarian and Rumanian groups want to return, although some hasten to add that it may be only temporarily, in order to look for relatives. Some of the German Jews, especially those who have intermarried, prefer to stay in Germany.

3. With respect to possible places of resettlement for those who may be stateless or who do not wish to return to their homes, Palestine is definitely and preeminently the first choice. Many now have relatives there while others having experienced intolerance and persecution in their homelands for years, feel that only in Palestine will they be welcomed and find peace and quiet and be given an opportunity to live and work. In the case of the Polish and the Baltic Jews, the desire to go to Palestine is based in a great majority of the cases on a love for the country and devotion to the Zionist ideal. It is

also true, however, that there are many who wish to go to Palestine because they realize that their opportunity to be admitted into the United States or into other countries in the Western Hemisphere is limited, if not impossible. Whatever the motive which causes them to turn to Palestine, it is undoubtedly true that the great majority of the Jews now in Germany do not wish to return to those countries from which they came.

4. Palestine, while clearly the choice of most, is not the only named place of possible emigration. Some, but the number is not large, wish to emigrate to the United States, where they have relatives, others to England, the British Dominions, or to South America.

Thus the second great need is the prompt development of a plan to get out of Germany and Austria as many as possible of those who wish it.

Otherwise the needs and wishes of the Jewish groups among the displaced persons can be simply stated: Among their physical needs are clothing and shoes (most sorely needed), more varied and palatable diet, medicines, beds and mattresses, reading materials. The clothing for the camps, too, is requisitioned from the German population, and whether there is not sufficient quantity to be had or the German population has not been willing or has not been compelled to give up sufficient quantity, the internees feel particularly bitter about the state of their clothing when they see how well the German population is still dressed. The German population today is still the best-dressed population in all of Europe.

III. MANNER IN WHICH NEEDS ARE BEING MET

Aside from having brought relief from the fear of extermination, hospitalization for the serious starvation cases and some general improvement in conditions under which the remaining displaced persons are compelled to live, relatively little beyond the planning stage has been done, during the period of mass repatriation, to meet the special needs of the formerly persecuted groups.

UNRRA, being neither sufficiently organized or equipped nor authorized to operate displaced persons camps or centers on any large scale, has not been in position to make any substantial contribution to the situation. Regrettably there has been a disinclination on the part of many camp commandants to utilize UNRRA personnel even to the extent available, though it must be admitted that in many situations this resulted from unfortunate experiences Army officers had with UNRRA personnel who were unqualified and inadequate for the responsibility involved. Then, too, in the American and British Zones, it too frequently occurred that UNRRA personnel did not include English-speaking members and this hampered proper working relationships.

Under these circumstances, UNRRA, to which has been assigned the responsibility for coordinating activities of private social welfare agencies, has been in an awkward position when it came to considering and acting upon proposals of one kind or another submitted by well-qualified agencies which would aid and supplement military and UNRRA responsibilities. The result has been that, up to this point, very few private social agencies are working with displaced persons, including the Jews, although the situation cries out for their services in many different ways.

It must be said, too, that because of their preoccupation with mass repatriation and because of housing, personnel, and transport difficulties, the military authorities have shown considerable resistance to the entrance of voluntary agency representatives, no matter how qualified they might be to help meet existing needs of displaced persons.

IV. CONCLUSIONS AND RECOMMENDATIONS

1. Now that the worst of the pressure of mass repatriation is over, it is not unreasonable

able to suggest that in the next and perhaps more difficult period those who have suffered most and longest be given first and not last attention.

Specifically, in the days immediately ahead, the Jews in Germany and Austria should have the first claim upon the conscience of the people of the United States and Great Britain and the military and other personnel who represent them in work being done in Germany and Austria.

2. Evacuation from Germany should be the emphasized theme, policy, and practice.

(A) Recognizing that repatriation is most desirable from the standpoint of all concerned, the Jews who wish to return to their own countries should be aided to do so without further delay. Whatever special action is needed to accomplish this with respect to countries of reception or consent of military or other authorities should be undertaken with energy and determination. Unless this and other action, about to be suggested, is taken, substantial unofficial and unauthorized movements of people must be expected, and these will require considerable force to prevent, for the patience of many of the persons involved is, and in my opinion with justification, nearing the breaking point. It cannot be overemphasized that many of these people are now desperate, that they have become accustomed under German rule to employ every possible means to reach their end, and that the fear of death does not restrain them.

(B) With respect to those who do not, for good reason, wish to return to their homes, prompt planning should likewise be undertaken. In this connection the issue of Palestine must be faced. Now that such large numbers are no longer involved, and if there is any genuine sympathy for what these survivors have endured, some reasonable extension or modification of the British white paper of 1939 ought to be possible without too serious repercussions. For some of the European Jews there is no acceptable or even decent solution for their future other than Palestine. This is said on a purely humanitarian basis with no reference to ideological or political considerations so far as Palestine is concerned.

It is my understanding, based upon reliable information, that certificates for immigration to Palestine will be practically exhausted by the end of the current month (August, 1945). What is the future to be? To anyone who has visited the concentration camps and who has talked with the despairing survivors, it is nothing short of calamitous to contemplate that the gates of Palestine should be soon closed.

The Jewish Agency of Palestine has submitted to the British Government a petition that 100,000 additional immigration certificates be made available. A memorandum accompanying the petition makes a persuasive showing with respect to the immediate absorptive capacity of Palestine and the current, actual manpower shortages there.

While there may be room for difference of opinion as to the precise number of such certificates which might under the circumstances be considered reasonable, there is no question but that the request thus made would, if granted, contribute much to the sound solution for the future of Jews still in Germany and Austria and even other displaced Jews, who do not wish either to remain there or to return to their countries of nationality.

No other single matter is, therefore, so important from the viewpoint of Jews in Germany and Austria and those elsewhere who have known the horrors of the concentration camps as is the disposition of the Palestine question.

Dr. Hugh Dalton, a prominent member of the new British Government, is reported as having said at the Labor Party conference in May 1945:

"This party has laid it down and repeated it so recently as last April . . . that this time, having regard to the unspeakable horrors that have been perpetrated upon the Jews of Germany and other occupied countries in Europe, it is morally wrong and politically indefensible to impose obstacles to the entry into Palestine now of any Jews who desire to go there. . . ."

"We have also stated clearly that this is not a matter which should be regarded as one for which the British Government alone should take responsibility, but as it comes, as do many others, in the international field, it is indispensable that there should be close agreement and cooperation among the British, American and Soviet Governments, particularly if we are going to get a sure settlement in Palestine and the surrounding countries. . . ."

If this can be said to represent the viewpoint of the new Government in Great Britain, it certainly would not be inappropriate for the United States Government to express its interest in and support of some equitable solution of the question, which would make it possible for some reasonable number of Europe's persecuted Jews, now homeless under any fair view, to resettle in Palestine. That is their wish and it is rendered desirable by the generally accepted policy of permitting family groups to unite or reunite.

(C) The United States should, under existing immigration laws, permit reasonable numbers of such persons to come here, again particularly those who have family ties in this country. As indicated earlier, the number who desire emigration to the United States is not large.

If Great Britain and the United States were to take the actions recited, it might be more readily be that other countries would likewise be willing to keep their doors reasonably open for such humanitarian considerations and to demonstrate in a practical manner their disapproval of Nazi policy which unfortunately has poisoned so much of Europe.

3. To the extent that such emigration from Germany and Austria is delayed, some immediate temporary solution must be found. In any event there will be a substantial number of persecuted persons who are not physically fit or otherwise presently prepared for emigration.

Here I feel strongly that greater and more extensive effort should be made to get them out of camps, for they are sick of living in camps. In the first place, there is real need for such specialized places as (a) tuberculosis sanatoria and (b) rest homes for those who are mentally ill or who need a period of readjustment before living again in the world at large—anywhere. Some will require at least short periods of training or retraining before they can be really useful citizens.

But speaking more broadly, there is an opportunity here to give some real meaning to the policy agreed upon at Potsdam. If it be true, as seems to be widely conceded, that the German people at large do not have any sense of guilt with respect to the war and its causes and results, and if the policy is to be "to convince the German people that they have suffered a total military defeat and that they cannot escape responsibility for what they have brought upon themselves," it is difficult to understand why so many displaced persons, particularly those who have so long been persecuted and whose repatriation or resettlement is likely to be delayed, should be compelled to live in crude, overcrowded camps while the German people, in rural areas, continue undisturbed in their homes.

As matters now 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 guard instead of SS troops. One is led to wonder whether

the German people, seeing this, are not supposing that we are following or at least condoning Nazi policy.

It seems much more equitable, and as it should be, to witness the very few places where fearless and uncompromising military officers have either requisitioned an entire village for the benefit of displaced persons, compelling the German population to find housing where they can, or have required the local population to billet a reasonable number of them.

Thus the displaced persons, including the persecuted, live more like normal people and less like prisoners or criminals or herded sheep. They are in Germany, most of them and certainly the Jews, through no fault or wish of their own. This fact is, in this fashion, being brought home to the German people, but it is being done on too small a scale.

At many places, however, the military government officers manifest the utmost reluctance or indisposition, if not timidity, about inconveniencing the German population. They even say that their job is to get communities working properly and soundly again, that they must "live with the Germans while the DP's (displaced persons) are a more temporary problem."

Thus (and I am ready to cite the example) if a group of Jews are ordered to vacate their temporary quarters, needed for military purposes, and there are two possible sites, one a block of flats (model apartments) with conveniences and the other a series of shabby buildings with outside toilet and washing facilities, the burgomeister readily succeeds in persuading the town mayor to allot the latter to the displaced persons and to save the former for returning German civilians.

This tendency reflects itself in other ways, namely, in the employment of German civilians in the offices of military government when equally qualified personnel could easily be found among the displaced persons whose repatriation is not imminent. Actually, there have been situations where displaced persons, especially Jews, have found it difficult to obtain audiences with military government authorities because, ironically, they have been obliged to go through German employees who have not facilitated matters.

Quite generally, insufficient use is made of the services of displaced persons. Many of them are able and eager to work, but apparently they are not considered in this regard. While appreciating that language difficulties are sometimes involved, I am convinced that, both within and outside camps, greater use could be made of the personal services of those displaced persons who, in all likelihood, will be on hand for some time. Happily, in some camps every effort is made to utilize the services of the displaced persons, and these are apt to be the best camps in all respects.

4. To the extent that (a) evacuation from Germany and Austria is not immediately possible and (b) the formerly persecuted groups cannot be housed in villages or billeted with the German population, I recommend urgently that separate camps be set up for Jews, or at least for those who wish, in the absence of a better solution, to be in such camps. There are several reasons for this: (1) A great majority want it; (2) it is the only way in which administratively their special needs and problems can be met without charges of preferential treatment or (oddy enough) charges of "discrimination" with respect to Jewish agencies now prepared and ready to give them assistance.

In this connection, I wish to emphasize that it is not a case of singling out a particular group for special privileges. It is a matter of raising to a more normal level the position of a group which has been depressed to the lowest depths conceivable by years of organized and inhuman oppression.

The measures necessary for their restitution do not come within any reasonable interpretation of privileged treatment and are required by considerations of justice and humanity.

There has been some tendency at spots in the direction of separate camps for those who might be found to be stateless or non-repatriable or whose repatriation is likely to be deferred some time. Actually, too, this was announced some time ago as SHAEF policy, but in practice it has not been taken to mean much, for there is (understandably, if not carried too far) a refusal to contemplate possible statelessness and an insistence, in the interests of the large repatriation program, to consider all as repatriable. This results in a resistance to anything in the way of special planning for the "hard core," although all admit it is there and will inevitably appear.

While speaking of camps, this should be pointed out: While it may be that conditions in Germany and Austria are still such that certain control measures are required, there seems little justification for the continuance of barbed-wire fences, armed guards, and prohibition against leaving camp except by passes, which at some places are illiberally granted. Prevention of looting is given as the reason for these stern measures, but it is interesting that in portions of the Seventh Army area, where greater liberty of movement in and out of camps is given, there is actually much less plundering than in other areas where people, wishing to leave camp temporarily, do so by stealth.

5. As quickly as possible the actual operation of such camps should be turned over to a civilian agency—UNRRA. That organization is aware of weaknesses in its present structure and is pressing to remedy them. In that connection, it is believed that greater assistance could be given by the military authorities, upon whom any civilian agency in Germany and Austria today is necessarily dependent, so far as housing, transport, and other items are concerned. While it is true the military have been urging UNRRA to get ready to assume responsibility, it is also the fact that insufficient cooperation of an active nature has been given to accomplish the desired end.

6. Since, in any event, the military authorities must necessarily continue to participate in the program for all displaced persons, especially with respect to housing, transport, security, and certain supplies, it is recommended that there be a review of the military personnel elected for camp commandant positions. Some serving at present, while perhaps adequate for the mass repatriation job, are manifestly unsuited for the longer-term job of working in a camp composed of people whose repatriation or resettlement is likely to be delayed. Officers who have had some background or experience in social-welfare work are to be preferred, and it is believed there are some who are available. It is most important that the officers selected be sympathetic with the program and that they be temperamentally able to work and to cooperate with UNRRA and other relief and welfare agencies.

7. Pending the assumption of responsibility for operations by UNRRA, it would be desirable if a more extensive plan of field visitation by appropriate Army group headquarters be instituted. It is believed that many of the conditions now existing in the camps would not be tolerated if more intimately known by supervisory officers through inspection tours.

8. It is urgently recommended that plans for tracing services, if on open postal card only, be made available to displaced persons within Germany and Austria as soon as possible. The difficulties are appreciated but it is believed that if the anxiety of the people, so long abused and harassed, were fully understood, ways and means could be found within the near future to make such com-

munication and tracing of relatives possible. I believe also that some of the private agencies could be helpful in this direction if given an opportunity to function.

V. OTHER COMMENTS

While I was instructed to report conditions as I found them, the following should be added to make the picture complete:

1. A gigantic task confronted the occupying armies in Germany and Austria in getting back to their homes as many as possible of the more than 6,000,000 displaced persons found in those countries. Less than 3 months after VE-day, more than 4,000,000 of such persons have been repatriated—a phenomenal performance. One's first impression, in surveying the situation, is that of complete admiration for what has been accomplished by the military authorities in so materially reducing the time as predicted to be required for this stupendous task. Praise of the highest order is due all military units with respect to this phase of postfighting jobs. In directing attention to existing conditions which unquestionably require remedying, there is no intention or wish to detract one particle from the preceding statements.

2. While I did not actually see conditions as they existed immediately after liberation I had them described in detail sufficient to make entirely clear that there had been, during the intervening period, some improvement in the conditions under which most of the remaining displaced persons are living. Reports which have come out of Germany informally from refugees themselves and from persons interested in refugee groups indicate something as a tendency not to take into account the full scope of the overwhelming tasks and responsibilities facing the military authorities. While it is understandable that those who have been persecuted and otherwise mistreated over such a long period should be impatient at what appears to them to be undue delay in meeting their special needs, fairness dictates that, in evaluating the progress made, the entire problem and all its ramifications be kept in mind. My effort has been, therefore, to weigh quite carefully the many complaints made to me in the course of my survey, both by displaced persons themselves and in their behalf, in the light of the many responsibilities which confronted the military authorities.

3. While for the sake of brevity this report necessarily consisted largely of general statements, it should be recognized that exceptions exist with respect to practically all of such generalizations. One high-ranking military authority predicted, in advance of my trip through Germany and Austria, that I would find, with respect to camps containing displaced persons, "some that are quite good, some that are very bad, with the average something under satisfactory." My subsequent trip confirmed that prediction in all respects.

In order to file this report promptly so that possibly some remedial steps might be considered at as early a date as possible, I have not taken time to analyze all of the notes made in the course of the trip or to comment on the situation in France, Belgium, Holland, or Switzerland, also visited. Accordingly, I respectfully request that this report be considered as partial in nature. The problems present in Germany and Austria are much more serious and difficult than in any of the other countries named and this fact, too, seemed to make desirable the filing of a partial report immediately upon completion of the mission.

In conclusion, I wish to repeat that the main solution, in many ways the only real solution, of the problem lies in the quick evacuation of all nonrepatriable Jews in Germany and Austria, who wish it, to Palestine. In order to be effective, this plan must not be long delayed. The urgency of the situation should be recognized. It is inhuman to

ask people to continue to live for any length of time under their present conditions. The evacuation of the Jews of Germany and Austria to Palestine will solve the problem of the individuals involved and will also remove a problem from the military authorities who have had to deal with it.

The Army's ability to move millions of people quickly and efficiently has been amply demonstrated. The evacuation of a relatively small number of Jews from Germany and Austria will present no great problem to the military. With the end of the Japanese war, the shipping situation should also become sufficiently improved to make such a move feasible.

The civilized world owes it to this handful of survivors to provide them with a home where they can again settle down and begin to live as human beings.

AUGUST 31, 1945.

MY DEAR GENERAL EISENHOWER: I have received and considered the report of Mr. Earl G. Harrison, our representative on the Intergovernmental Committee on Refugees, upon his mission to inquire into the condition and needs of displaced persons in Germany who may be stateless or nonrepatriable, particularly Jews. I am sending you a copy of that report. I have also had a long conference with him on the same subject matter.

While Mr. Harrison makes due allowance for the fact that during the early days of liberation the huge task of mass repatriation required main attention, he reports conditions which now exist and which require prompt remedy. These conditions, I know, are not in conformity with policies promulgated by SHAEF, now combined displaced persons executive. But they are what actually exist in the field. In other words, the policies are not being carried out by some of your subordinate officers.

For example, Military Government officers have been authorized, and even directed, to requisition billeting facilities from the German population for the benefit of displaced persons. Yet, from this report, this has not been done on any wide scale. Apparently it is being taken for granted that all displaced persons, irrespective of their former persecution or the likelihood that their repatriation or resettlement will be delayed, must remain in camps—many of which are overcrowded and heavily guarded. Some of these camps are the very ones where these people were herded together, starved, tortured, and made to witness the death of their fellow inmates and friends and relatives. The announced policy has been to give such persons preference over the German civilian population in housing. But the practice seems to be quite another thing.

We must intensify our efforts to get these people out of camps and into decent houses until they can be repatriated or evacuated. These houses should be requisitioned from the German civilian population. That is one way to implement the Potsdam policy that the German people "cannot escape responsibility for what they have brought upon themselves."

We quote this paragraph with particular reference to the Jews among the displaced persons:

"As matters now 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 guard instead of SS troops. One is led to wonder whether the German people, seeing this, are not supposing that we are following, or at least condoning, Nazi policy."

You will find in the report other illustrations of what I mean.

I hope you will adopt the suggestion that a more extensive plan of field visitation by appropriate Army group headquarters be instituted, so that the humane policies which have been enunciated are not permitted to be

ignored in the field. Most of the conditions now existing in displaced persons camps would quickly be remedied if through inspection tours they came to your attention or to the attention of your supervisory officers.

I know you will agree with me that we have a particular responsibility toward these victims of persecution and tyranny who are in our zone. We must make clear to the German people that we thoroughly abhor the Nazi policies of hatred and persecution. We have no better opportunity to demonstrate this than by the manner in which we ourselves actually treat the survivors remaining in Germany.

I hope you will report to me as soon as possible the steps you have been able to take to clean up the conditions mentioned in the report.

I am communicating directly with the British Government in an effort to have the doors of Palestine opened to such of these displaced persons as wish to go there.

Very sincerely yours,

HARRY S. TRUMAN.

Mr. TAFT. Mr. President, I may say that since that report the conditions have been considerably improved. I offer it only as evidence of what they were some months after our occupation.

Mr. KNOWLAND subsequently said: Mr. President, I ask unanimous consent to have printed in the RECORD a United Press article published in the New York Times of today relative to the Harrison report. The senior Senator from Ohio [Mr. TAFT] today placed in the RECORD the Harrison report dealing with alleged conditions in the camps in Germany where some of the displaced persons were still being kept. I think in fairness to the military authorities in Europe—and I have the greatest confidence in General Eisenhower and the men conducting the military government there—that the facts as brought out by this press report should be included in the CONGRESSIONAL RECORD so that the entire picture may be before the Senate and the military authorities.

Mr. LUCAS. Mr. President, I should like to make an inquiry of the Senator from California. Does the Senator from California request that the article be placed in the RECORD following the remarks of the Senator from Ohio today?

Mr. KNOWLAND. Yes; I should like that to be done.

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

The report is as follows:

[From the New York Times of October 2, 1945]

JEW IN ONE UNITED STATES CAMP RIDICULE CHARGES OF ABUSE BY AMERICANS

FELDAFING CAMP, BAVARIA, GERMANY, October 1.—The ragged inmates of this sprawling home for Jewish displaced persons ridiculed today the Harrison report to the White House that Jews in American-occupied Germany were treated almost as badly as they had been under the Nazis.

They said that until 2 weeks ago their camp had been crowded and unpleasant but that the conditions could not be put in the same category as the filthy Nazi concentration camps where they had been beaten and tortured.

Gen. Dwight D. Eisenhower visited this and other Bavarian camps 2 weeks ago and immediately ordered Gen. George S. Patton, Jr., American commander in Bavaria, to seize many neighboring German residences to relieve the congested condition at the camp.

"Things have been better for Jews since our liberation," red-bearded Rabbi Ezekial

Ruttner told correspondents who flew here on an inspection trip.

"Now, today, it seems even more things are being done to make things better."

Until General Eisenhower's visit, however, it appeared that General Patton had taken little interest in Jewish welfare. The camp commander, Col. James H. Polk, of El Paso, Tex., admitted that "the heat has been turned on" in the past 14 days.

"I have been getting orders fired at me so fast since then that I have been unable to keep up with them," he said. He was unable to recall having received specific directives from General Patton's headquarters ordering improvements in camp conditions until after General Eisenhower's visit.

Colonel Polk said that General Patton had visited the camp earlier today and had seemed to be pleased with results that had been accomplished in the past 2 weeks.

JEW FOUND WELL TREATED

Here is the situation found during a brief inspection of the rain-soaked camp this afternoon:

The Jews are unhappy but they are not being victimized.

They are living in crowded quarters but they are not dangerously overcrowded.

Every effort is being made to improve their living conditions before winter.

They perhaps are not getting the best food, but their diet of 2,600 calories daily is twice that of the average German.

They are well cared for medically and hundreds are being nursed back to the health they lost in concentration camps.

About 20 percent of the camp's total of 4,300 inmates have some form of tuberculosis. A Jewish doctor said they were being carefully cared for and that most were recovering.

The majority of the Jews here live in bleak apartments, but they are well protected from the cold. Some rooms are occupied by 12 persons—sleeping in bunks. Other large rooms have been turned into dormitories that hold 40 persons—admittedly crowded but still livable.

They are relatively free people. There is no barbed wire and no Gestapo-type guards confining them. They have their own synagogue.

They appear to be living better than many Americans in slum areas, and the conditions here are similar to every other displaced persons camp throughout Germany.

This camp was chosen at random for inspection only 2 hours ago and there has been no time to change things to make a false showing for the inspection.

It was chosen by a group of correspondents interviewing Lt. Gen. Walter B. Smith, General Eisenhower's chief of staff, at his headquarters in Frankfurt on the Main. General Smith offered his personal plane to the newsmen for an immediate inspection tour of the "worst known camps" in the American zone.

General Smith had nothing to say on the report by Earl G. Harrison, American representative on the Inter-Governmental Committee on Refugees, which said conditions were appalling among Jews in American camps, but he offered to let the newsmen "visit the camps immediately and make their own report."

Rabbi Ruttner summed up the situation in these words:

"We are still living in camp. We are without a place we can call home. We hope the doors of the world will open to us—just some land where we can live together in peace. Until then we are making the best of it here, where conditions are improving all the time."

Mr. BREWSTER. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. BREWSTER. I wish to supplement what the Senator from Ohio has

just said by reading evidence adduced at the hearings which we held in Augsburg, Germany, during June of this year. In the evidence which I have in my hand, given by the burgomeister of Augsburg, a city of some 300,000, selected to be under our occupation, he testified that he had been burgomeister there or a high-ranking alderman throughout the past 20 years, having in charge in recent years both the police and finance.

His name is Dr. Ott. He said:

I had the police until 1929, that is, from 1919 to 1929, and then I was in charge from 1929 on of all personnel of the city administration.

I read further from the testimony:

Dr. OTT. I myself, as oberburgomeister, am the police president now.

Senator BREWSTER. How many police have you here now?

Dr. OTT. One hundred and seventy.

Senator BREWSTER. How many of them have had previous police experience?

Dr. OTT. I am not certain but I believe 140 of the 170 have had previous police experience.

Senator BREWSTER. Under the city or the state?

Dr. OTT. Under the state.

Senator BREWSTER. So that 145 of the present city police were former state policemen?

Dr. OTT. Yes; that is correct.

I asked him who was the chief of the state police during the service of these 140 out of 170 men, and he replied:

Dr. OTT. Heinrich Himmler.

Senator BREWSTER. He was chief of the state police?

Dr. OTT. Yes.

Senator BREWSTER. And he was chief of the Gestapo, also?

Dr. OTT. Yes.

Senator BREWSTER. So that he had both under his jurisdiction?

Dr. OTT. Yes.

In other words, of the 170 police in Augsburg under American occupation, 140 of them had been serving under Heinrich Himmler as chief of the state police during the period immediately preceding our occupation.

It is little to be wondered at that we read the stories which we do of the misunderstandings in Germany as to the course of our occupation.

We visited Dachau, the prison concentration camp, and at that time, 1 month after our occupation, more than 10,000 persons were still herded there. And going to the crematory we saw stacked up the bodies of 60 individuals who had died during the preceding 24 hours. The bodies were stacked up exactly like cordwood. That was the treatment accorded to the poor unfortunates who had died a month after our occupation.

I do not charge that we were responsible, but certainly the care which had been provided for their mortal remains was far at variance with the Christian character which we would contemplate would be provided.

So it has seemed to me, supporting the suggestions made by the Senator from Ohio, that we may commend the effort to give 100,000 permits for Jews to enter Palestine, even if we place it on no higher a level than the very practical one that we are obligated to the support of these displaced persons under our occupation. They are in the care

of our Army. They are under guard. We have to provide for them. If we permit them to go to Palestine in accordance with the pledge of the Balfour Declaration and with the Coolidge convention of 1925, both of which were absolutely at variance with the so-called white paper as denounced by Winston Churchill himself as a back-bencher before he became Prime Minister, then not only does a great vista of hope open to them, but we incidentally are relieved of the responsibility of their care, as they are offered home and hospitality there. Under the Lowdermilk report made by our Assistant Commissioner of Irrigation, it is demonstrated there is ample opportunity there to provide for these people, with the vineyards and the cultivation which has been carried forward in such an amazing way.

So I join with the Senator from Ohio in commending what has been done, but urge that we go much farther in redeeming our solemn pledge.

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

Mr. TAFT. I yield.

Mr. GUFFEY. I wish to say that I am entirely in sympathy with the declaration and aims of the resolution discussed informally by the Senator from Ohio [Mr. TAFT]. We had that question before the Foreign Relations Committee, but action on it was postponed at the request of the military authorities because the British said it would raise a very troublesome problem for them in the Far East. Now that the war is over I hope we can take some action that will bring relief to the long suffering Jews in Europe.

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

Mr. TAFT. I yield.

Mr. SMITH. To the statement just made by the Senator from Ohio on this very serious problem, I want to add my own word, and a word on behalf of many of my constituents in New Jersey who feel very strongly that President Truman should be supported in his recommendation that the British immigration restrictions be lowered to the end that at least 100,000 more Jews may be permitted to enter Palestine immediately.

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

Mr. TAFT. I yield.

Mr. FERGUSON. I desire to join in the statement made by the Senator from Ohio [Mr. TAFT] and the Senator from Maine [Mr. BREWSTER]. I particularly join in what the Senator from Maine said as to conditions in Germany, as I saw some of the conditions at the time I was there.

I think our great mistake at that time was to try to determine who was a Nazi, or who would carry out Nazi principles, by simply asking individuals to fill in a questionnaire. I think it is clear that those who served as police and SS troopers had shown by their acts that they were in sympathy with and were carrying out the provisions of the Nazi doctrine; that no questionnaire was necessary to determine that fact, and a questionnaire would not determine it.

I join the Senators who have spoken today in urging that at least 100,000 or more permits be granted so that at least that many individuals can be saved. I hope we can do many things all over Europe to preserve the rights of all peoples there. I hope we may establish freedom of news and expression so as to be able to determine just what is going on, and how the people of Europe are being treated.

Mr. SALTONSTALL. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. McMAHON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McMAHON. Can the Senator from Ohio farm out the floor for a couple of hours?

The PRESIDING OFFICER. The morning business has not been concluded. Debate is not in order now, upon objection.

Mr. McMAHON. I understand the rule to be that the Senator can yield for a question. He has yielded now for three or four speeches. There are other Senators who wish to speak.

The PRESIDING OFFICER. The morning business has not been completed, and the morning hour is not ended. The point of order is sustained.

The Chair recognizes the Senator from Massachusetts.

Mr. SALTONSTALL. I should like merely to add my word of commendation of what the Senator from Ohio has said. As one who has received many communications on this subject, and who has done considerable reading concerning it, I heartily commend what the Senator from Ohio has just said, and I join with him in his statement.

The PRESIDING OFFICER. The routine morning business is concluded.

COMMUNIST PROPAGANDA AMONG AMERICAN SOLDIERS

Mr. WILEY. Mr. President, for many years we have watched the insidious infiltration of un-American propaganda into countless channels of public opinion, including some of the textbooks of our Nation's schools.

We have seen American history distorted. American institutions misrepresented, American constitutional government besmirched. Why? Is it not time we asked ourselves why?

Now a new channel of public opinion has apparently become the funnel for synthetic "ism" doctrines. It is shocking to note that this new channel is among the Nation's own heroic defenders! It is now reported that the almost 8 million enlisted men of the United States Army were impacted by Communist propaganda foisted upon them in weekly, compulsory "orientation" lectures.

This report is substantiated in a series of articles written by Mr. Kent Hunter and Mr. David Sentner of the Washington Bureau of the Hearst Newspapers. I ask unanimous consent that these articles be printed following my remarks.

The PRESIDING OFFICER. Without objection, the articles will be printed as requested.

(See exhibit A.)

Mr. WILEY. William Randolph Hearst and the Hearst Newspapers are to be congratulated for making this exposé. It is but one more of a long series of documented disclosures of subversive activities fearlessly carried by the Hearst Newspapers.

It is my understanding that the House Committee on Un-American Activities intends to investigate the charges made in this series of articles. But the mere existence of such Communist propaganda points up the necessity of some new instrumentality which would affirmatively combat such propaganda. Such a new instrumentality would, I believe, be the Special Senate Committee on the Promotion of American Activities which I have proposed in Senate Resolution 165, which is now pending before the Senate Judiciary Committee.

In my judgment, the time for action on this resolution is long overdue. Every passing day we are allowing more American minds to be poisoned by alien ideas and neglecting to sell our own goods—the American system—to our citizens. We are allowing all that we hold dear to be smeared and befouled, to become the target for the rotten eggs of false ideas.

We are allowing the public confidence and faith in our American way of life to be undermined. This is a challenge we can no longer afford to ignore.

Let us have the courage of our convictions by proceeding to promote constitutional Americanism. Let this new Senate committee be established and let it initiate a legislators' and citizens' crusade for the protection of the American way. Let us demonstrate in action as deep and abiding an American zeal as was displayed by the fighting forces of the nation which sustained more than 1 million casualties in the name of Americanism.

Let us moreover evaluate every piece of legislation that comes to the Senate by these criteria: Is it constitutional? Is it American?

With wildcat and other strikes exploding all over the American scene in accordance with a master plan, with the "heat" being placed on Congress to force it to enact wild, unsound legislation, with the national indebtedness approaching 300 billion dollars, we need to have Constitutional Americanism preached from every rooftop and taught in every school. The alternatives are chaos and collectivism.

The President recently said that we are the trustees of the atom bomb. Let us not forget that we are also the trustees of something else—of the American Republic, with its Constitution, its Bill of Rights, its Declaration of Independence, its way of life.

What are we going to do about it? This is a matter of life and death for our country. We must not let our Nation down.

EXHIBIT A

[September 25, 1945]

RED PROPAGANDA FOR UNITED STATES FIGHTING MEN

(By David Sentner and Kent Hunter)

WASHINGTON.—An atomic propaganda bomb with a thick red coating has been dropped into the American armed forces.

Every American soldier has been getting a subtly administered weekly dose of subversive Communist doctrines.

Furthermore, the treatment is compulsory and under official auspices.

One hour each week, every American soldier has been required to attend an orientation course.

The apparently laudable objective was to provide an educational and informational service, including the discussion of current events, for the member of the armed forces.

However, much of the text and prepared material used in these orientation courses have been shot through with marxism and the Communist Party line as preached by the prophets and advocates of a Sovietized United States.

In view of the potential effect on millions of impressionable young Americans returning to civil life from service, it would appear that the congressional uproar over the commissioning of Communists in the Army is like failing to see the forest for the trees.

Through specific extracts and references contained in many of the hundreds of books, pamphlets, and other publications used in this Army orientation course, these articles will show:

That many authors or contributors are listed in congressional committee files as members of Communist front organizations.

That the tenets of communism are promoted continuously.

That military aggression of the Soviet Union against Finland, Poland, China, and other nations are either ignored or defended.

That it is attempted to justify the Hitler-Stalin pact.

That the failure of the Soviet Union to join in the war against Japan until the very last moment is excused.

That the Battle of Russia is glorified in detail in one of the books while the gallant fighting of the American forces at Bataan, Wake Island, Midway, and in the Coral Seas is dismissed with brief references.

That the Soviet Union is presented as a democracy with responsibility for early Communist terrorism and bloodshed placed on capitalist nations because of their hostility.

That while communism is never referred to unfavorably, private enterprise and the democracies are pictured as exploiting the masses and engaging in imperialistic diplomacy.

That the Communists are portrayed as the champion of the oppressed in China while Generalissimo Chiang Kai-shek is etched as a totalitarian tool of the "reactionary" middle class.

That internationalism is consistently promoted while sovereignty is scoffed at under such Red party line epithets as "isolationism" and "war-mongering."

The modern army orientation system is operated under the Information and Education Division, headed by Maj. Gen. Frederick H. Osborn.

Each week in the field, the Information and Education officers receive an issue of the orientation fact sheet Army Talks to guide them in their conduct of orientation themes with the troops.

The thread of Red propaganda runs through them.

In addition, the Information and Education officer receives from time to time "orientation kits" containing background material in the form of books, pamphlets, and memoranda.

It is in this mass of literature that the Communist Party line is embedded.

Two books in use of "orienting" our troops in the Pacific are *Changing China*, authored by George E. Taylor and edited by Maxwell S. Stewart, and *The Making of Modern China* by Owen and Eleanor Lattimore.

Stewart and the Lattimores are listed in the files of the House Committee on un-

American Activities as having Communist Front affiliations. Owen Lattimore was formerly deputy director of the OWI's Far East Division and later served as an OWI consultant.

Both books minimize thought other than that in keeping with the Communist "party line" and will be discussed in future articles of this series.

[September 26, 1945]

RED PROPAGANDA FOR UNITED STATES FIGHTING MEN

(By Kent Hunter and David Sentner)

WASHINGTON.—A pretty picture of the purported aims and achievements of communism in China is a facet of the compulsory indoctrination in the Red Party line to which multiple millions of young Americans in our armed forces have been subjected.

Camouflaged but lightly, the Communist propaganda has been ladled out through the weekly orientation lectures which all enlisted Army personnel has been required to attend.

At these lectures, prescribed material is used by the instructors. One of the books used in orienting the members of our armed forces on China is entitled "Changing China," authored by George W. Taylor.

This literary pep talk for collectivism and the heaping of ridicule on the landlord class is edited by Maxwell S. Stewart, whose affiliations with 25 Communist-controlled groups are listed in the files of the House Committee on Un-American Activities.

This textbook for Army instructors is brazenly labeled a co-operative project with the institute of Pacific relations, listed in the files of the House Committee on Un-American Activities as having Communist-front affiliations.

In a typical Red Party line lesson in American history to members of the armed forces, the United States is depicted as having deliberately stirred up a revolution in China which put the Nationalists in power and resulted in thousands of noble Communists being killed.

Portraying the split between the right and left wings of the Koumintang with soft words for the "fellow travelers" of communism, the volume asserts:

"The left wing included, besides Communists, students and intellectuals who sympathized with them; they wanted to base their power on the peasants and workers of China"

"During the victorious march to the north, the left wing, with the Communists, had stirred up the peasantry to violent action against the landlords, and when Hankow was reached the workers of central China were encouraged to go on strike."

"The right wing, under Chiang Kai-shek, was alarmed, for many of the army officers came from the families of the local gentry, and many of their business and banker supporters did not favor the development of a strong labor-union movement."

"Nor did England and America wish to see a new government in China under Communist, and especially Russian, influence. They used their diplomatic influence to help a revolution already deeply divided from within."

"The revolution split, the Russians fled to the Soviet Union, many thousands of Chinese Communists were killed, and the right wing of the Koumintang, backed by a majority of the party and the army, set up a government in Nanking without the Communists. Thus, in 1928, the present Nationalist Government of China was founded and was immediately recognized by most of the great powers."

Then, painting the regime of Chiang Kai-shek as a one-man show backed by the army and the reactionary landed gentry, the book asserts:

"They did not have the same interests as the intellectuals in democracy, and they hated communism."

The efforts of the Chinese Soviet Republic from 1923 to 1935 to bring democracy to the masses is described as follows:

"They redistributed the land of the rich among the poor, especially the landless peasants. They set up cooperatives. They tried to change many of the social habits and customs of the people, such as the marriage systems."

In passing, the Taylor-Stewart opus relates that it was necessary to kill or drive the landlords from most of Kiangsi Province in order that the Communists accomplish their purpose.

"The Communists have not arrived at a solution of the land problem but they have made the lot of the peasant easier than it was before," the volume remarks with obvious admiration.

The big pay-off in the volume appears in the thinking-it-all-over section, intended to stimulate discussion among our GI's, in which the following loaded question is asked:

"Could a government along the lines of that in Russia be made to work in China?"

And the author and the editor of *Changing China* were not content to let this leading question seep in on the subject of collectivism. They urged:

"Think of all sides of the question when you discuss this."

[September 27, 1945]

RED PROPAGANDA FOR UNITED STATES FIGHTING MEN

(By David Sentner and Kent Hunter)

WASHINGTON.—Is it the American concept that Communist Russia represents a ruthless, totalitarian form of government, similar to nazism or fascism, which purges all opposition, liquidates private property, levels off individual initiative, controls the press, religion, and free speech, and attempts to subvert the rest of the world to its sinister and un-American doctrines?

Join the United States Army and get "oriented" to the contrary.

The greatest sales campaign in the global history of Red revolutionary propaganda has been conducted among the millions of Americans in the armed forces with the guileless or inspired cooperation of our own War Department.

In books, pamphlets, and instruction materials connected with the compulsory "orientation" course which each enlisted member of the Army must attend once a week, the Communist Party line with its poisonous ideology has been permitted to slither like a rattlesnake in a jungle of words.

Perish the thought that the dear old Soviet Union has the slightest similarity with the deceased totalitarian Reich.

In the "Army talk" orientation fact sheet 53, entitled "Checking Our Soviet Ally," the brutal, bloody history of Soviet communism is blandly described to American troops as merely a necessary milestone along the path to democracy.

This guide sheet for conducting a compulsory discussion on the subject among our millions of soldiers exhorts that the Soviet Union is entitled to a break and proceeds to provide it through distortion, indirection, and factual omissions.

"Although they (the Soviet Communists) now have a secret police," the orientation fact sheet states, "and a government-controlled press, their ultimate political ideals are directly opposite to the stated ideals of Fascist dictatorship, and their hope is to drop the appurtenances of dictatorship in the process of democratic evolution."

The Communists in the Soviet Union are simply political organizers, it is pointed out, whose aims are merely "to spread and strengthen belief in their principles among

the great majority of citizens who are not party members."

The "orientation" sheet, dedicated to presenting the truth and removing confusion of ideas and lack of facts from the minds of our fighting men, continues to croon:

"They (the Communists) have two basic ideas. One is state ownership of factories, farms and all other productive agencies, with distribution of the proceeds among all the workers according to their productivity.

"The other idea is political. They early believed that a dictatorship 'of the proletariat' was necessary in order to destroy capitalism and set up socialism; that then the dictatorship should gradually evolve into a democracy as now provided by their constitution."

This attempt to parallel communism and democracy should knock any veteran member of the Communist Party right off his soap box, not to mention the certainty of making Karl Marx turn in his proletarian grave.

Regarding the reference to the Soviet constitution, an array of historical facts was omitted from the orientation sheet.

In 1936, when discontent was seething throughout Communist Russia and a counter-revolution was brewing as a result of famine and the break-down of production and distribution under the proletariat oligarchy, "Stalin's constitution" was announced.

Among other nothings in this intended stop to the growing anti-Communist sentiment among the Russian masses, there was mention of a new national assembly called the "Supreme Soviet" to be voted by the whole population instead of the few million Communists ruling the U. S. S. R.

However, the Communist Party was given the dominating niche in the constitution, and Stalin further set the tone of his new constitution by proclaiming that in each constituency, there would be only one candidate put up for the national assembly for whom the populace could either vote for or against. Of course, the Communists hand-picked the lone candidate.

To further bulwark his synthetic constitution, Stalin then began his notorious series of purge trials which included the mass liquidation of army generals and others who were opposed to his regime.

There is an unintended touch of satire recorded in the orientation sheet in connection with the purported functioning of constitutional democracy in the Soviet Union.

A conspicuously printed "box" glorifies Stalin's place in the U. S. S. R. by listing numerous government and military positions he occupied. The Stalin build-up concludes with the parenthetical remark that "the regular elections for the Supreme Soviet have been postponed during the war."

[September 28, 1945]

RED PROPAGANDA FOR UNITED STATES FIGHTING MEN

(By Kent Hunter and David Sentner)

WASHINGTON.—American troops, under orders to attend weekly orientation classes, have been and still are being fed the language, economic philosophies, and the mental motivation of the Communist party line.

The Making of Modern China by Owen and Eleanor Lattimore, is a book in the Army orientation library.

An attempt has been made in this volume to sell a bill of goods on the unselfish treatment of China by the Soviet Union compared to the so-called exploitation of China by the United States and Britain, plus a miscellany of lineage from standard Red propaganda.

American troops who have believed that our war against Japan was the result of Nipponese militarism and the sneak attack on Pearl Harbor, are informed in this orientation

reference volume that it is really an imperialistic battle between the United States and Japan for the control of China.

Owen Lattimore, a former OWI top executive, is recorded in the House Committee on un-American Activities files as having been affiliated with the following Communist-front groups: Hollywood Writers Mobilization, Maryland Association for Democratic Rights, Washington Committee for Aid to China, and on the editorial board of *Amerasia*, some of whose editorial associates were charged recently with improperly possessing State Department documents.

The Lattimores give a typical Red Party line twist to the famous American open-door policy declared in 1899 by Secretary of State John Hay by which the United States gained recognition of the right of trade equality with other nations in China.

"Essentially," the Lattimores state, "the open door was a further development of the permanent American policy which may be called a policy of hitch-hiking imperialism in preference to active imperialism."

"That is to say, America did not take the lead in seizing Chinese territory or imposing legal disabilities on the Chinese but did demand that whatever was gouged out of China by any other nation should not be monopolized by that nation alone but shared with all comers."

In contrast to the portrayal of the United States as an imperialistic interloper in the affairs of China, the Soviet Union is exuberantly promoted as follows:

Having a deep, disinterested sympathy for China:

The only nation which made political agreements with the Sun Yat-sen government with "no strings attached to them" (other than sending Soviet Communists to China to aid in organization of the Government):

Sending more war materials to China than the United States ever sent in lend-lease over the Burma Road (carefully ignoring the tremendous tonnage flown to China from India):

The natural outlet for Chinese postwar trade rather than the shipping link with the United States and Britain.

The multitudinous record in history of how Russia has clipped huge territories and resources from China goes unmentioned.

Neither the Lattimore book nor other "orientation" material tells our American troops:

That the Soviet Union, although stalling until the very last moment before declaring war against Japan, is in there with Gargantuan territorial demands in the Pacific and is already stirring up strife between the Chinese Communists and the Chiang Kai-shek government.

Included in the footage borrowed from the Communist Party line, the volume pictures:

The Chinese middle class as a "landlord" type, living only to collect rents and tax tribute from the "oppressed" peasants and workers:

The First World War was as a result of the lining up of the great powers for the savage battle over colonies, markets, and investments:

Chinese in the United States being "held back by race prejudice":

The virtues of industrial cooperatives:

Postwar China turning to state ownership in the heavy industries, public utilities, and banking.

Perhaps one of the most impudent ideological passages in this "orientation" volume is the placing of responsibility on the shoulders of other powers, including the United States, for the wholesale murders, terrorism, and annihilation of the party owning class conducted by the Communists in the U. S. S. R.

The authors assert:

"It is time for the rest of us to admit something which is as important for us as it is for the Russians, that many of the harsh and

cruel aspects of the Soviet order are in fact scars inflicted on it in its youth by the intolerance and active hostility against which it had to struggle to survive.

"For this part of the environment of the early years of Soviet history it was the rest of the world that was responsible."

THE PALESTINE PROBLEM

Mr. JOHNSON of Colorado. Mr. President, on March 28, 1944, I said on the floor of the Senate that Hitler had been exterminating Jews at an estimated rate of 10,000 a day throughout Germany and throughout his satellite countries. I asserted that Hitler was killing more Jews a day—every day—than Great Britain in a whole year was permitting to find refuge in Palestine.

As the victorious American and British armies moved into Germany the details of Hitler's premeditated ravages have partially come to light. We do not yet fully comprehend them. During the years between the invasion of Poland on September 1, 1939, and the collapse of Germany on May 8 of this year, more than 5,000,000 Jewish lives were snuffed out by Hitler. Unhappily, my earlier estimate of the number of the victims of Hitler's diabolical plan of mass extermination of a people was an underestimate.

During all those horrible years, Mr. President, the British white paper was in force. This paper restricted immigration into the Jewish homeland, and authorized the admission of only 10,000 Jews a year. Unquestionably, many hundreds of thousands of these 5,000,000 Jews might have been saved had it not been for the white paper.

So thorough was Hitler's work and so effective was the British prohibition against admission of Jews into the land which was set aside after the First World War as a haven for them that there remain in Europe today less than a million and one-half Jews. In many large areas of Germany and elsewhere in Europe there is not a single living Jewish child. Hitler was determined to wipe out a whole people, and he would have succeeded completely but for the timely arrival of General Eisenhower and his American and British troops.

The war in Europe has come to a close and we are now confronted with another tragedy. Most of the Jews who are still alive have no place to go. They cannot renew their lives in their old homes. Their families are dead, their businesses and professions are wiped out, and they are still—despite the end of the war and the decisive defeat of the Nazis—confronted with the most violent sort of anti-Semitism.

President Truman was given a most forthright report by former Immigration Commissioner Earl Harrison, whom he sent on a special mission to Europe to investigate the condition of displaced persons. Mr. Harrison's report so shocked the President that he personally sent a letter through Secretary of State Byrnes to Prime Minister Attlee, recommending that 100,000 of the unfortunate Jews who still are in concentration camps be sent to Palestine immediately.

The President's courageous and straight-from-the-shoulder action is most refreshing and reassuring. For

years we have had nothing but vague and glittering generalities from official Washington. I heartily commend President Truman without reservation.

Evidently assuming that Mr. Attlee would see eye to eye with him on such a humanitarian gesture, the President instructed General Eisenhower to make immediate arrangements for the transportation of these people. But to the great astonishment of everyone, the new Labor Government of Britain has rejected Mr. Truman's proposal. Frankly, I am horrified at this unexpected development.

Britain, which has made the Jew a political football since the promulgation of the Balfour Declaration, seems determined to pursue this policy to the bitter end. Instead of taking steps for the immediate termination of the iniquitous white paper—which should never have been imposed in the first place—Britain now proposes to admit only 1,500 Jews a month. I am further informed that the British Government contemplates formally announcing this policy when Parliament reconvenes on October 9.

I repeat, it is time for the Senate and for the United States Government to strengthen the hand of the President vigorously, and to face the realities of Palestine. The determination to establish in Palestine a homeland for the Jews in which Jews would eventually have nationhood status in common with the other peoples of the earth was a joint policy of the United States and the British Governments during World War I. Its implications were fully contemplated by the chief architects of the plan, Mr. Woodrow Wilson and Mr. David Lloyd George. In brief, it would permit the Jewish people to be the masters of their own destinies in at least one small piece of this earth. That equitable and just resolve should not be abandoned now by either America or Britain.

Britain, with the wholehearted approval of this Nation, became the mandatory nation for Palestine and was charged by the Allies with the administration of such a policy. Instead of carrying out its solemn obligation to the Allied and associated nations, Britain immediately began a policy of evasion and political jockeying. She assumed that Palestine was a colonial possession and that the men and women who migrated there during the years when immigration restrictions were not so severe would be content to assume the status of the illiterate native peoples she rules in other parts of the world. But when the Jew began to bring culture, science, education, and progress into Palestine, instead of encouraging such a development in the Near East, where culture, science, and progress are sorely needed, Britain adopted a policy of obstruction. Frankly, she sought in every way to discourage the development of Palestine. Unbelievable as it is, the United States prior to President Truman's forthright action the other day, has acquiesced in Britain's deadly policy of retardation. It must be remembered that we have a special treaty with Britain pertaining to Palestine and in it the stipulation is made that no change what-

soever shall be made in the mandatory policy without the prior consent of the United States. Our State Department, so far as I know, has never protested officially the violation of that sacred treaty nor has it raised its voice against the white paper. The time is here for a showdown.

When the Congress last year endeavored through the so-called Wagner-Taft resolution to express its sentiments on Palestine, the State Department effectively intervened. Congress was bluntly told that such an expression would interfere with the war effort—despite the fact that the war had long since passed from Africa and the Middle East into Europe proper. Now the war is over, and as a first step toward living up to its pledges this Government is endeavoring to transport immediately 100,000 of the most destitute of the displaced persons of Europe. Again the British Government finds excuses.

How long, Mr. President, are the American Government and the American people going to remain callous to the suffering of the homeless Jews of Europe? How long, Mr. President, will the American people remain indifferent to the imperative need to set up the long-contemplated Jewish state in Palestine? Surely, our people are in no mood to have President Truman's recommendation vetoed by the British. Surely, the Balfour Declaration is not a scrap of paper. Surely, Britain is not going to "welsh" on her solemn pledges to us. Patience has ceased to be a virtue. The time is at hand to put an end to the centuries of suffering and persecution. The time is at hand for the Jewish people to reestablish themselves in the independent and dignified status of ancient days.

DISCONTINUANCE OF LAND-GRANT RAILROAD RATES

Mr. BILBO, Mr. McMAHON and Mr. WHEELER addressed the Chair.

The PRESIDING OFFICER (Mr. HOEY in the Chair). The Senator from Mississippi is recognized.

Mr. BILBO. Mr. President, I desire to propound a parliamentary inquiry before I begin to speak. My understanding of the rule is that any motion made before 2 o'clock is not subject to debate, but that a Senator has a right to speak on any subject he sees fit to discuss, provided it does not involve the making of a motion. Is that correct?

The PRESIDING OFFICER. The Chair is advised that that practice has been followed, where objection has not been made.

Mr. BILBO. Very well, Mr. President.

Now, with the understanding that I have the floor, I wish to say that my information is that some time today my distinguished friend the Senator from Montana [Mr. WHEELER] proposes to make a motion to take up Calendar No. 550, House bill 694, known to those who have been keeping up with the situation as the land-grant railroad bill. I wish to point out in connection with this matter that the Members of the House of Representatives—I do not know whether this is true of the Members of the Senate—have been interviewed—

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

Mr. BILBO. I yield.

Mr. BARKLEY. I wish to say that I was called out of the Chamber; I intended to obtain recognition from the Senator from Colorado, when he had the floor, on another matter.

Mr. BILBO. I am sorry. I have the floor now.

Mr. BARKLEY. I understand that the Senator has the floor; if he did not have it, I should not have asked him to yield.

Mr. BILBO. Very well; I yield for a question only.

Mr. BARKLEY. What I have to say is not a question.

Mr. BILBO. Then I decline to yield; I am sorry.

Mr. McMAHON. Mr. President, I understood the Senator from Mississippi to state his views regarding the propriety—

Mr. BILBO. Mr. President, I have not yielded the floor. I am willing to yield for a question.

Mr. McMAHON. I am stating a parliamentary inquiry for the benefit of the Senator from Mississippi.

Mr. BILBO. Very well.

Mr. McMAHON. I wish to understand correctly the ruling of the Chair as to the propriety of having the Senator from Mississippi proceed on this matter at this time.

The PRESIDING OFFICER. The Chair ruled, on the advice of the Parliamentarian, that it has been customary to proceed as the Senator from Mississippi has been doing, in the absence of objection; but, strictly speaking, a point of order would lie unless some business is pending before the Senate.

Mr. McMAHON. Then, I make the point of order.

Mr. BILBO. Mr. President, I object. No business is pending.

The PRESIDING OFFICER. The Senator from Connecticut will state the point of order.

Mr. McMAHON. Mr. President, does the Chair recognize the Senator from Connecticut?

The PRESIDING OFFICER. The Chair recognizes the Senator from Connecticut for the purpose of stating a point of order, but not for the purpose of engaging in argument or debate.

Mr. McMAHON. The point of order is that the Senator from Mississippi is attempting to discuss a matter which is not now before the Senate.

The PRESIDING OFFICER. The germaneness of the debate does not enter into the question.

Mr. McMAHON. The Senator from Mississippi is now preventing the discussion of other business which is germane at this time.

Mr. BILBO. Mr. President—

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. BILBO. I do not relish the last statement made by the Senator from Connecticut. I think what I have in mind is just as important to me and to my constituency and to the people of this country as is anything which may be resting in the mind of the Senator from

Connecticut. So I insist that I be permitted to proceed.

Mr. McMAHON. I do not doubt, Mr. President, that it will be proper for the Senator to proceed when the matter about which he is speaking properly comes before the Senate. At the present time there is nothing pending before the Senate.

Mr. BILBO. The Senator from Mississippi is pending. [Laughter.]

The PRESIDING OFFICER. The point of order which was made a few minutes ago was that the subject about which the Senator from Mississippi is speaking is not germane. Does the Senator from Connecticut make another point of order?

Mr. WHEELER. Mr. President, I make the point of order that there is nothing pending before the Senate.

Mr. BILBO. Mr. President, I have the floor and I desire to speak.

Mr. WHEELER. I am making the point of order that there is no business now pending before the Senate.

The PRESIDING OFFICER. The Senator from Montana makes the point of order that at the present time no business is pending before the Senate.

Mr. BILBO. Mr. President, I shall continue with my remarks.

The PRESIDING OFFICER. The Senator from Mississippi is not entitled to the floor, the point of order having been made.

Mr. BARKLEY. Mr. President, was it not the Chair's ruling that there is no business now pending before the Senate?

The PRESIDING OFFICER. There is no business pending before the Senate.

Mr. BARKLEY. The Senator from Mississippi did not seem to catch the force of the ruling.

The PRESIDING OFFICER. The ruling is that no business is now pending before the Senate, and if objection is made the Senator from Mississippi may not proceed until after the expiration of the morning hour. A motion is in order.

Mr. BILBO. I am not making a motion; I am speaking.

The PRESIDING OFFICER. The Chair has stated that prior to the expiration of the morning hour, which will be at 2 o'clock, if a Senator speaks upon a subject when there is no business pending before the Senate, his action is subject to a point of order. A point of order has been made in that regard.

Mr. BILBO. I am speaking on a subject which is before the Senate. It is on the calendar.

The PRESIDING OFFICER. It is not pending before the Senate. The Chair rules that the Senator from Mississippi may not proceed, objection having been made.

Mr. BILBO. Does the Chair rule that I am out of order?

The PRESIDING OFFICER. Yes.

Mr. BILBO. Very well. That makes a little more history.

Mr. WHEELER. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 550, House bill 694.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic.

Mr. McMAHON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. Mr. President, a motion for the consideration of a bill is not debatable.

The PRESIDING OFFICER. The question before the Senate is on agreeing to the motion of the Senator from Montana [Mr. WHEELER] that the Senate proceed to the consideration of House bill 694.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic, which had been reported from the Committee on Interstate Commerce with an amendment, on page 2, line 21, to strike out:

SEC. 2. The amendment made by this act shall take effect 90 days after the date of enactment of this act.

And insert:

SEC. 2. The amendment made by this act shall take effect 90 days after the date of the cessation of hostilities in the war with Japan, as proclaimed by the President or declared by concurrent resolution of the two Houses of Congress, whichever is the earlier: *Provided, however,* That any travel or transportation contracted for prior to such effective date shall be paid for at the rate, fare, or charge in effect at the time of entering into such contract.

Mr. WHEELER. Mr. President—

The PRESIDING OFFICER. The Senator from Montana.

Mr. BILBO. Mr. President, am I now in order?

The PRESIDING OFFICER. The Senator from Montana has been recognized.

Mr. BILBO. I was taken off the floor, but I thought I might be recognized at this time.

The PRESIDING OFFICER. The Chair has no power to restore the floor at this point to the Senator from Mississippi.

Mr. BILBO. The Chair had the power to take me off, but apparently not the power to put me on. [Laughter.]

The PRESIDING OFFICER. At the proper time the Chair will be delighted to recognize the Senator from Mississippi.

Mr. WHEELER. Mr. President, this bill proposes to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic. It is a bill to repeal the so-called land-grant rates.

This bill, which in effect repeals the special land grant privileges accorded to Government military traffic, was passed by the House on May 4, 1945, reached the Senate on May 7, 1945, was favorably considered by the Senate Committee on Interstate Commerce, and reported with an amendment on July 28, 1945. The report was unanimous. The House bill amends section 321, title III, part II of the Transportation Act of 1940 by strik-

ing out certain language. The 1940 act to which reference is made contains a section 321, the significant part of which reads as follows:

Sec. 321 (a) (54 Stat. L. 954, U. S. C., title 49, sec. 66). Notwithstanding any other provisions of sections 1 (7) and 22 of the Interstate Commerce Act, as amended, the full applicable commercial rates, fares, or charges shall be paid for transportation by any common carrier subject to such act of any persons or property for the United States, or on its behalf, except that the foregoing provision shall not apply to the transportation of military or naval property of the United States moving for military or naval and not for civil use or to the transportation of members of the military or naval forces of the United States (or of property of such members) when such members are traveling on official duty; and the rate determined by the Interstate Commerce Commission as reasonable therefor shall be paid for the transportation by railroad of the United States mail, etc.

The bill now before the Senate strikes out the exception. It also recites precisely, in the second paragraph, just how the law will read if this bill is enacted. As a practical matter, the effect of the bill is to abolish the special rates which the Government up until 1940 enjoyed on all Government property shipped by land grant railroads, and since 1940 on all military or naval property of the United States moving for military or naval and not for civil use.

The amendment adopted by the Senate committee changes the effective date of the bill. As the bill passed the House on May 4, 1945, it provided that it should become effective 90 days after its enactment. The amendment of the committee, which was adopted and reported to the Senate before the conclusion of hostilities with Japan, made the effective date 90 days after the cessation of hostilities.

I may say, Mr. President, that this bill was reported by the Senate committee during the last session of Congress while the war was still in progress, and would have taken effect 90 days after its enactment. At that time I opposed the bill and voted against it on the ground that during the war I did not believe the railroads should ask for a repeal. I stated, however, that I believed it would be a just bill for consideration 90 days after the cessation of hostilities. I invite attention to the fact that the railroad brotherhoods throughout the United States have endorsed the bill in its present form, and many shippers from one end of the country to the other, as well as shipping organizations, have also endorsed it.

The bill as reported by the committee contains a proviso which was not in the House version of the bill, reading as follows:

Provided, however, That any travel or transportation contracted for prior to such effective date shall be paid for at the rate, fare, or charge in effect at the time of entering into such contract.

In other words, where the Government has entered into contracts for the shipment of freight over a period of time, this bill would not change the rate with respect to any such contracts.

The conclusion of hostilities with Japan probably makes the amendment having to do with the effective date no longer of great importance. The purpose of the committee was to make sure that during the progress of the war, and for 90 days thereafter, the reduced rates on Government military traffic should be continued.

In explanation of this bill, it should be pointed out, as indicated in reports of the House and Senate committees, that in the 1850's and 1860's a series of measures were enacted by Congress for the purpose of encouraging the building of railroads through unsettled portions of the West and South.

At that time, vast areas of Government land were held for disposition to settlers and it was recognized by Congress that the land could not be made valuable or contribute to the welfare of the citizens of the country unless means of transportation were provided throughout the unsettled regions.

Mr. WHITE. Mr. President, will the Senator from Montana yield for a question?

Mr. WHEELER. I yield.

Mr. WHITE. The Senator spoke a moment ago of various persons and organizations favoring the passage of the pending bill. As I heard him he did not mention the Interstate Commerce Commission. That Commission also favors the passage of the bill, I believe.

Mr. WHEELER. That is correct. The Interstate Commerce Commission has recommended this bill on numerous occasions. It recommended the repeal of this provision of the law as early as 1940, and has repeatedly since that time made recommendations for its repeal both to the Senate Committee on Interstate Commerce and the House Committee on Interstate and Foreign Commerce.

The most distinguished statesmen of the time, serving in Congress in the 1850's and 1860's, therefore advocated conditional grants of land to railroad companies, in order to encourage the construction of railroads through these uninhabited sections. Such statesmen as Senators Clay, Douglas, and President Lincoln were particularly interested in this phase of our national development. The first land grant was made to the State of Illinois, for the purpose of constructing a railroad from the Great Lakes to the Gulf and this grant was sponsored by Senator Douglas, who pioneered in advocating these grants.

By a series of acts extending through the decades of 1850, 1860 and to a certain extent 1870, altogether about 130,000,000 acres of land were granted to certain railroads, with an aggregate mileage of 21,500 miles. This land, according to a study made by the late Joseph B. Eastman while Federal Coordinator of Transportation, was valued at about 97 cents an acre. The award to the railroads, therefore, on the basis of actual value at the time of the grant, aggregated about \$126,000,000. Unquestionably, when the land was sold by the railroads, it yielded a greater amount than the sum stated. The effect of the construction of the railroads was naturally immensely to increase the value of the

remaining lands held by the Government. In the report made by the House committee on May 2, 1944, this statement is made:

The Government, on the other hand, while granting much land, retained very much more. The lands retained by it were enhanced in value many times over as the result of the building of the railroads. However, it was from the settlement of the territory, the general increase in wealth, and the strengthening of the Nation that the Government expected, and actually realized, its major reward for these grants of land.

It has been estimated that the Government lands were, to speak conservatively, doubled in value and the amount granted to the railroads was but a small portion of the lands retained. Of course, they not only doubled, but in many instances tripled in value, and even became a hundred times more valuable as time went on. It is a fact that while 130,000,000 acres were granted to the railroads, the Government retained 1,300,000,000 acres, the value of which was greatly enhanced by the settlement of the country. While it cannot be said that the railroads are entitled to all the credit for this enhancement, yet it is true that they contributed very substantially to the increase in the value of lands. It would seem, therefore, that the Government made a good bargain, even if the land had been granted to the railroads as an outright gift.

Of course, the reason why the lands were given to the railroads was to encourage them to build railroads throughout the Northwest and West, vast areas of which at that time were unsettled; and very few people wanted to put up money to build railroads through that territory unless they were given some help by the Government.

However, while the term "land grant" is commonly used, as a matter of fact this land was not presented to the railroads. The various acts which from time to time granted land to individual railroads all provided that the Government should have the use of the railroads "free of tolls." This rather inapt expression was a survival from legislation previously enacted making grants for the construction of canals. These early canal acts provided that Government boats might move over the canals "free of tolls." This expression was carried over into the railroad land-grant acts.

In the course of time a dispute arose between the railroads, on the one hand, and the Government, on the other, as to just what this expression meant. The Government contended originally that the railroads were obliged to haul all Government freight free of any charges. The railroads contended, however, that the Government was entitled only to the free use of the right-of-way and that the railroads were entitled to some compensation for the expense which they incurred in transporting freight and troops in vehicles provided by the railroads.

This dispute ultimately reached the Supreme Court and it was held that the expression did not require the railroads to move the freight free of charge, but that the proper construction was that a reduced rate should be applied which

should take into consideration how much of the expense was attributable to the right-of-way and how much to the actual transportation cost. The case was remanded to the Court of Claims to make a finding as to how the expense should be divided. The Court of Claims concluded that 50 percent of the cost might be attributed to the right-of-way and 50 percent to the cost of operation. Thereafter, Congress by a series of acts adopted the views of the Supreme Court and the Court of Claims, and fixed the rate to be applied to all Government traffic at 50 percent of the normal or commercial rate.

The law remained in this status until 1940. In considering the Transportation Act of that year, Congress was advised that in the depression period, extending roughly from 1930 to 1940, the Government had been a very large shipper of civilian goods, which were being distributed for relief purposes. There had been a great increase in the amount of land grant deductions since, under the law prior to 1940, the reduced rates applied to all Government property, whether military or civilian. Congress reached the conclusion in 1940 that it was unfair to the railroads to require them to apply reduced rates to ordinary civilian goods, and the law was amended so as to provide, in section 321 heretofore referred to, that the reduced rates should apply only to military and naval property of the United States moving for military or naval and not for civil use and to the transportation of members of the military or naval forces of the United States.

I might say in this connection that the present President of the United States, who was a member of the committee considering the 1940 act, and who was one of those who joined me in introducing the bill, was very strongly in favor of this provision of the law as it was passed at that time.

Mr. BILBO. Mr. President, will the Senator yield for a question?

Mr. WHEELER. I yield.

Mr. BILBO. Does the Senator remember whether there was any opposition at all to the passage of the Transportation Act of 1940?

Mr. WHEELER. In 1940?

Mr. BILBO. Yes.

Mr. WHEELER. My recollection is that there was very little. I do not recall any opposition to it.

Mr. BILBO. Was there no opposition in the committee?

Mr. WHEELER. I recall no opposition in the committee.

Mr. BILBO. And none on the floor of the Senate?

Mr. WHEELER. I recall none on the floor of the Senate with reference to this particular provision.

Mr. BILBO. In 1940?

Mr. WHEELER. Yes.

Mr. BILBO. I wish to have that made clear.

Mr. WHEELER. There was opposition to the bill in general on the ground that we were at that time including the regulation of water carriers, and of course there was tremendous opposition by the water carriers. They did not want to be regulated under the provisions of the Interstate Commerce Act.

That proposal was fought out here in the Senate; but when the bill finally passed, I think it passed with only about 16 votes in opposition.

The question naturally arises as to how much the railroads have paid to the Government in the way of reduced rates during the years in which these land-grant rates have been in effect. It was stated in the House report of May 2, 1944, that the Board of Investigation and Research, a public body created by section 301, part I, title III, Transportation Act of 1940, concluded that up to June 30, 1942, the deductions amounted to \$340,782,000. In the same report it was stated, however, that by reason of the war activities, the deductions were running, subsequent to June 30, 1942, at the rate of about \$18,500,000 per month. The House report states further:

As the trend was still upward at that time, it (Investigation and Research Board) thought it entirely probable that the monthly rate during the fiscal year beginning July 1, 1942, would average as much as \$20,000,000. If the Board was correct in that conclusion, then, during the more than 20 months that have passed since the end of the period covered by its study, the Government has exacted from the railroads an additional \$400,000,000, or more for these lands which it may well have thought originally it was giving away.

It is clear, therefore, that for lands which were originally worth \$126,000,000 the Government had received, up to May 2, 1944, about \$740,000,000. If to that figure are added the deductions in the period extending from May 1, 1944, to the end of the war, the deductions would be in the neighborhood of a billion dollars. If the property is valued, not at what it was worth when the grants were made, but at a figure representing what the railroads realized from its sale after the country had been developed, it would still be true that the Government has received more than twice the value of the lands, whatever may be the basis of valuation.

The demand for the repeal of the land-grant statutes is not new. The matter has been before Congress in one form or another for a great many years. The urge for the repeal comes primarily from shippers, who have long been dissatisfied with the discriminations which result from the application of land-grant rates. This discrimination is obvious when we remember that persons selling material to the Government located on land-grant roads have a decided advantage over competing shippers selling the same commodities to the Government located on roads that are not affected by the land-grant legislation.

It must be remembered that only 17,600 miles out of the 230,030 miles of railroad are, strictly speaking, subject to land-grant deductions.

I hope the Senator from Mississippi, who is so much interested, will bear that in mind.

Mr. BILBO. I beg the Senator's pardon. I was engaged for the moment. Will he repeat what he said? I shall have plenty of time to develop it, if he will mention it.

Mr. WHEELER. I said that it must be remembered that only 17,600 miles out of

230,000 miles of railroad are, strictly speaking, subject to land-grant deductions.

Mr. BILBO. I think the railroad mileage in the United States is nearer 240,000. However, I shall attend to that.

Mr. WHEELER. The Senator probably knows more about it than I do.

While, as I stated before, 21,500 miles of railroad were aided by land grants, the Union Pacific, which received land grants, is not actually at this time a land-grant road. This grows out of the fact that the Union Pacific settled with the Government many years ago for the lands granted and it is no longer in the category of railroads that are required to grant deductions on Government traffic.

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

Mr. WHEELER. I am glad to yield.

Mr. WHITE. I do not wish to interrupt the Senator's line of thought, unless he is agreeable to it.

Mr. WHEELER. I yield.

Mr. WHITE. If I heard correctly and interpreted correctly what the Senator said, he stated in substance that about 130,000,000 acres of land were granted certain railroads for the original purposes of the legislation, and that that land was valued at about 97 cents an acre at the time the grants were made, but that the railroads have lost in income, through reduced rates, approximately a billion dollars.

Mr. WHEELER. That is correct.

Mr. FULBRIGHT. If the Senator will yield, how was that matter settled?

Mr. WHEELER. The railroads may have turned some lands back to the Government; but I am not familiar with what the settlement was. When this matter came before the Senate, I urged at one time, without any consideration of the repeal of the land-grant provisions of the law, that lands which were now owned by the railroads be turned back to the Government. However, upon an examination of the situation I found that in a great many instances the lands had been mortgaged by the railroad companies and, furthermore, the States through which the railroads ran were violently opposed to turning lands back to the Government, because it would have meant that they would not be subject to taxation in many of the northwestern States, where the Government already owned so much of the land. It was said that if it took over the land in some counties, the counties would not have sufficient money to maintain the schools.

Mr. BILBO. Mr. President, will the Senator yield at that point?

Mr. WHEELER. I yield.

Mr. BILBO. Has the Senator much patience with the objections enunciated by the citizens of the States where these unsold lands are now lying, when it is a fact that if the lands were deeded back to the Government, they would be subject to homesteading by American citizens?

Mr. WHEELER. Not at all; much of the land that is held by the railroads—

Mr. BILBO. I am not going to discuss the details of it; but as a matter of principle, is that not true?

Mr. WHEELER. I think I know something about the sections of the country where much of the land is located. I know the land, and the Senator does not know it; that is the difference. He has not had an opportunity to know anything about the land.

Mr. BILBO. Yes; I have been out in the West several times.

Mr. WHEELER. The Senator has ridden through on a railroad, and it is not possible to see much of the land in that way. The Government now owns a tremendous amount of land in forest reservations that is not subject to taxation and is not subject to homesteading, and is not even subject to mineral location by anyone who wishes to locate mineral lands. In many States, including Montana, Idaho, Colorado, and other Pacific and Mountain States, the Government of the United States has now a great deal of land. The land which the railroads hold is the poorest kind of land, with the exception of some of the forest lands, and if it were turned back to the Government it would not be homesteaded. The only valuable land the railroads have, and that is worth anything at all at the present time, is, generally speaking, timberland, which would not be subject to homesteading.

Mr. BILBO. Does the Senator happen to know whether there are any coal mines or oil fields on any of this land—

Mr. WHEELER. I do not know of any oil land.

Mr. BILBO. Which the railroads cannot use for their railroad rights-of-way?

Mr. WHEELER. The Union Pacific has some oil lands, but I do not know of any oil lands in Montana or any other State which the railroads now own. As I have stated, they have sold at \$2.50 an acre generally all the land that anyone wanted to buy. The remaining lands which they now have, aside from those on which there are forests, no one particularly wanted to buy, because they were generally considered not to be worth \$2.50 an acre.

Mr. BILBO. The Senator from Montana means to convey the idea, does he not, that the railroads have sold some particular tracts at \$2.50 an acre? He does not mean to say that they have disposed of all the 130,000,000 acres at \$2.50 an acre?

Mr. WHEELER. I mean to say that all the dry-farming land which the Northern Pacific Railroad Co. had throughout that section either was sold at \$2.50 an acre or the railroad was willing to sell at that figure.

Mr. BILBO. At what time?

Mr. WHEELER. At any time. The Senator from Mississippi can go out there and buy some land now at \$2.50 an acre. The railroad would be glad to sell it to him.

Mr. AIKEN. Mr. President—

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from Montana yield to the Senator from Vermont?

Mr. WHEELER. I yield.

Mr. AIKEN. I wish to ask the Senator to give me some information. I read the other day that 10 percent of all the land area of the United States had been

granted to the railroads. Is that a correct statement?

Mr. WHEELER. Not at all.

Mr. AIKEN. I am sure I read it in some official document.

Mr. WHEELER. I do not care where the Senator read it; it is not true.

Mr. AIKEN. The Senator spoke of 130,000,000 acres.

Mr. WHEELER. I gave the figures a moment ago.

Mr. AIKEN. I was asking the Senator if the statement I had read was true.

Mr. WHEELER. No; it is not true. I have the figures and will give them to the Senator. Approximately 130,000,000 acres were granted to the railroads.

Mr. AIKEN. And is that land located principally west of the Mississippi?

Mr. WHEELER. I think the bulk of it is west of the Mississippi. Some land was granted in Illinois and some in the South.

Mr. AIKEN. How much land is now held by the railroads?

Mr. WHEELER. The figures can be obtained. I do not have them now at hand.

Mr. AIKEN. Probably someone will answer that question in the course of the debate.

Mr. WHEELER. Mr. President, I said it must be remembered that, strictly speaking, only 17,600 miles of railroad out of 230,000 miles are subject to land-grant deduction. However, the situation is affected profoundly by the so-called equalization agreements into which railroads have voluntarily entered and under which a nongrant railroad which is in direct competition with a land-grant railroad has agreed to apply the reduced land-grant rates on such competitive traffic. The reason, of course, is that if that were not done then the Government would have routed all the traffic from Chicago to Seattle over the Northern Pacific, and it could not possibly have handled it. The Milwaukee and the Great Northern, which are not land-grant roads, would practically have been put out of business, and the greatest congestion of railroad traffic that ever occurred in the United States would have resulted.

The agreements do not, however, extend to eastern roads to which land was not granted, and a considerable number of the southern railroads are not bound by the equalization agreements. Such agreements so far as they apply to non-land-grant lines are in effect only when there is from one point to another direct immediate competition with land-grant lines which serve the particular points of origin and destination.

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

Mr. WHEELER. I yield.

Mr. HICKENLOOPER. I should like to ask the Senator from Montana a question for information. One of the Members of the Senate told me the other day that in looking over some titles having something to do with reclamation or similar matters, he found that eighty-some percent of all the land in my home State of Iowa had at one time or another come under land grant. I told him that while I am not an authority on the land-

grant subject yet because of some historical facts it was difficult for me to believe the statement to be true. I know that there is very little land-grant mileage in my State. He then tried to explain that in the early days of railroad construction there was a very prolific granting of land rights or patents which perhaps were not taken up. Is the Senator familiar with that situation, and can he explain it?

Mr. WHEELER. I am not familiar with it.

Mr. HICKENLOOPER. Perhaps I had better see the individual who made the statement and have him amplify the matter a little more. He made the flat statement that in examining titles he found that some 80 percent of all the land of the State of Iowa at one time had been either subject to railroad grants, which probably never were utilized, or—

Mr. WHEELER. That could not possibly be. On the face of it it seems to me it could not be possible.

Mr. HICKENLOOPER. It is my own reaction that it could not be possible.

Mr. OVERTON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. OVERTON. What is before the Senate?

The PRESIDING OFFICER. House bill 694.

Mr. OVERTON. Is it a printed bill?

Mr. WHEELER. Yes. It is a House bill.

Mr. OVERTON. There is not a copy of it on my desk.

The PRESIDING OFFICER. The bill is on the calendar.

Mr. OVERTON. There is no printed copy of the bill on my desk.

Mr. WHEELER. It is a House bill which has come over to the Senate.

Mr. OVERTON. Are there no copies available to Senators?

Mr. WHEELER. There should be. I have asked the pages to place copies on every Senator's desk, together with the report of the committee.

As an example of what I called attention to a moment ago, the Northern Pacific is a land-grant road practically all the way from the Twin Cities to the Pacific coast. As a result the transcontinental railroads generally, by reason of the equalization agreements, apply the land-grant rates between Chicago and Mississippi River points on the one hand and the Pacific coast points on the other. However, railroads extending from the Mississippi River to the East are not in direct competition with land-grant roads, and for that reason the land-grant rates do not apply on Government traffic in eastern or official classification territory. If, however, a shipper is located at Denver, Colo., and is selling goods to the Government to be delivered to Chicago, such a shipper has a great advantage over a shipper located at Pittsburgh or Cleveland or New York seeking also to make a contract for the sale of goods to the Government at Chicago.

I might say that that would also apply to the South. If, for instance, a manufacturer residing in proximity to a land-grant road in the West was producing a

given article, an individual in Mississippi producing a similar article was not located on a land-grant road, the individual living on the land-grant road in the West would have a very great advantage over the individual living in Mississippi, who could not compete with the manufacturer who had the benefit of the land-grant rates. I point that out because it shows the result of the inequality of the rates. If a shipper lives on a land-grant road he has preference providing he is selling to the Government of the United States over the individual who lives in a section from which he cannot ship over a land-grant road. That is a discrimination in freight rates which the Interstate Commerce Commission has constantly tried to correct, and that is why the Commission has repeatedly suggested that in order to effect equality of rates throughout the United States it is necessary to repeal the land-grant rates.

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

Mr. WHEELER. I yield.

Mr. FULBRIGHT. Would that have the effect of raising rates for civilian shipments on the land-grant roads? In other words, would such roads be compensated by higher rates on other traffic?

Mr. WHEELER. I do not know; but it is established, for example, that when the Government is shipping goods from the Mississippi River over a land-grant road to the west coast, and a great deal of the traffic is Government freight, on which the railroad receives such low rates that it cannot make any money, naturally the Interstate Commerce Commission, if it is to do its duty and make it possible for that road to exist, must maintain higher rates on goods which are shipped by private shippers, in order that the railroad may earn an income on its investment. So in that respect the Senator is correct.

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

Mr. WHEELER. I yield.

Mr. OVERTON. Were hearings held before the Senate committee?

Mr. WHEELER. Not at this session. However, hearings were held before the Senate committee at the last session, and long hearings were held in the House committee during the last session of Congress.

Mr. OVERTON. Are copies of those hearings available?

Mr. WHEELER. Yes. Copies of both the House hearings and the Senate hearings are available?

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

Mr. WHEELER. I yield.

Mr. BAILEY. Mr. President, I should like to get this matter clear. There were only a selected few land-grant railroads.

Mr. WHEELER. That is correct.

Mr. BAILEY. But the rate rule, under the law, applies to all the railroads.

Mr. WHEELER. No; it does not apply to all the railroads. The Government does not require non-land-grant rate roads to give the same rate; but the effect is this: Take the Northern Pacific as a concrete example. That is a land-grant road. The Great Northern is not a land-grant road. Neither is the Milwaukee. The three roads run parallel,

let us say, from Chicago to Seattle. When Government goods are shipped over the Northern Pacific, that road must grant a 50-percent reduction in rates. The other roads must compete with the Northern Pacific. Otherwise they would not get any of the traffic, and all the traffic would go over the Northern Pacific. If that had been true during the war, the Northern Pacific never would have been able to carry all the freight. There would have been a complete breakdown of transportation. So the railroads agreed among themselves to an equalization fee. However, the Government did not require it.

Mr. BAILEY. I was reading the language on page 3 of the report, which is as follows:

Section 521 (a) of the Transportation Act of 1940 embodies the general rule that the transportation of persons or property by a common carrier for the United States, or on its behalf, shall be at the full applicable commercial rates.

Mr. WHEELER. That is with reference to nonmilitary traffic.

Mr. BAILEY. I read further from the report:

This general rule is subject to the following exceptions:

(1) It is provided "that the foregoing provision shall not apply to the transportation of military or naval property of the United States moving for military or naval and not for civil use, or to the transportation of members of the military or naval forces of the United States (or for property of such members) when such members are traveling on official duty."

That seems to me to be applicable, without exception, to railroads throughout the country.

Mr. WHEELER. No. That is applicable only to the land-grant roads.

Mr. BAILEY. I have not read the law in the book, but I am reading the law as cited in the report.

Mr. WHEELER. That was cited as an amendment to a certain section of the law, applying to land-grant roads.

Mr. BAILEY. If I am misled, I am misled by the report. The subtitle on page 3 over the language which I have just read is "Present Law and Proposed Change." There is no statement that any roads are excepted. It seems to be a general rule as to common carriers for the United States. If I am mistaken in that regard, it is the report which has misled me.

Mr. WHEELER. I cannot conceive of the report making such a statement. The report says:

Section 321 (a) of the Transportation Act of 1940 embodies the general rule—

Which is correct—

that the transportation of persons or property by a common carrier for the United States, or on its behalf, shall be at the full applicable commercial rates. This general rule is subject to the following exceptions:

The report does not speak of land-grant roads. The Senator is correct in assuming that there is a mistake in the report.

Mr. BAILEY. Let me make a request of the Senator in charge of the bill. My mind is not made up with regard to this proposed legislation. I am studying it.

I should like to have a fair statement of the law on the whole subject. It is proposed to change the law. The Senator agrees that the report is calculated at least to create a fog, if not actually to mislead.

Mr. WHEELER. I have been trying to make a fair statement with reference to the law.

Mr. BAILEY. Let us see if we can have a fair statement of the law. Let us take an example which is local to my own experience, so that I can understand it. Take the Seaboard Air Line, for example, which runs through North Carolina, and south from that State. I do not think it ever had any land grant. I feel sure it did not. The land grants relate to western roads.

Mr. WHEELER. Not entirely. Some of the southern roads had land grants.

Mr. BAILEY. Let us assume that the Seaboard Air Line never had any land grant. I happen to know something of its history, because I live on that railroad. Assume that the Seaboard Air Line never had a land grant, or that the Atlantic Coast Line never had a land grant. Are they not, as a matter of fact, under the general transportation law?

Mr. WHEELER. They are under the general transportation law; but if they are not land-grant roads, the government does not exact and cannot exact from them the 50-percent reduction in rates.

Mr. BAILEY. But do they not yield to the Government demand to charge only 50 percent?

Mr. WHEELER. No; that is not true.

Mr. BAILEY. I am not questioning the correctness of the Senator's statement. However, representatives of at least one of the railroads have made statements to the contrary. So I should like to have the question cleared up.

Mr. WHEELER. If railroad representatives made the statement that roads which are not land-grant roads are subject to land-grant rates, they are entirely mistaken, because that is not true.

Mr. BAILEY. The point is that they are subject to the 50-percent deduction on military and naval articles.

Mr. WHEELER. No; not unless they have to compete. There are some roads in the South which have land grants. I do not know which roads they are.

Mr. BAILEY. Let us get to the point. Take, for example, the Atlantic Coast Line. It runs from Washington through eastern North Carolina and down to Florida. Does the Senator mean to tell me that the Atlantic Coast Line, carrying soldiers or military or naval matériel, as we call it, from Richmond to Miami, for example, or to Fort Bragg in North Carolina, charge the full rates?

Mr. WHEELER. No. First, let me say that the railroads which are not land-grant roads, as distinguished from the land-grant roads, carry soldiers at a lower rate than that at which they carry the general public. But that is not because of the land-grant provision. I cannot give the Senator the specific details because I do not remember all the land-grant roads. There are some roads in the South which have had land grants. As a result, when traffic is shipped to certain points over one of the southern roads

such as the Atlantic Coast Line, because of the fact that the traffic could be shipped at the land-grant rate on some other road, no matter how circuitous the route might be, the Atlantic Coast Line, if it wishes to get any of that traffic, must give the Government the land-grant rate. That is probably what the Senator's informant has in mind, and the reason is that the railroad has to give the land-grant rates in order to get the business because some other railroad in that section of the country is subject to the land-grant provision.

Mr. BAILEY. Let me ask a question with a view to concluding. The Senator has been telling me that there are railroads which are absolutely free from this obligation.

Mr. WHEELER. That is correct.

Mr. BAILEY. I should like to understand the distinction, because I say to the Senator that what I am thinking about is the matter of the contract. If the Federal Government made a contract with certain railroads, I should be very strongly inclined to maintain the contract. If the contract lies in the land grant, that is one question. If it lies by way of the right of the Government to receive a reduced rate, that is another question. But I wish to make a separation as between the sources of the rule of law that the United States Government pays only 50 percent of the ordinary freight rate on naval and military material. If that applies to the land-grant railroads, there was a consideration. But if it applies to a railroad which received no land grant, where is the consideration?

Mr. WHEELER. It does apply to the land-grant railroads. Consider the Northern Pacific Railroad. It is a land-grant railroad, and it is required to give the 50-percent rate. Consider the Great Northern Railroad or the Milwaukee Railroad. They are not land-grant railroads. The Government business has, let us say, amounted to probably 75 percent or, as some persons say, 90 percent of their traffic. In view of the reduced rate, the Government would normally ship all its freight over the Northern Pacific Railroad. The Northern Pacific Railroad could not possibly handle all of it; there would have been a complete break-down if an attempt to have it handle all the Government freight had been made. So the Great Northern Railroad, in order to get some of that Government traffic and in order to compete with the Northern Pacific Railroad, has to give the Government the same rate as that given by the Northern Pacific Railroad.

Mr. BAILEY. I understand that; it is a matter of competition. But I am concerned with the law. From the Senator's statement, it appears that the law is not accurately applied. But the general rule, as provided in the Transportation Act of 1940, declares that a common carrier of the United States—and that would include trucks because a truck is a common carrier—

Mr. WHEELER. Yes.

Mr. BAILEY. I should think it would include steamboats and barges. They are common carriers, and the rule cer-

tainly should be universal in its application.

The argument here is based on the making of land grants. I wish to get into the universal aspect of the matter.

Mr. REED. Mr. President, if the Senator from Montana will permit, I should like to suggest to the Senator from North Carolina that to some extent truck operators do equalize the land-grant rates.

Mr. WHEELER. They do. They have to, if the trucks are to get some of the business.

Mr. BAILEY. Mr. President, the whole point seems to be that it is a voluntary act, let us say, by the Atlantic Coast Line, in the South, although it never had a land grant. But it is in the nature of a contractual obligation, not a voluntary action, on the part of a land-grant railroad, and the Senator from Montana just now brought out the point that one of the western railroads—the Great Northern—is not a land-grant railroad.

Mr. WHEELER. That is correct.

Mr. BAILEY. But it is in a competitive situation. I should say that a steamboat line running from Raleigh, N. C., along the coast down to Miami is in too remote a location to compete with the land-grant railroads.

Mr. WHEELER. I know definitely that there are in the South some land-grant railroads which apply the land-grant rates. I cannot give the Senator a particular illustration at the present time; but we shall say, for purposer of illustrating the point, that there is a short-line railroad which received a land grant in that section of the country.

Mr. BAILEY. I should like to have the Senator explain how a railroad in the South could receive a land grant. For many years there were no lands there which belonged to the United States Government, although the United States has purchased great quantities of land in that area since the days when it made the land grants.

Mr. WHEELER. I do not know how the railroads got it, but in the South there are some short lines that are land-grant railroads. I shall get the information for the Senator.

Mr. BAILEY. I should like to know about the railroads in North Carolina. The United States Government never had any land in North Carolina, except what it purchased recently.

Mr. WHEELER. It does not make a particle of difference whether the railroad is in North Carolina or whether it is in some one of the neighboring States.

Mr. BAILEY. Of course that is so. I say the same thing about Virginia. Virginia is not a public-land State.

Mr. WHEELER. But we do not need to refer only to North Carolina and Virginia. Suppose such a railroad exists in some one of the States farther west, which ships traffic through the Southern States. If the Government was shipping traffic through that section of the country and there was a land-grant railroad, the Government would be forced to ship its freight that way, over that circuitous route, rather than to ship it along the straight line, and that would force the Seaboard Airline, for instance, to take a lower rate because of the other, circuitous route, no matter how far it might be.

Mr. BAILEY. I can understand that. But as I read the law, it is not a matter of being forced by way of a cheaper rate, but it is a matter of being forced by virtue of the law.

Mr. WHEELER. No.

Mr. REED. Mr. President, with the permission of the Senator from Montana, I should like to refer the Senator from North Carolina first to the transcontinental railroads and then to the railroads of the Southeast, from which area the Senator from North Carolina comes. There are seven transcontinental railroads. The Great Northern, the Milwaukee, the Denver, Rio Grande, and Western Pacific, and the Central Pacific and Union Pacific are not land-grant routes. The Northern Pacific, the Santa Fe, and the Southern Pacific line through El Paso are land-grant routes. With the great burden of traffic which has been moved for the Government because of wartime conditions, it would have been utterly impossible for the three land-grant railroads—the Southern Pacific, the Santa Fe, and the Northern Pacific—to have moved all the traffic. So not only was there a question of competition but there was a question of war necessity. It was necessary to use all the railroad facilities in order to move the traffic.

After the Senator from Montana concludes his remarks, I intend to discuss the matter in my own time. But the Senator from North Carolina raised a very interesting point, and, with the permission of the Senator from Montana, I wish to call the attention of the Senator from North Carolina to a specific instance occurring in his own section of the United States. In one instance involving a shipment which actually moved over a single line from Sheffield, Ala., to Corinth, Miss., a distance of only 54 miles, the Government insisted upon land-grant deductions based on a round-about route 484 miles in length and involving numerous lines of railroads. That is what the railroads call equalizing.

Mr. BAILEY. Let me propound a question to the Senator. If the argument for the proposed legislation is based on the land grants, that is to say, the fact that we gave the railroads certain lands and the railroads have paid us back by means of reduced rates—a good argument—if that argument is sound, and if there are in America railroads which have been giving the Government such reduced rates, although they never received any land grants, then the argument is equally sound that the Government should make an appropriation for those railroads, because they have been paid nothing; they received no land.

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

Mr. WHEELER. I yield.

Mr. TYDINGS. I shall speak when the Senator from North Carolina has concluded.

Mr. BAILEY. The trouble is that I am working along nontraffic considerations.

Mr. REED. Of course, Mr. President, the number of railroads which have received no land grants is much greater

than the number of railroads which have received land grants.

Mr. BAILEY. Does the Senator follow me, then, when I say that if the proposed legislation is based on repayment by means of reduced rates for the public lands taken by the railroads, now they are all paid for and we are going back to the normal rates, on the ground that those railroads were paying for the land we gave them? However, as the Senator said, there are many railroads which did not receive any land, and therefore they have been making reduced rates with no consideration. If we intend to be fair in the matter we should say to the railroads which received land grants, "Now the account is balanced," and we should say to the railroads which received no land grants, "We shall make you an appropriation in order to repay you for allowances you made us, although you were not obligated to do so."

I wish to know about the difference.

Mr. REED. The Senator is discussing another angle of the subject. When I take the floor I shall discuss the subject from the standpoint of the shippers as well as the railroads. I believe that every shipping organization in the United States, of any standing whatever, is in favor of the passage of the bill.

Mr. FULBRIGHT. I understand that non-land-grant railroads give a reduction because of the competitive situation. The Senator gave an illustration of a 50-mile shipment.

Mr. REED. Yes.

(At this point Mr. WHEELER yielded to Mr. TYDINGS, at whose request Senate bill 1281 was considered and passed. The proceedings in connection with the bill appear at the conclusion of Mr. WHEELER's speech.)

Mr. WHEELER. Mr. President, as the Senator from Kansas [Mr. REED] has stated, every shipping organization in this country of which I know anything about has petitioned the Interstate Commerce Committee of the Senate and the Interstate and Foreign Commerce Committee of the House of Representatives to repeal the land-grant rates. I have received letters from persons in Montana, my own State. I have also received letters from every shipping organization throughout the country requesting repeal. Moreover, the railroad brotherhoods have urged repeal. I do not know of any individual or organization who is opposed to the repeal except some persons in the Government service in Washington.

Mr. WHITE. Mr. President, I wonder if the Senator has enumerated the persons and organizations who are supporting this measure, as set forth on page 13 of the committee report.

Mr. WHEELER. I intended to invite attention to them later on. I shall be glad to have the Senator read them into the RECORD at this time, however.

Mr. WHITE. Mr. President, on page 13 of the Senate report, which includes a portion of the report of the House committee, is language which I think is pertinent and should be brought to the direct attention of Senators. It is as follows:

It is thus easy to understand the virtually unanimous support which this bill has from

regulatory bodies and various organizations representing the farmers and the principal shippers located throughout the country. Among those urging its enactment, in addition to the railroads and innumerable individuals and industrial concerns, are the Interstate Commerce Commission; the Office of Defense Transportation; the National Association of Railroad and Utilities Commissioners; the Mountain-Pacific States Conference of Public Service Commissions; various individual State regulatory commissions; numerous farm organizations; the National Industrial Traffic League; the National Association of Shippers' Advisory Boards; the United States Chamber of Commerce and chambers of commerce and traffic associations of numerous cities and States; the 21 national railway labor organizations; the American Short Line Railroad Association; the National Trucking Association; and the Freight Forwarders Institute.

That is a formidable list in support of any legislation.

Mr. WHEELER. I thank the Senator very much. As a matter of fact, with few exceptions I know of no organization and no group of persons in the United States who are in opposition to the pending bill. On the contrary, they advocate its passage. The exceptions, as I have said, are certain persons in Government service in Washington.

Mr. President, the demand for repeal of the land-grant statute is not new. In addition to the desire of the shipper to have the land-grant statute repealed, the Interstate Commerce Commission has always favored repeal in the interest of an orderly transportation system.

There has been numerous hearings by the Senate and House Committees on Interstate Commerce, and many favorable reports by these committees have from time to time been issued. One hearing was held by a subcommittee of the House Committee on Interstate and Foreign Commerce during the third session of the Seventy-fifth Congress. Those hearings were had on May 31, and June 1 and 2, 1938. The hearings were printed. At that time, there appeared in support of the bill a great number of representatives of manufacturing concerns, mercantile associations, and traffic organizations, in urging the repeal of the land-grant rates.

Another hearing was had before a subcommittee of the Senate Committee on Interstate Commerce at the first session of the Seventy-sixth Congress. Those hearings were had on June 5, 1939. The matter was fully discussed by transportation companies and by shippers in connection with the extended hearings which were held while the Transportation Act of 1940 was under consideration both by the Senate and House committees.

As a result of these hearings and the action of Congress, section 321 was adopted limiting the application of the rates to military and naval property, as has been heretofore stated.

Not long after the effective date of the 1940 act the country began its intensive preparation for war, and the United States became a party to the world conflict shortly after Pearl Harbor, December 7, 1941. Thereupon the movement of military traffic greatly increased, and the interest of the shippers in the matter

was quickened immensely by reason of the volume and importance of Government shipments of military material.

In the second session of the Seventy-seventh Congress Chairman LEA, of the House committee, introduced a bill precisely in the form of the pending bill as it reached the Senate. Hearings were had on this measure by the House committee on February 19 and 20, 1942. That hearing was characterized by the appearance in favor of the bill of Hon. Joseph B. Eastman, then Director of the Office of Defense Transportation, and a member of the Interstate Commerce Commission. Mr. Eastman strongly advocated the repeal as a matter of war policy. Mr. Eastman's function at that time was limited to the furtherance of the war effort.

Testimony was also offered at that time in favor of the bill by Hon. Charles D. Mahaffie, representing the Interstate Commerce Commission; by the secretary of the National Association of Railroad and Utilities Commissioners; by the general solicitor of this national association; by the chairman of the legislative committee of the National Industrial Traffic League, a national association of shippers; by the Director of Rates of the Office of Defense Transportation; by the manager of the transportation and communication department of the United States Chamber of Commerce; by the National Association of Shippers Advisory Boards; by the American Trucking Association; by the railroad labor unions; and by a large number of freight bureaus and chambers of commerce throughout the country. The bill was favorably reported by the House committee, but failed to pass the House at that session.

In the second session of the Seventy-eighth Congress the same bill was introduced by Representative BOREN, of Oklahoma, as H. R. 4184, and elaborate hearings were had on it on March 16, 18, 21, 22, and 23, 1944. These printed hearings are available. At that time, Mr. Eastman had passed away, but his 1942 testimony was introduced, and this was supplemented by evidence in favor of the bill by Commissioner Mahaffie; the national representative of the Brotherhood of Railroad Trainmen; the president of the Brotherhood of Locomotive Firemen and Enginemen, Mr. Robertson; the executive secretary of the Railway Labor Executives' Association, Mr. Luhrs; the general solicitor of the National Association of Railroad and Utilities Commissioners; the manager of the Transportation and Communication Department of the United States Chamber of Commerce; the general counsel of the American Trucking Association; the executive secretary of the Freight Forwarders Institute; the assistant grand chief engineer of the Brotherhood of Locomotive Engineers, Mr. Corbett; as well as representatives of the Association of American Railroads and the American Short Line Railroad Association. Resolutions and statements were also presented on behalf of the New York Board of Trade, the Transportation Bureau of the Commerce and Industry Association of New York, the Montana Railroad and Public Service Commission, the Chicago Association of Commerce, the Indiana

State Chamber of Commerce, the National Industrial Traffic League, the National Association of Shippers Advisory Boards and many other shippers' organizations and representatives. The repeal was also endorsed by the Board of Investigation and Research.

Opposition was expressed by the War Department on the ground of expense to the war effort, and by the Director of the Budget for essentially the same reasons as those expressed by the War Department. Both the War Department and the Director of the Budget laid emphasis upon the heavy cost of the war effort and opposed any change at that time. To quote the Secretary of War:

It is realized also that, from the standpoint of the total national economy, substantial grounds may be urged in support of the bill, but it seems highly doubtful that such grounds can be regarded as compelling during the present period of increased revenues accruing to the carriers.

At that particular time I opposed the legislation in the committee, and voted against it. The committee voted to report it, but it was held up on the floor of the Senate largely at my instigation.

I read further from the Secretary of War:

In view of the increased costs which the bill would entail, the War Department does not feel that it can recommend its passage. If, however, the Congress should feel that some legislation along the lines proposed is desirable at this time, it is suggested that consideration be given to the addition of a proviso which would preserve land-grant rates for the duration of the present state of war.

That is exactly what this bill does. The letter was signed by Secretary Stimson.

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

Mr. WHEELER. I yield.

Mr. FERGUSON. The bill in the previous Congress provided, did it not, that the land-grant rates would apply during the present war?

Mr. WHEELER. It provided that they would not apply. The bill before the Senate at the last session, which was reported by the committee over my objection, proposed to repeal the law during the war. I opposed it at that time. But the pending bill provides that the law shall not go into effect until 90 days after the cessation of hostilities, as proclaimed by the President of the United States, or by concurrent resolution of the Congress of the United States.

Mr. FERGUSON. Then the objections of the Secretary of War and the Director of the Budget would not apply, because it was not costing the Government any money during the present war emergency?

Mr. WHEELER. That is correct.

The bill was approved by the House Committee on Interstate and Foreign Commerce in an exhaustive report bearing date May 2, 1944, in which the whole matter is fully reviewed under the headings: "Object of the bill," "Presept law and proposed change," "History of land-grant legislation," "The equities of the situation," "Effect on other carriers," "Added clerical work," "Uncertainties of

accounting and taxation," "Discriminations among shippers," and so forth.

The bill was amended by the House committee, however, so as to include the significant provision which is now section 3 of the bill, which provides:

SEC. 3. The Interstate Commerce Commission, in the exercise of its power to prescribe just and reasonable rates, fares, and charges, shall give due consideration to the increased revenues which carriers will receive as a result of the enactment of this act, so that such increased revenues will be reflected in appropriate readjustments in rates, fares, and charges to shippers.

The bill reached the House and was debated and considered on May 23, 1944. There was an extended argument, and as a result the House passed the bill, without a roll call but upon a division, by a vote of 236 "ayes" to 16 "noes." This vote resulted after certain amendments had been rejected in the Committee of the Whole.

After the passage of the bill by the House, hearings were had by a subcommittee of the Senate Committee on Interstate Commerce, these hearings being had on June 8, 9, 13, and 14 and August 18 and 19, 1944. The hearings were quite elaborate, and, generally speaking, there appeared before the Senate subcommittee the same witnesses who testified before the House committee. The repeal of the bill was advocated generally by the shipping interests, by railroad labor unions, by the Interstate Commerce Commission, by the Office of Defense Transportation, by State railroad commissioners, and commercial interests throughout the country. It was opposed by the War Department, the Navy Department, the Bureau of the Budget, and other departments of the Government, principally by reason of the fact that it was deemed inadvisable by these departments to repeal the law during the war period.

The subcommittee reported the bill favorably to the full Senate committee and the full committee, in turn, on November 28, 1944, reported the bill favorably, with an amendment not now considered germane. For the most part, the Senate committee adopted the report of the House committee as being a full statement of the matters involved. Due, however, to the lateness in the session, in which the bill reached the Senate no action was taken by this body in 1944.

As I have said, I opposed the bill in the form in which it was at that time, because it was during the war, and I felt the law should not be repealed during the war.

Early in the present session, the bill was reintroduced by Mr. BOREN and was favorably reported by the House committee without further hearings, in a report presented by Mr. BOREN bearing date of March 26, 1945, which report very largely reiterated the elaborate report of the House committee in 1944. The report is numbered 393. This bill H. R. 694 was considered by the House on May 4, 1945, and after an extended debate it was passed, without a roll call, but upon a division, the vote being 176 ayes to 40 noes.

The bill reached the Senate in due course and was reported favorably by the Senate committee on July 28, 1945,

in a report by the chairman numbered 552. The bill as reported contained the amendment heretofore stated, fixing the effective date of the repeal. It appears therefore that the bill has been considered over a period of years, has been the subject of exhaustive hearings and numerous reports, and is now before the Senate for final action.

As has been stated, most of the serious objections grew out of the fact that it was considered inexpedient to repeal the land grant laws and thereby increase the expense of the war effort. That objection has, of course, now disappeared.

Mr. FERGUSON. Will the Senator yield again?

Mr. WHEELER. I yield.

Mr. FERGUSON. During the normal year after the war, what would be the cost to the Government if Congress should pass the bill?

Mr. WHEELER. I do not suppose anyone can estimate that.

Mr. FERGUSON. I wondered if the Senator had any figures on it at all.

Mr. WHEELER. I think the Senator from Kansas [Mr. REED] has some figures, which he will no doubt present to the Senate later. Frankly, I have not the figures offhand, except in the most general way, and I shall call attention to them later.

Mr. FERGUSON. I thank the Senator.

Mr. WHEELER. I am coming to that right now.

One important question is as to the probable cost to the Government if the law is repealed now. Of course, no one can state definitely just how much military property will be transported in the future. We do have, however, definite information as to what the deductions amounted to in the prewar period. The most reliable source of information on the subject probably is the report of the Board of Investigation and Research, which was offered in evidence in both the House and Senate hearings. That Board estimated that from the beginning of the land grant era to December 31, 1927, the total deductions amounted to \$56,000,000. This extended over a period of about 50 years. As has been stated, the period from January 1, 1928, to December 31, 1940, was a period of extended shipments of civilian material for relief purposes and the Investigation and Research Board calculated that, exclusive of mail, on the movement of troops and property, the deductions in that 12-year period amounted to \$85,964,000. Then came the period of preparation for war and actual war, so that, as heretofore stated, including mail and express, up to June 30, 1942, the figure had grown to \$340,783,000. The special rates on mail were abolished by the 1940 act.

It is a fair assumption, therefore, to say that in the pre-depression period, the deductions amounted to something like a million dollars a year; that in the depression period the deductions ran something like \$7,000,000 a year. That was when the Government started shipping. Of course, when the roads were given the land it was never thought that the Government of the United States would go into the shipping of civilian goods. I

am sure that never was in mind. But with the expansion of the Government, and the depression which came along in 1932, when the Government embarked on relief measures, the amount of freight which was shipped by the Government for relief grew enormously and continued until we began to prepare for defense when it increased by leaps and bounds. I have heard it estimated that the Government property which was being shipped ranged all the way from 75 to 90 percent of the amount carried. Perhaps the Senator from Kansas has some figures on that.

Mr. REED. The Senator from Montana no doubt recalls that the estimate, at the peak of movement on land-grant roads, was that Government property of the value of \$20,000,000 was being shipped each month. The land-grant deductions the Government was getting amounted to \$240,000,000 a year. That was the measure of the amount of use during the war period. As a matter of fact up to 1940, when the Transportation Act of 1940 was enacted, all Government property moved on the rate basis of the land-grant roads. The Senator will remember that by the Transportation Act of 1940 the law was amended so as to exclude from benefits of the land-grant rates all property except strictly military property. Such legislation as this has only become important because of the war.

Mr. WHEELER. That is correct.

Mr. President, it is idle to contend that the repeal of the land-grant statutes would mean any great increase in Government expenses in comparison with the total expenses of the Government. A statement was made on the floor of the Senate recently that \$1,000,000,000 was involved in this bill. Of course that is perfectly preposterous. No such figure is involved.

Another matter might be mentioned. The act of 1940 which, as I said a moment ago, the present President of the United States, as a member of the Interstate Commerce Committee, was very much interested in having enacted, amended the prior act so as to exempt from the land-grant rates the civilian goods which were being shipped for relief purposes, because it was contended by him and by everyone else who gave the subject thought, that it was never intended in the original act that civilian goods should receive the deduction provided by land-grant rates. So the law was amended without any debate at the time.

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

Mr. WHEELER. I yield.

Mr. REED. As I recall, and I think the Senator from Montana will agree, President Truman, then Senator Truman, was the most active member of the Interstate Commerce Committee in the Senate in advocating an amendment to the law which would restrict the application of land-grant rates to strictly military goods.

Mr. WHEELER. That is true. After the enactment of the act of 1940 and beginning with the extended movement of military material, a dispute arose as to

what constituted military and naval property moving for military and naval and not for civilian use. The railroads are contending that property which is essentially civilian in its nature is not subject to land-grant deductions, even though it may have some indirect and remote connection with the war effort. On the contrary, the General Accounting Office and other departments of the Government are inclined to the view that in this classification falls a great quantity of food and building and other material moving under lend-lease arrangements, and in some cases used in the construction of military camps, for vessels assigned to the merchant marine, and the like.

It has been suggested that from \$200,000,000 to \$300,000,000 is involved in these disputed claims. It should be made perfectly clear that the passage of this bill resulting in the repeal of land-grant rates will have no effect whatever upon the controversy as to the proper classification of this material, provided it is moved prior to the effective date of this proposed act.

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

Mr. WHEELER. I yield.

Mr. FERGUSON. That is because of the provision which has been inserted by the committee on page 3:

Provided, however, That any travel or transportation contracted for prior to such effective date shall be paid for at the rate, fare, or charge in effect at the time of entering into such contract.

Mr. WHEELER. That is correct. We inserted that language so that if there are any contracts even now outstanding, or any shipments en route, there will be paid on them the rate which was paid at the time the contract was made. I call attention to the fact, furthermore, that the measure does not go into effect until 90 days after the cessation of hostilities. Some have thought that that meant when the fighting in Japan stopped. That is not true, for the bill specifically says:

Ninety days after the date of the cessation of hostilities, * * * as proclaimed by the President or declared by concurrent resolution of the two Houses of Congress.

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

Mr. WHEELER. I yield.

Mr. FERGUSON. The language of the bill is:

Ninety days after the date of the cessation of hostilities in the war with Japan, as proclaimed by the President or declared by concurrent resolution of the two Houses of Congress.

Mr. WHEELER. Yes.

Mr. FERGUSON. It is not the same language as that which has been placed in other bills, namely, "90 days after the termination of the war, as declared by the President." This language is "cessation of hostilities," and that occurred about August 30.

Mr. WHEELER. The language is:

Cessation of hostilities * * * as proclaimed by the President.

The President has not declared the cessation of hostilities. I would have no objection to changing that language if

there is any question about it in the mind of any Senator.

Mr. FERGUSON. Mr. President, I think this bill is peculiar in its wording because there is some doubt in my mind that the President will ever proclaim such a thing as this language apparently contemplates—that is, that the President will declare that the cessation of hostilities in the war with Japan was of a certain date. I think we have taken for granted more or less that when the terms of surrender were signed hostilities ceased in the Japanese war. The wording of the bill would require either the President to act or the Congress to act.

Mr. WHEELER. Yes. I feel that that is what should be done. Otherwise a dispute might arise as to the date. So we wrote the specific language into the bill:

The cessation of hostilities in the war with Japan, as proclaimed by the President or declared by concurrent resolution of the two Houses of Congress.

Without that language in the bill there would be constant friction and misunderstanding. On the one hand it might be claimed that hostilities had ceased on a certain day and on the other that they had ceased on another day, and so on. Therefore, in order to make it definite we placed in the bill the words:

Cessation of hostilities in the war with Japan, as proclaimed by the President or declared by concurrent resolution of the two Houses of Congress.

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

Mr. WHEELER. I yield.

Mr. REED. There are two or three phases in connection with this particular point. A national emergency was declared before war actually broke out. Sometimes in enacting legislation we refer to a declaration by the President or to a concurrent resolution of the two Houses declaring the emergency to be at an end, or, to refer to the highway measure which we passed earlier today, when the authorization bill was passed last December there was written into it a provision that none of the money should be spent until either the President had found that the emergency had ended or the two Houses of Congress by concurrent resolution had declared that the emergency had been minimized to such a point that the program could be undertaken. So earlier today the Senate agreed to a House concurrent resolution which was a finding of fact by the two Houses that so far as the highway program is concerned the emergency was over.

I think the Senator from Montana probably intended to put something of that kind in this bill. He put in it language which provided that it shall take effect when the President or the Congress declared that hostilities with Japan had ceased. That does not mean when a treaty of peace has been signed. Perhaps a treaty of peace never will be signed. Nor does it mean when the national emergency is over, because it covers more territory than merely hostilities with Japan.

I am glad the Senator from Michigan brought this matter up. It seems to me, however, that the present language

of the bill is such that the President could very easily make this law effective at any time when in his judgment it was desirable to do so.

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

Mr. WHEELER. I yield.

Mr. FERGUSON. I am assuming for the present that this is the only bill which contains this particular language, and it means, as I see it, that if the President should never act to declare the cessation of the particular hostilities in the war with Japan, or if Congress should fail by a concurrent resolution to make such a declaration, the bill would never become effective. So it will be necessary for the President to act, or for Congress to act by concurrent resolution, in order to give this measure effect. On the question as to the termination of war could we not use language which would put this bill in the category of other bills which we have every reason to believe Congress sooner or later will pass?

Mr. WHEELER. If the Congress should adopt a resolution dealing with the termination of the war, or if the President should proclaim the termination of the war, either would make the bill effective.

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

Mr. WHEELER. I yield.

Mr. REED. Earlier today I suggested, if the Senator from Michigan please, that the provision should read "6 months after the enactment of this act." That would fix a definite date. I found some objection to the present language because after all we are hanging the effectiveness of this law and the termination of the land-grant rates on an event not necessarily related at all to the purpose of the bill.

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

Mr. WHEELER. I yield.

Mr. FERGUSON. I would rather see the date July 1, 1946, placed in the bill, because it is anticipated that by that date the great percentage of our Army, if not practically all of it, will have been demobilized.

Mr. REED. As the Senator from Montana knows, that would be perfectly satisfactory to me.

Mr. WHEELER. Mr. President, I have a great deal of sympathy with fixing a definite date, as the Senator from Michigan has suggested. The matter came up in this way: As I said a moment ago, I opposed the proposed repeal of the legislation during the war. There was powerful agitation for it, as Senators can readily understand from reading the House report. At that time a bill was passed by the House, and was reported favorably by the Committee on Interstate Commerce over my opposition. But I said that, in justice to the shippers of the country and in justice to everyone else, I felt that after the war such legislation ought to be passed. I made the statement at that time that I would agree to support a bill which provided that the land-grant rates should be repealed 90 days after the cessation of hostilities. That is the way it came to be written into the bill. I have no pride of authorship. I am perfectly willing to adopt any sug-

gestion looking to a better statement. I merely wished to make my position clear. At that time no one thought that hostilities would end as quickly as they did.

Mr. FERGUSON. Mr. President, I believe that the present language of the bill would require the President specifically to declare a cessation of hostilities in the war with Japan, because that is the explicit statement contained in the bill. Even the termination of the war would not necessarily put the bill into effect, because of its wording. If we could agree on a specific date, then it would be certain that the railroads and the Government would know what date the law would take effect, and they could act accordingly.

Mr. WHEELER. I think there is much force in what the Senator has said.

Mr. FERGUSON. Will the Senator accept an amendment which would set a specific date?

Mr. WHEELER. I myself would be unable to accept it on behalf of the entire committee.

The PRESIDING OFFICER. Does the Senator from Michigan wish to offer an amendment?

Mr. WHEELER. If the Senator from Michigan will submit a proposed amendment, I shall be glad to look into it.

Mr. FERGUSON. I shall submit the amendment to the Senator later.

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

Mr. WHEELER. I yield.

Mr. WHITE. Of course, one of our fundamental conceptions with respect to rates and rate-making is that rates shall be just and reasonable and shall be non-discriminatory and nonpreferential. Has the Senator from Montana discussed the character and extent of the discriminations and preferences which inhere in the present situation?

Mr. WHEELER. I have not gone into that question in detail. I went into it in a general way, showing how the shipper located on a land-grant road who is selling merchandise to the Government has a great advantage over a shipper located an identical distance away from the point to which the goods are shipped, but off a land-grant road. For example, take the case of a shipper located on a land-grant road such as the Northern Pacific Railroad or the Southern Pacific Railroad, as compared with a shipper located on the New York Central, at a point equally distant from Chicago. In selling his goods to the Government, to be delivered in Chicago, the manufacturer located on the land-grant railroad would have a great advantage over the manufacturer located an equal distance from Chicago in the other direction.

Mr. WHITE. I take it the Senator would agree that the present situation results in discriminations and preferences as between communities, as between railroads, as between shippers, and as between American citizens, to an extraordinary degree.

Mr. WHEELER. There can be no question whatsoever about it. There is not the slightest doubt of it.

Frankly, much of the agitation with reference to this question, and many of the statements which have been made,

come from those who do not know anything about making railroad rates. The Interstate Commerce Commission and every State commission I know of is in favor of the bill, simply because of the discriminations which have existed. That is the reason why shippers all over the country are in favor of it. The Railroad Brotherhoods are in favor of it. I have heard of no opposition anywhere from anyone except in one or two of the departments. That is the only opposition of which I am aware.

No Senator rises on the floor of the Senate and shouts when we appropriate millions of dollars to build airports. The other day the Senate passed a bill providing for the construction of airports, a competing form of transportation. No one complains when we appropriate millions of dollars every year to deepen and widen channels in our rivers, when the only ones who use the channels and get the benefit of them are the large shippers and a few chambers of commerce. When oil companies, cement companies, lumber companies, and other large shippers make shipments by barge over our inland waterways, most of them handle the traffic in their own barges. They do not pass the savings on to the consuming public, nor do they give them to the producers. They put them in their own pockets. So the Government of the United States subsidizes them.

We have spent billions of dollars for public roads, in order to enable trucks and busses to carry traffic in competition with the railroads. After all, the railroads must pay taxes on their rights-of-way. The man who operates a bus does not pay taxes on the right-of-way. The man who operates a barge on the Mississippi River or the Missouri River, in a widened and deepened channel, does not pay any taxes except on the tug or barge which he owns.

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

Mr. WHEELER. I yield.

Mr. BAILEY. The Senator must not overlook the fact that there is a Federal tax on gasoline.

Mr. WHEELER. That is true.

Mr. BAILEY. The gasoline tax amounts to a sufficient contribution to pay for the use of the highways.

So far as airports are concerned, I voted for the airport construction bill, but I voted for it—and so expressed myself on the floor of the Senate—with the expectation that a tax would be placed on air carriers to discharge that obligation. The Senate cannot alone impose a tax; but I would not spend \$375,000,000 by way of a gift to air transportation. I expect the Government to get it all back in taxes on gasoline and taxes on the operations.

Mr. WHEELER. Frankly, I do not think we will ever get it back, either in the form of taxes on gasoline, or taxes on the transportation itself. Nor do we get back the billions of dollars we have spent on public roads. We do not get it back by way of the tax on gasoline used by trucks and busses, because we spent millions of dollars before such a tax was ever imposed. I am not complaining. We had to do it at the time because no private institution could possibly do it.

We had to do it because it meant progress. I supported the legislation with respect to waterways. But when we widen and deepen the channels of rivers, those who get the benefit charge the consuming public the same rates which the railroads charge, and they put the difference in their pockets. That is shown by the testimony before the Interstate Commerce Commission itself.

Mr. BAILEY. Mr. President, the Senator has one view and I have another. But I believe the fact is that rates for transportation by water, unless the Interstate Commerce Commission chooses to raise them, are only about one-fifth of the rail rates.

Mr. WHEELER. Yes. I am saying that the oil companies and other big shippers get cheaper rates than they could get if they shipped by railroad; but they do not pass the saving on to the consuming public.

Mr. BAILEY. The Senator would not say that the water rates are not lower than the rail rates, would he?

Mr. WHEELER. Of course, they are lower. They should be lower. But those who get the benefit of the lower rates which are made possible by reason of the fact that the Government widens and deepens the channels, and builds docks and other facilities, do not pass the saving on to the consuming public. They ought to pass it on to the consuming public or give the producers the benefit of it, but that does not happen. They put the money in their own pockets.

Mr. BAILEY. I do not know how the Senator stands on the question of the St. Lawrence seaway; but the whole argument in behalf of that project, from the commercial aspect, is that wheat for example, could be shipped from Minnesota and other Western States at much lower rates.

Mr. WHEELER. I have heard that argument. I believe that it could be transported at lower rates; but I do not believe that the farmer in Montana would get any benefit from it.

Mr. BAILEY. I am not sure about that. He might not get the benefit, but the consumer would get the benefit.

Mr. WHEELER. I do not even believe that the consumer would get any benefit from it.

Mr. BAILEY. The Senator has just said that the cost of production and transportation can be reduced, and yet the public will not get the benefit of it.

Mr. WHEELER. Exactly.

Mr. BAILEY. Is there someone who absorbs the saving?

Mr. WHEELER. Of course.

Mr. BAILEY. Would the Senator say the same thing about the railroads? I do not believe that the railroads are making great profits, although they have done very well lately.

Mr. WHEELER. I do not believe I understand the Senator's question. What I am saying is that when the oil companies ship oil up the Mississippi River, and when the steel companies ship cement down the river, they charge the consuming public as though those commodities were being shipped by rail. There are no "ifs" or "ands" about it. They absorb the saving themselves. If there is any question in the Senator's

mind, all he has to do is to read the testimony taken before the Interstate Commerce Commission in certain cases.

Mr. BAILEY. I cannot agree to the Senator's argument. It will not hold water, as a matter of common reason.

Mr. WHEELER. The Senator says that it will not hold water. Let me give him an illustration. Gasoline is produced in the State of Montana. But what do we pay for gasoline in Montana? For the gasoline which is produced in Montana we pay the Oklahoma price, plus the freight to Montana, although the gasoline is produced in the State of Montana.

Mr. BAILEY. The Senator has cited a single instance—

Mr. WHEELER. That is true not only in Montana, but practically all over the country.

Mr. BAILEY. Let me submit the question as a matter of ordinary reason. If I could ship goods to myself by water at 50 percent less than the rail rate, and get a price based on the rail rate, everyone who could do so would ship by water and make a profit. I do not believe that argument will stand up.

Mr. WHEELER. The Senator is theorizing as to what ought to take place, but he is not stating what the facts are in that connection.

Mr. BAILEY. Let us examine the question further. The Senator produces some facts to show that the man who ships steel or ore by water charges a price based upon the rail rate. We know that the water rate is far less than the rail rate. There is no such thing as a fixed price so that a man who ships by water will take for his own profit the difference between the water rate and the rail rate.

Mr. WHEELER. The Senator is simply mistaken, because that is exactly what has happened in many cases, and that has been the testimony of the representative of the Standard Oil Co. of Kentucky before the Interstate Commerce Commission. When he was asked what they did with the difference, he said they put it in their pockets. He was asked if they passed it on to the consumers, and he said, "No."

Mr. BAILEY. Then that would put them in the position of making an exorbitant profit.

Mr. WHEELER. Mr. President, I am not talking about an exorbitant profit. I am stating the facts according to the testimony before the Interstate Commerce Commission and before the Interstate Commerce Committee.

Mr. HAWKES. Mr. President, if the Senator will yield to me, I should like to throw a little light on the point which is being made.

Mr. WHEELER. I yield.

Mr. HAWKES. I think the Senator from North Carolina and the Senator from Montana are talking about two different things. I happen to know that when a price is a delivered price in a certain territory, if the shipper or the seller then ships by water, he puts in his pocket the difference between the rail rate and the water rate.

Mr. WHEELER. That is correct.

Mr. HAWKES. But if the price is an f. o. b. price, whether it be f. o. b. New York, f. o. b. Chicago, or f. o. b. any other

place, the buyer often has the right to decide whether the shipment shall be made by water or by rail. If it is shipped by water, the buyer receives the difference between the rail rate and the water rate.

So in many cases the Senator from Montana is correct, and that was probably the testimony before the committee.

Mr. WHEELER. That is correct.

Mr. HAWKES. But there are other cases in which the Senator from North Carolina is correct, both in practical application and in theory.

Mr. BAILEY. I understand that. But there is a contractual price.

Mr. HAWKES. I have referred to the case of a delivered price.

Mr. BAILEY. But if it is to be uniform, there must be some way by which the other fellow, the third man, can come in and let the public have it. Is the Senator saying that there is such a combination in the United States?

Mr. WHEELER. Of course, there is a combination in the United States. Does the Senator from North Carolina think for a moment that the Standard Oil Co. does not fix the price of gasoline? Does the Senator think for a moment that the cement trust does not fix the price of cement, whether it is produced in Montana or in Colorado? Does the Senator think the consumer does not have to pay the price in Colorado, plus the freight to Montana?

Mr. BAILEY. Mr. President, the Senator has asked whether I know. I do not know.

Mr. WHEELER. Not only is what I have said true with respect to cement, but it is also true with respect to steel, gasoline, and hundreds of other products.

Mr. BAILEY. Then the Senator from Montana is taking the position that the United States Department of Justice is tolerating the existence of a great many trusts and combines which control prices. I did not think that was so.

Mr. WHEELER. Frankly, Mr. President, I am amazed, that the Senator from North Carolina is so unfamiliar with the practices of many companies. Let me say to him that hearings on those subjects have been held before the Interstate Commerce Committee of the Senate. As a matter of fact, I venture to say that in most instances the steel and cement and oil companies will not even challenge the statement I have made.

Mr. BAILEY. Then I ask the Senator as a public servant why he does not turn that evidence over to the Department of Justice?

Mr. WHEELER. It has been turned over to the Department of Justice. Public hearings were held before the Interstate Commerce Committee. Secretary Ickes himself testified before the committee relative to proposed legislation bearing on the subject, and every department of the Government knows about it.

Mr. BAILEY. But the Government is not supposed to permit the existence of monopolies and trusts.

Mr. WHEELER. Well, Mr. President, the Department of Justice has full knowledge of the situation and of the information. If I took it down to them and

handed it to them on a silver platter, in my judgment, it would not make any difference to them.

Mr. BAILEY. Either they are not responsive to the law or there is some other reason. I am not prepared to indict them. But if what the Senator has said is true, we might get impeachment proceedings brought against the Attorney General.

Mr. WHEELER. Mr. President, I am amazed that any Member of the Senate would say he is not familiar with the facts I have cited, because they are common knowledge from one end of the country to the other. I cannot conceive that any Member of the Senate who knew anything about the multiple basing point, on the strength of which the steel companies, the cement companies, and others have fixed their prices, was unaware of the situation I have stated. Testimony in that connection has been given before various congressional committees.

Now, Mr. President, I wish to repeat what I said a moment ago. It should be made perfectly clear that the passage of this bill resulting in the repeal of the land-grant rates will have no effect whatever upon the controversies as to the proper classification of this material, provided it has moved prior to the effective date of the act. These controversies, which were discussed extensively at the hearings, will have to be settled by the courts; and action on the present bill, if favorable, will have no effect whatever upon the question of whether materials that have moved prior to the repeal fall within or without the classification of military or naval property.

It has also been suggested from time to time by a small minority of Members of the House and also by the Department of the Interior that the land still owned by the railroads, approximating 15,000,000 acres, should be returned to the Government if the bill repealing the land-grant rates is enacted. At one time I myself took that position, and I was very much in favor of it; but, upon a further examination, I came to the conclusion that much of the land was bonded by the various railroads and that the situation is such that the railroads would be in an almost impossible position if they were required to turn back the land. Second, there was opposition from the States because of the fact that they did not want the land turned back to the Government of the United States.

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

Mr. WHEELER. I yield.

Mr. BILBO. Does the Senator contend that the railroads that own the 16,000,000 acres of land are so impoverished—although today they are, and they have been since the beginning of the war, making more money than ever before in their history—that they are not able to pay off the bonds on the 16,000,000 acres of land and turn the land back to the Federal Government?

Mr. WHEELER. Of course, Mr. President, many of the railroads are not able to pay off their bonded indebtedness.

Mr. BILBO. Does the Senator mean the railroads are not able to pay off their bonded indebtedness on the 16,000,000 acres of land?

Mr. WHEELER. Perhaps they would be able to pay off the indebtedness on the 16,000,000 acres of land. The trouble is that the Senator is referring to their bonded indebtedness on only the 16,000,000 acres of land, but their indebtedness on the 16,000,000 acres of land is interwoven with all the rest of the railroads' property. Probably the railroads could pay off that part of the indebtedness, if it could be segregated.

Mr. BILBO. Very well.

Mr. WHEELER. But the indebtedness on the 16,000,000 acres of land cannot be separated from the indebtedness on the roadbeds and the remainder of the plants which goes to make up the railroads. All of it is interwoven. It is not a situation of having a certain bonded indebtedness based on so many acres of land. The bonded indebtedness is based on all the railroads' property, including the roadbeds and everything else.

Mr. BILBO. If the railroads in question are so precarious in their financial condition or structure, I am sure their bondholders would be glad to negotiate a deal by which they could fix a definite price for the land received under the land grant, so as to let them pay off that part, and continue to hold the roadbeds, the rights-of-way, and the rolling stock. I do not see anything to prevent them from clearing it up.

Mr. WHEELER. In the first place, Mr. President, as I said to the Senator a while ago, not only would it be a very complicated matter, but also I do not know of any State in the Union having lands owned by the railroads which would wish to see them turned back to the Government and removed from the tax rolls.

Mr. BILBO. That is a different question.

Mr. WHEELER. I have made that statement before. I hope I made the point clear to the Senator from Mississippi. Probably it is my fault that I did not do so.

Mr. President, at the present time the record shows that the railroads own about 15,000,000 acres of land. Practically all that land is owned by the Southern Pacific, the Santa Fe, the Northern Pacific, and the Union Pacific. However, the Union Pacific, as has heretofore been stated, is not a land-grant line and is not directly involved in the pending bill. Furthermore, if the land were returned to the Government, it would be taken off the tax rolls—by no means a desirable end. The greater part of the land lies in Western States where the Government already owns vast areas of land.

In the debate in the House of Representatives on May 23, 1944, Mr. Anderson, then a Member of the House from the State of New Mexico, and now Secretary of Agriculture, made the following statement in discussing a proposed amendment, the purpose of which was to require the railroads to return the land:

Mr. Chairman, I think it is a strange theory under which the gentleman suggests that we should take from one person and not

take from those who have already turned back their property. I think it is a strange thing to suggest that one group of people, having received lands under a land-grant contract and having sold that land, should be left absolutely alone, but those who have husbanded those resources and stayed with them over a long period of years, should suddenly find the United States Government reaching out and taking that land away. That does not strike me as justice.

May I suggest to the gentleman that in the particular State I represent, we do not want this land to revert to the Government of the United States, and we have a strong reason for it. More than 70 percent of the public domain in Arizona and more than half the public domain in my State of New Mexico now belongs to the State or Federal Government. We are trying to get land on the tax rolls of our State. A short time ago, some of it went back to the Federal Government. The Department of the Interior took it over and gave it to needy Indians that it felt were entitled to it. But they removed cattlemen who had operated there for a long time. Most responsible citizens in my State opposed it, but there was nothing we could do about it. If returned to the Government, this land passes off the tax rolls of our State and we suffer thereby. I say it is not a good idea to take this land belonging to the railroads and turn it back to the public domain.

Mr. President, let me call attention to the fact that one of the most informative discussions of the effects of the land-grant rates upon shippers is to be found in the general argument of Mr. Anderson, now Secretary of Agriculture, delivered by him when he was a Member of the House of Representatives, at a time when the bill was under consideration by the House in 1944. Mr. Anderson discussed at length the reasons why it was necessary to pass the bill in the interests of the shippers. I hold in my hand two pages from the CONGRESSIONAL RECORD containing an elaborate discussion by Mr. Anderson of the interest of shippers in the bill.

One of the reasons why shippers are so anxious to have the provision for land-grant rates repealed was dealt with by Mr. Anderson in his very informative address. Not only is there discrimination which is impossible to justify; there is doubt always in the mind of the shipper as to what the rate actually is. This grows out of the peculiarities of the land-grant adjustments. As has been heretofore stated, we have these equalization agreements under which all railroads agree to apply between two points the lowest land-grant rate. Most of the tariffs are what is known as open tariffs. This means that the rates apply over a multiplicity of routes, sometimes amounting to dozens of different routes.

The land-grant rates apply on all mileage which was constructed with the aid of grants of lands. Many of the railroads have fragments or sections of their line which are land grant, and the rest of the line is nonland grant. Most of the American railroads are the result of consolidation of small, original, local lines, some of which were built with the proceeds of the sale of Government lands, and others were not. For that reason the General Accounting Office, when it makes the final audit of railroad bills, using complicated maps, charts, diagrams and what not, figures out what

would be the lowest rate which could possibly apply on Government freight between two points and that rate is applied, regardless of how the traffic actually moves.

This is fairly well illustrated by reference to a diagram which appears on page 47 of the House hearings in March 1944. Reference is there made to an actual movement of freight from Sheffield, Ala. to Corinth, Miss., a distance of 54.3 miles. This was not land-grant mileage. However, the experts in the General Accounting Office, looking at their land-grant maps and consulting the open tariffs, found that in this case they could have shipped the material from Sheffield to Birmingham over non-land-grant mileage, thence by the Alabama Great Southern from Birmingham to Meridian, Miss., most of which is land grant, and from Meridian, Miss., back to Corinth, all land grant, and thereby produced a lower rate than by the direct shipment from Sheffield to Corinth. The distance over the theoretical route was 485 miles, whereas the traffic really moved 54 miles. That seems impossible, but it is a fact.

The record abounds in instances of this kind. No one other than a land-grant expert could possibly determine what the rate would be between two points, if land grant mileage were involved. This has led to the great confusion and uncertainty referred to by Mr. Anderson.

Mr. BAILEY. It was not a fair way by which to do it.

Mr. WHEELER. Nevertheless, that is exactly what was done.

Mr. BAILEY. I am not saying that I will not vote for this bill. But must we vote for the bill in order to overcome the situation to which the Senator refers?

Mr. WHEELER. Yes.

Mr. BAILEY. We can stop that by going down the street—

Mr. WHEELER. That is why the Interstate Commerce Commission and every public utility company in the United States, as well as every shipping organization in the country, have appeared before the committee and asked for the repeal provided for by this bill.

Mr. BAILEY. The Senator will agree that the solution of the difficulty would be much easier by the use of some other method than that of passing this bill, will he not?

Mr. WHEELER. No.

Mr. BAILEY. We control the General Accounting Office.

Mr. WHEELER. How can we control it?

Mr. BAILEY. We control it by an act of Congress which the General Accounting Office must obey.

Mr. WHEELER. Yes; we have enacted legislation which says, in effect, that a shipment must be sent this way instead of that way.

Mr. BAILEY. No; I think a rule could be framed that would cover the situation.

Mr. WHEELER. We cannot frame a rule which will cover the situation, and the Interstate Commerce Commission, which has been working on this problem for many years, has not been able to perfect a rule which would be fair and

equitable with respect to the shippers throughout the country.

Mr. BAILEY. Does the Senator mean that I could not frame a rule on the basis of the rate for 450 miles?

Mr. WHEELER. I do not think the Senator could do so under the present law.

Mr. BAILEY. Well, we can amend the law.

Mr. WHEELER. That is exactly what we are seeking to do.

Mr. BAILEY. What the Senator is seeking to do is to put the railroads back on a civil basis of freight rates and passenger rates. The argument now is that we are doing that because the General Accounting Office is pursuing what, in my judgment, is a bad policy.

Mr. WHEELER. No; that is not the purpose. I am seeking to have the law changed because of the fact that what the General Accounting Office is doing is what they must do under the law as it now exists. There is nothing else for them to do. The present provision of the law must be repealed. Otherwise the General Accounting Office must comply with the law as it has been passed by Congress, and so must the Interstate Commerce Commission.

Mr. BAILEY. The Senator is agreeing with me now that the General Accounting Office will have to obey the law. The fault lies with Congress for ever having enacted such a law. However, the law can be changed.

Mr. WHEELER. Yes; but a law cannot be passed which will satisfactorily apply to one situation only without dealing fairly with other situations as well. The Senator may carry out the idea which he has in mind; but if he does so, he will have a hodge-podge which will be so bad that neither the Interstate Commerce Commission nor any other organization will be able to put into effect fair and reasonable rates for the shippers of this country.

Mr. BAILEY. I was merely trying to suggest that a calculation cannot be made in the General Accounting Office or anywhere else whereby the charge is related to 450 miles when the haul is only 54. A calculation cannot be made on more mileage than the length of the haul.

Mr. WHEELER. The rule which the Senator has in mind would say to the General Accounting Office that, regardless of whether freight could be shipped cheaper by the longer route, it must be given to the carrier which would transport it over the short route, even though it cost more money.

Mr. BAILEY. No; I said that the freight must be shipped over the cheapest route.

Mr. WHEELER. Then the Senator would ship it 450 miles instead of 54 miles.

Mr. BAILEY. No; I was not speaking of the cheapest route in the sense of the cheapest rate.

Mr. WHEELER. If freight had to be shipped according to the lowest rate per mile, what would happen to the freight of this country? If such a rule were adopted, then the Senator would say, for example, to the Northern Pacific Railway that all shipments going west

must go over the Great Northern because it is the shortest route, and the Southern Pacific, the Northern Pacific, and the Milwaukee are longer routes. In that event what does the Senator think would happen to the Milwaukee and the Northern Pacific railroads?

Mr. BAILEY. I would require that the shipment should not be sent 450 miles in order to make the calculation to which reference has been made.

Mr. WHEELER. The trouble with the Senator's argument is that he uses the basis of 54 miles, but when he applies the rule he cannot apply it to a particular case or situation. A general rule must be used and applied to all railroads under all circumstances. That is what the Interstate Commerce Commission seeks to do.

We have had before us this question of circuitous routes. I know the Senator thinks it is a very simple problem to work out, and he feels that in his own mind he could work it out with a very simple rule. But let me say that if he will study the subject of railroad rates and the rate-making policy, he will agree with me that it is one of the most intricate of problems. After studying it as long as I have I feel that I do not know very much about it—though I have given much consideration to it. I do not think there is anyone else who can stand on the floor of the Senate and say that by some magic or simple rule he can straighten out all the intricacies of the circuitous routes, the long and short haul, and the other problems.

Mr. BAILEY. The Senator has carried me pretty far from my base. I started out with a very simple question. Now he says I am thinking I could draw a rule that would straighten out the entire freight structure of America. I agree he cannot do it, and I cannot, either; and he could do it much more readily than I could.

Now I wish to get back to my proposition. The Senator's theory and argument is that we have to repeal the existing law allowing the railroads only 50 percent by way of freight for military transportation, in order to get rid of this little situation. He will not stick to that.

Mr. WHEELER. What I am saying is that if we want equality of rates and fair rates in the United States, as the Interstate Commerce Commission, every shipping organization, and every traffic expert have said are needed, we must repeal the present law. So far as I am personally concerned, I am not interested in the proposed legislation. I have opposed it repeatedly in my committee. I opposed it in 1938, 1940, and 1944. But the bill passed the House of Representatives on two different occasions by an overwhelming majority. I opposed it during the war because I felt it was unfair to put it into effect during the war. But I do say that when all the shippers of the United States, when every single traffic expert in the United States that I know of, and every shipping organization, when the railroad brotherhoods, and the Interstate Commerce Commission, which has given great study to this problem, when every single organization which deals with it, says it is unfair to the shippers of the country when

we are considering the equalization of rates, I cannot stand here and oppose it.

The Committee on Interstate Commerce of the Senate, over my objection, reported the bill at the last session with only three votes against it, and this time they voted it out without an objection.

I am not married to this measure or to any other, but, against the repeated resolutions of every traffic organization, of every shipping organization that has ever taken it up, of the railroad and public-utilities commissions in every State, and of the recommendations of the Interstate Commerce Commission, I cannot stand in the Senate, set up my judgment against theirs, and say that the law should not be repealed in the interest of giving fair rates to the shippers of the United States. If the Senator from North Carolina or any other Senator wants to do that, I have no objection; they can do as they please; but I am not going to put up my judgment against that of the experts.

Mr. BAILEY. The Senator having confessed he has always opposed such a legislative proposal, he will sympathize with those of us who manifest just a little doubt. The Senator said he was not married to it. He has said he was yielding to the opposition.

Mr. WHEELER. All I am seeking to do is to lay the facts before the Senate, to call attention to the statements which have been made, to the testimony before the committee, and then it will be up to the Senator from North Carolina and the Senator from Mississippi to do as they please with reference to it.

Mr. BAILEY. I may say to the Senator—and I do not mean to interrupt him any more—that I do not know what conclusion I shall reach about the proposed legislation. I am hoping, however, to act intelligently and honestly about it, and treat the railroads and the public justly. I was making my inquiries today by way of questioning the argument in order to enlighten my own mind. I have gotten some light, but I must say I have a long way to go in this matter before I see the equities in it and see why we should do the thing that is proposed.

What has really troubled me is that while the bill applies to land-grant railroads, the benefit will go to all the railroads, most of which never had any land grants. That is troubling me.

Mr. WHEELER. The great bulk of them never had any.

Mr. BAILEY. The Senator's argument relates to the whole freight structure. I believe I shall ask the Senator a question, not exactly on this point, but he does know about the freight structure and freight rates.

Mr. WHEELER. I do not know a great deal about them.

Mr. BAILEY. No one knows a great deal, but I give the Senator credit for knowing more about them than anyone else in the Senate. He has been chairman of the Committee on Interstate Commerce a long time.

There has been a great hurrah in the press during the last 5 or 6 weeks, perhaps 2 months, about how the South had gotten equalized rates. I read in the United States News that, after all, the total reduction related to only 5 percent

of the cost of the freight. Will the Senator tell me about that? I should like to know what the truth about it is.

Mr. WHEELER. I do not intend to get into an argument about the southern class rates at this time.

Mr. BAILEY. Will the Senator tell me whether there was such a great victory?

Mr. WHEELER. I do not think there was. If that is what the Senator wants to know, I may say that I do not think it was such a great victory by any manner of means. Frankly, I asked the Interstate Commerce Commission recently to investigate rates, not only in my own State, but rates through the Pacific Northwest, including all States. I have thought and now think that the Northwestern States have been discriminated against, just as the South has, and I have supported every legislative proposal aimed not only at correcting rates in the West, but also those in the South. There has been no Southerner who has been any more anxious to help correct the rates in the South than has the Senator from Montana whenever that question has come before the Committee on Interstate Commerce.

Mr. BAILEY. What I wanted to get at was the truth about the matter. I understood from what I read—and this was a digest of the decision of the Interstate Commerce Commission—that the reduction applied to only a very small percentage of the freight, as I recall, to 2 percent.

Mr. WHEELER. That is correct—a very small percentage.

Mr. BAILEY. And that the great field of commodity rates was not affected at all. Is that correct?

Mr. WHEELER. I think the great field of commodity rates has not been affected. I do not intend to go into the reasons for that because it is a very complicated subject, and only one who is an expert on rates could give correct information, and I am far from being an expert on rates. I make no such claim. I know very little about rates; not only that, but there are a great many who claim to be experts who do not know much about the subject. It is a very complicated matter.

Mr. BAILEY. I think the public has been led to believe, from one motive or another, that there was a great alteration. The Senator is saying that the change related only to the class rates and was a very small percentage of the whole field of rates. That is correct, is it not?

Mr. WHEELER. I have said so repeatedly.

Mr. President, it must not be inferred from what has been said before that the discrimination between shippers is limited to shippers in eastern territory competing with shippers in western territory. The same unreasonable discrimination arises all over the country.

One illustration mentioned in the testimony relates to the shipment of freight from Birmingham, Ala., to Jacksonville, Fla., in comparison with the shipment of the same freight from Clinchfield, Ga., to Jacksonville, Fla. Birmingham is 628 miles from Jacksonville and Clinchfield, Ga., is 271 miles from Jacksonville. Ordinarily, distance being a factor in rate making, the rate would be much lower

from Clinchfield to Jacksonville than from Birmingham to Jacksonville.

As a matter of fact, the commercial rate on cement from Clinchfield to Jacksonville is 16 cents and the rate from Birmingham to Jacksonville is 22 cents. Cement is produced at both Birmingham and Clinchfield. However, it so happens that in shipping from Birmingham to Jacksonville a great deal of land-grant mileage is used, while there is considerably less land-grant mileage available between Clinchfield and Jacksonville. By reason of this fact, the Government rate for the 628 miles is 11 cents, while the Government rate from Clinchfield, 271 miles, is 12.72 cents. In other words, while ordinarily the Clinchfield man, by reason of his location, has a rate advantage of 6 cents over Birmingham by using the land-grant mileage, he is at a disadvantage on Government material of 1¾ cents. Situations of this kind are to be found all over the country.

So, as I have said, the whole country is permeated with similar situations. When the Government is a large purchaser it is impossible for the Interstate Commerce Commission to fix rates which apply equally, or give the individual whose goods must be hauled a shorter distance the advantage which his location should give to him.

It was stated earlier that the situation does not apply to many of the States in the South. But there are pieces of railroad throughout the South which are land-grant roads. They exist in Georgia, in Alabama, and are scattered through various States in the South. How they came to be land-grant roads, I do not know, but the fact is they are.

I conclude by saying that no measure involving any controversial features has been presented to Congress recently which has been so overwhelmingly endorsed by the shippers of the country as has this bill. No controversial measure has been presented to the Congress of the United States which has been backed by such an overwhelming majority of the railroad workers. Every single one of their organizations has endorsed the measure. The Interstate Commerce Commission has for years urged the enactment of such a measure. So has every organization of shippers throughout the country. Not only that, but every railroad commission in the United States, so far as I know, has recommended the passage of this bill. Their representatives and lawyers appeared before the committee time and again recommending the enactment of the proposed legislation.

Mr. President, I now ask unanimous consent to have printed in the RECORD one of the ablest statements made on this subject. It was a statement made by former Representative Anderson of New Mexico on the floor of the House. He is now Secretary of Agriculture.

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

Mr. ANDERSON of New Mexico. Mr. Chairman, I shall discuss only a single feature of this bill, but that is a feature of paramount importance—one which, in my opinion, is sufficient, standing alone, to guide our action and determine our judgment.

I refer to the effect of the bill upon private shippers—all shippers except the Federal Government—located in every State and every county of this country.

So far as private shippers are concerned, an intolerable situation of injustice and discrimination has grown up and is being kept alive as a result of land-grant rates. It can be eliminated only by eliminating all such rates, and that is what this bill would do.

Before land-grant rates were understood as well as they are today, it was the general impression that such rates were a matter of concern only to the railroads and the Government. It was thought that there was involved no question of public interest, except insofar as the public interest requires the Government to deal fairly with all its citizens, including those who operate the railroads and those who are employed by the railroads.

But it has now become clear that this view of the problem presented by land-grant rates was much too narrow. It overlooked completely fundamental principles which must govern a sound national transportation policy. It has become clear that our entire philosophy and scheme of railroad-rate regulation, designed chiefly for the purpose of protecting shippers, is endangered and impaired by rates of this character.

Shippers from every section of the United States, without important exception so far as I can learn, are urging the enactment of the measure we have under consideration. The record of hearings leaves no doubt about the position of these shippers, or about their deep dissatisfaction with existing conditions. This is a significant fact which should challenge and arrest our contention.

And we are confronted with another and related fact which is equally significant. The Interstate Commerce Commission and the State commissions throughout the country are unanimous in their support of the bill. These commissions are the duly authorized governmental agencies charged with the responsibility of prescribing and maintaining a reasonable and nondiscriminatory railroad rate structure—a rate structure which provides fair opportunities for all shippers and special favors for none.

It would seem to be reasonably obvious that the private shippers and the Federal and State regulatory bodies would not be concerned, as they are concerned about this bill, if the only question involved were one between the railroads and the Federal Government. It is plain enough that private shippers, and Government authorities having control over railroad rates, would not be deeply interested in doing away with land-grant rates—and the record of hearings shows how deeply interested they are—unless rates of this character resulted in conditions directly and immediately injurious to shippers and widespread and far reaching in their adverse effects.

Since land-grant rates are available only to the Federal Government, and since the Government is ordinarily not in competition with private enterprise, it might appear at first glance that these rates could have no impact upon private shippers or upon competitive relationships between private shippers.

But nothing could be further from the truth. After examination and analysis of the practical conditions brought about by rates of this kind, there is no difficulty in readily understanding why "land-grant rates are practically friendless among the shippers" or in understanding why, I quote again, "land-grant rates have been a matter of grave concern to shippers for many years," and that ends the second quotation. The language I have just quoted is that of a witness who appeared at the hearings, Mr. John B. Keeler, president, National Industrial Traffic League, who spoke for great numbers of shippers in every part of the United States.

At the outset, let me summarize in a few words the objections of private shippers to land-grant rates. Later I shall seek to illustrate these objections by actual concrete cases so far as time permits.

In the first place, land-grant rates deprive shippers of fair and equal opportunities to bid on Government contracts for materials.

In the second place, land-grant rates result in the payment by the Federal Government, as a shipper, of less than its fair share of the cost of providing and maintaining railroad transportation, and, therefore, place the burden upon the general shipping public, including all farmers and all commercial shippers, of contributing more than its just share. In short, private shippers are forced to pay a part of the cost of transportation for the Federal Government.

Coming back to the first objection of the private shippers—that is, the injustice caused by land-grant rates to producers who bid or desire to bid for Government contracts. A purchaser of goods, whether it be a private interest or the Government, determines from whom it will buy on the basis of the delivered cost of the goods, other things being equal. One of the factors entering into the delivered cost is, of course, the cost of transportation.

When competing producers located at different points wish to bid on goods to be bought by a private interest, the transportation cost is calculated upon the basis of just and nondiscriminatory rates for the services performed—rates fixed or subject to being fixed by the Interstate Commerce Commission or a State commission. Moreover, the transportation rate which each competitor for private business must pay is known to him and to every other competitor—in fact, it is openly published and known to the general public. For more than half a century this has been fundamental in our system of railroad regulation.

Under the conditions I have described with respect to sales to private concerns, every producer, in making his bid, takes into account a transportation cost for his product which properly reflects the transportation service he will receive and takes into account a transportation cost for his competitor's product which properly reflects the transportation service it will receive. As I have said, each bidder knows exactly what his transportation cost will be and what his competitor's costs will be. Accordingly, he is able to bid intelligently, and the natural advantage or disadvantage of his location is reflected in the amount of his bid.

Contrast this situation involving sales to private interests with that which prevails, because of land-grant rates, when the Federal Government is the purchaser. The Government accepts or rejects bids, generally speaking, as do private interests, on the basis of delivered cost. In determining the delivered cost, it takes into account the transportation rate from point of shipment to point of delivery, which means the lowest land-grant rate, if land-grant rates are available.

The bidder does not know—he can only estimate or guess—what land-grant rate will be used in evaluating his bid. Furthermore, he is almost completely in the dark with respect to the land-grant rates which will be used in evaluating the bids of his competitors located at other producing points. The difficulties of his position need no elaboration.

At this time perhaps I should point out briefly why land-grant rates are, in large degree, secret rates, so far as the bidders on Government contracts are concerned.

The land-grant rate applicable to a railroad route made up wholly of land-grant mileage is 50 percent of the commercial rate. If a railroad route is made up of both land-grant mileage and mileage in connection with which there was no land grant, then the through land-grant rate represents 50 percent of that part of the commercial rate

applicable to the land-grant mileage and 100 percent of that part of the commercial rate applicable to the non-land-grant mileage.

Thus, the greater the proportion of land-grant mileage contained in a railroad route, the lower the land-grant rate in comparison with the commercial rate. Between any point of shipment and any point of destination, there are generally innumerable routes, running in many cases into the hundreds. It is necessary to check every possible route, no matter how long or fantastic it may be, and to determine the proportion of land-grant mileage contained therein, before the applicable land-grant rate can be ascertained. The record of committee hearings contains reference to a shipment from Corinth, Miss., to Sheffield, Ala. The route of actual movement was 54 miles in length, including no land-grant mileage, but the land-grant rate was calculated on the basis of a theoretically possible route, 485 miles in length, which included a large amount of land-grant mileage.

After the land-grant rate has been ascertained, in the manner described, it becomes applicable over all routes between origin and destination, as a result of equalization agreements. The determination of land-grant rates is a strange and wonderful process which, as a rule, is far beyond the powers or possibilities of private shippers or producers.

The result, as has already been stated, is that the bidder on Government contracts must, to a very large extent, bid blindly in those cases where land-grant rates are involved.

But blind bidding is by no means the only evil which a bidder for Government business must face because of land-grant rates. This brings me again to the unwarranted discrimination between bidders for Government business which is an unavoidable result of land-grant rates. Such discrimination is entirely without economic justification. It arises from the purely adventitious circumstance that the land-grant mileage available from one producing point to a given market is greater than that available from a competing producing point. It gives one producer an artificial advantage and deprives another of a natural advantage.

For the purpose of ready understanding, I shall consider an actual, concrete example, arising in my own neighborhood and included in the record of the hearings along with a great many similar examples.

Iron and steel is produced at Chicago, Ill., and also at Minnequa, Colo., just outside of Pueblo. Portland, Oreg., is a market for these products. From Chicago to Portland, the distance is 2,169 miles, while from Minnequa or Pueblo, in the district adjoining mine and so ably represented here by the gentleman from Colorado [Mr. CHENOWETH], to Portland, the distance is only 1,306 miles. Quite naturally, the commercial rate from Chicago to Portland is considerably higher than from Minnequa to Portland—\$1.10 as compared with 85 cents. It follows that, as to ordinary commercial business, the Minnequa producer has, due to his location, an advantage of 25 cents in transportation costs in the Portland market.

But what is the situation on iron and steel purchased by the Government for delivery at Portland? The land-grant rate from Chicago is only 56 cents, while the land-grant rate from Minnequa is 62.8 cents, or about 7 cents higher. Therefore, on Government business, the Colorado Fuel & Iron Co., at Minnequa, loses its natural advantage of 25 cents and becomes subject to an artificial disadvantage of 7 cents merely because there is more land-grant railroad mileage between Chicago and Portland than between Minnequa and Portland.

I regret I have no time for additional examples—the record is full of them. But the one I have given will serve, I hope, to demonstrate the crippling handicap which

land-grant rates impose upon an unfortunate bidder for Government business, whose plight is due not to any fault of his or to any economic consideration, but solely to an artificial rate condition for which he has no responsibility and over which he has no control.

Before leaving the Chicago-Minnequa-Portland situation, I should call attention to an extremely interesting fact—one of serious import during wartime when the volume of traffic is swollen and the capacity of the railroads necessarily strained. In that situation, the land-grant rate aid the distant-producing point as against the nearby producing point and thus encourage wasteful and uneconomical transportation service.

So much for the unjustifiable discrimination between producers caused by land-grant rates. I shall now revert for a few moments to the other objection to those rates which has been emphasized by the private shippers. This objection may be stated as follows: Subnormal rates for the Government result in a higher level of rates for private shippers than would otherwise be necessary.

Manifestly, the railroads must receive as freight and passenger revenues a sufficient amount of money to keep themselves in financial and physical condition to serve the public efficiently. If a substantial part of the total traffic—and I have in mind that part of the traffic which is transported for the Government—pays less than its just share of the necessary revenues, as a result of land-grant rates, then the remainder of the traffic—that part which is transported for private shippers—must pay more than its just share of the revenues required to support the railroad system.

I see no reason, and I have never heard any advanced, why the Government should cast upon the general shipping public a part of the cost of transportation performed for the Government. It will not be forgotten that this bill expressly directs the Interstate Commerce Commission, in fixing the level of rates and fares for private shippers, to give consideration to the increased revenues which the railroads will receive, as a result of the elimination of subnormal land-grant rates. This provision in the bill serves to preclude any possible doubt that the general shipping public will benefit in the long run as a result of the abolition of land-grant rates and the payment by the Government of its fair share of transportation costs.

For reasons I have attempted to explain the interests of the shippers of this country demand that all vestige of land-grant rates be removed as promptly as possible from the rate structure. When such rates are done away with, at the same time and by the same token we shall also do away with the economic crazy quilt, or perhaps I should say the "uneconomic crazy quilt," which has developed in connection with Government purchases. And in addition, we shall remove from the back of private shippers the burden of paying a part of the cost of Government transportation. After all, the transportation charges which the Government escapes because of subnormal land-grant rates are paid instead by the private shippers of this country and must continue to be paid by them so long as such preferential rates are permitted to exist.

We have settled the famous Northern Pacific case. We have arranged to have unpatedented lands received in grants returned to the Government. We should now complete the cycle and pass this bill not only to insure the continued solvency of our railroads in the years following the war but to do justice to the shippers of the Nation who now suffer from the jumbled pattern of freight tariffs brought into existence by land-grant rates.

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

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from

Montana yield to the Senator from Arizona?

Mr. WHEELER. I yield.

Mr. McFARLAND. I should like to ask the Senator a question in order that the effective date of the measure might be cleared up. Under the Senator's interpretation when would the measure become effective?

Mr. WHEELER. That matter was discussed a while ago, when the Senator was not present. The discussion took place between the junior Senator from Michigan [Mr. FERGUSON], the Senator from Maine [Mr. WHITE], and the Senator from Kansas [Mr. REED]. My interpretation of the effective date is just what the language says, that it must be 90 days after cessation of hostilities, as declared by the President or by joint resolution adopted by the Congress. The junior Senator from Michigan suggested to me that he thought a definite date should be fixed. He suggested July 1, 1946, as I recall. Some other Senators suggested 6 months after the cessation of hostilities. I called attention to the fact that the reason for placing in the bill the language which is now in it is that when the previous bill was before the committee I opposed it because I felt it was wrong to repeal the land-grant rates during the war. I suggested then that I would not oppose such action if it were proposed after the war, and if the bill contained a provision making it effective 90 days after the cessation of hostilities. I am perfectly willing, so far as I am concerned, to accept any language fixing a more definite time.

Mr. McFARLAND. I thought an interpretation should be given by the chairman of the committee, so as to clarify in our minds the effective date of the measure. Let us assume that the President should declare the war to be over as of September 14. That would be the effective date, even though the President made the actual declaration at a later date.

Mr. WHEELER. I think the effective date would be the date on which he made the declaration of cessation of hostilities. Otherwise it would be retroactive, and I doubt if the measure could take effect on a retroactive date. However, as I have said, that may be a matter to consider. It is entirely possible that a specific date, such as 6 months from now, or some other date, should be inserted in place of the language now in the bill. The junior Senator from Michigan [Mr. FERGUSON] suggested to me that he was going to offer an amendment on the subject. I asked him not to do so until he had submitted it to me.

Mr. McFARLAND. Very well.

FUNDS FOR THE PHILIPPINE GOVERNMENT

During the delivery of Mr. WHEELER's speech,

Mr. TYDINGS. Mr. President, will the Senator from Montana yield?

Mr. WHEELER. I yield.

Mr. TYDINGS. I hope the Senator from Montana will indulge me for a moment in order to make a short statement.

As Senators all know, the government of the Philippine Islands has had no

revenue for 3 or 4 years. It is completely without its usual funds and has very little money with which to meet its expenses. Representatives of the Philippine government are in Washington asking for a loan from our Government in order to tide them over. However, on examination it has been found that approximately \$70,000,000 which our Government has collected as trustee for the Philippine Islands, is now in our Treasury. Under the law it will automatically be turned over to the Philippine government on July 4, 1946. It therefore seems to be somewhat unbusiness like for them to come and ask for money when they have money of their own, but which is in the Treasury of the United States.

The Committee on Territories and Insular Affairs has unanimously reported to the Senate Calendar No. 594, Senate bill 1281, which would enable the Philippine government to avail itself of the money which is now in our Treasury. Both the Treasury Department and the Interior Department are in favor of the bill, and I believe I may say that the President of the United States is also in favor of it.

Mr. President, the bill is noncontroversial, and has been reported by the committee unanimously. Due to the extreme exigencies of the case, after having consulted with the majority leader, and the acting minority leader I ask the indulgence of the Senator from Montana to have the bill immediately considered with the understanding that if it causes any debate I shall withdraw it.

Mr. WHEELER. I have no objection if it does not result in any protracted debate.

Mr. TYDINGS. Mr. President, I move that the Senator proceed to the consideration of Calendar No. 594, Senate bill 1281.

The PRESIDING OFFICER (Mr. McMAHON in the chair). The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1281) to provide for covering into the treasury of the Philippines certain Philippine funds in the Treasury of the United States.

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

Mr. TYDINGS. I yield.

Mr. WHITE. I have just entered the Chamber. I did not hear the request of the Senator from Maryland. Was it for the consideration of a bill?

Mr. TYDINGS. Yes. I tried to find the Senator from Maine, but he was not present in the Chamber. I would have tried at a subsequent time to obtain consideration of the bill, but there will be held a hearing this afternoon on the St. John College Naval Academy controversy, and I must be present.

Mr. WHITE. Was the bill reported by the Committee on Territories and Insular Affairs?

Mr. TYDINGS. Yes, unanimously.

Mr. WHITE. Did the minority members join in the report?

Mr. TYDINGS. Yes.

Mr. O'DANIEL. Mr. President, I inquire if the enactment of the bill will remove the necessity of granting a loan to the Philippines?

Mr. TYDINGS. I believe so, and I hope so.

Mr. OVERTON. Mr. President, what is the purpose of the bill?

Mr. TYDINGS. The purpose of the bill is to return to the Philippine Government approximately \$70,000,000 of its own money which is now in our Treasury, instead of waiting until the Fourth of July next year.

Mr. OVERTON. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maryland.

The motion was agreed to.

The bill (S. 1281), to provide for covering into the Treasury of the Philippines certain Philippine funds in the Treasury of the United States, was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That notwithstanding any other provision of law, the proceeds of the excise taxes imposed by section 2470 of the Internal Revenue Code, and of the import taxes imposed by sections 2490 and 2491 of the Internal Revenue Code, heretofore or hereafter collected, which but for the enactment of this act would have been required to be held in separate or special funds and paid into the Treasury of the Philippines, together with any moneys which but for the enactment of this act would be authorized to be appropriated in accordance with section 503 of the Sugar Act of 1937, as amended, including the unexpended balance of the amount subsequently appropriated under Public Law 371, Seventy-seventh Congress, and any accruals of any of the foregoing, shall be immediately paid into the general funds of the Treasury of the Philippines, to be used for the benefit of the people and government of the Philippine Islands as they may be law provide.

Mr. TYDINGS. I thank the Senator from Montana, and the Senator from Maine.

FLIGHT OF THE JEWS OF EUROPE AND THE PALESTINE PROBLEM

Mr. BARKLEY. Mr. President, I am not taking the time of the Senate for the purpose of discussing the pending bill. I had earlier in the day expected to make a statement on a matter of universal interest to all of us here and throughout the country, but unfortunately the Senate got into a parliamentary snarl on account of the morning hour not having been completed, and it was impossible for me to address myself earlier than at this time to the subject upon which I now wish to make a very brief statement. It has reference to the predicament of Jews in Europe, with particular reference to Palestine as a possible home refuge for them.

Mr. President, I have no intention to repeat the horrible things which have been said to have existed and which we know have existed in regard to the treatment of the Jews throughout Europe by Hitler, by the Nazis, and by all those who were associated with them. It has been reliably estimated that more than five million Jews were absolutely exterminated in Europe during the Hitler regime. In the report of the committee which went to Europe to observe the atrocities in the concentration camps we touched upon that subject. There cannot be any dispute about the facts. One of the

things which Hitler did his best to carry out was his threat to exterminate the Jewish people, and upon his rise to power he came nearer to accomplishing that threat than any other threat he made.

There are now remaining in Europe probably between one million and a million and a half Jews, most of them homeless, most of them wandering around from place to place, seeking a haven of refuge. I am glad to note that the Army of the United States in its occupation of that area of Germany under its control has materially improved the conditions which they found in that area with respect to the treatment of the Jews. Vast improvements may yet be made, and I hope they will be speedily made. I commend the President of the United States upon the prompt steps which he has taken to bring about the necessary improvement and alleviation in the conditions which were found there, and which were without dispute.

There are two phases of this question: One is the immediate relief and rescue of Jews who under present conditions are homeless, many of them afraid or unwilling to go back to their original homes because they will find no homes there and that their families have all been murdered, and therefore they are in some respects almost as helpless today as they have been at any time within the last 12 or 13 years. That is an immediate problem which faces the world and appeals to the generous humanitarian sentiments of all men and women everywhere.

The other problem is that of a Jewish commonwealth in Palestine. I shall not now discuss that phase of the Jewish problem except to say that it is a hope and an ambition which has been cherished not only by Jews in Europe who might inhabit such a commonwealth, but I think by a vast majority of the Jewish people all over the world, and that is especially true of those in the United States.

It had been my hope and expectation that when the war ended and the nations should assemble somewhere to write the peace, that the question of an independent Jewish commonwealth might be given the consideration to which it is entitled and that it might be worked out in a way that would be satisfactory to the Jewish people and to the people of Palestine as well as to the people of the world.

Whether there will be an over-all international peace conference such as there was after the last war, I do not know. This war has been so vast and has covered so great a territory, and has involved so many nations that I am informed that serious consideration has been given to the question whether all of them should be assembled in one body in order to try to rewrite the map of the world and remake the nations and the peace. But whether it comes about by an over-all international convention undertaking to deal with the world as a whole, or whether by regional peace conferences such as those which have been provided for under the Potsdam arrangement, it is my belief that serious consideration should be given to the question of establishing an independent homeland in Palestine for the habitation

of the Jewish people, and of establishing there a self-governing nation.

But the immediate problem which faces Christendom, as I see it, is that of providing a refuge and a haven for the displaced, distressed, and distraught people of that great race who even yet are wandering over the fact of Europe looking for homes.

When Lord Balfour pronounced what has come to be known as the Balfour Declaration, it was hailed everywhere in the world as a wise, statesmanlike act on his part. It undoubtedly had the approval of the English people. Time and time again it has been endorsed by the American people. Every President from that day until now, the Congress of the United States, and all branches of our Government endorsed it as a happy augury of peace and accord among not only the Jewish people of the world, but all the people and all the nations with whom they have contact.

More recently the British Government issued what has been called a white paper, limiting the restricting migration into Palestine to 75,000 people. Recently the suggestion has been made that it be modified so as to embrace 100,000 people. That question is now pending not only before the Government of Great Britain, but before the international mind, and before our Nation as a nation. Our Government has expressed itself in terms which cannot be misunderstood with respect to the advisability and justice of either modifying or nullifying entirely the so-called white paper under which Jewish migration into Palestine is restricted.

Mr. President, I am not unmindful of the delicate international situation which exists everywhere as a result of this war. I have no desire to utter any sentence or any sentiment which would embarrass our Government, and I have no intention of doing so. I do not wish to be understood as in any way undertaking to dictate—if I had the power to do so, which, of course, I have not—to any of the governments involved in this delicate situation. But I express my belief as an American citizen as well as a United States Senator, and as a friend of the great Jewish race which has come down to us from antiquity, which has contributed so much to the civilization of the world, and which has enriched every land where its blood has flowed, that from the standpoint of humanity and justice, from the standpoint of Christianity, the plight of the Jews in Europe cries out now for the pursuit of such a course on the part of those responsible as will permit the Jews to go into Palestine and find homes there free from oppression, free from hunger, free from want, and free from the fear of further pogroms which may be visited upon them. They are entitled to peace and comfort, and to homes.

It is my belief, from the knowledge which I have of that country, that it can absorb many more Jews than are there now. I believe there are now about 600,000 Jews in Palestine. It is estimated by those who are familiar with the situation that it could absorb and support 3,000,000 people. A marvelous work has been done in Palestine in the develop-

ment of that country, through reforestation, irrigation, reclamation, and the building of industries. As a result of the productivity of the people of that section, nearly all the nations of the world, even as far away as India and China, have received implements of warfare produced in Palestine by the work of Jews.

So, Mr. President, I join all those who, here or elsewhere, express the hope that this restrictive measure will be modified, and the unreserved belief that it ought to be modified, regardless of what may ultimately come from the hope for a permanent independent Jewish homeland in Palestine. That question will no doubt have to be settled by international conference, conciliation, and agreement. At the moment there is a great crying need that this place, of all places in the world, shall be reopened as a refuge and home for those who are seeking escape from the intolerable conditions which have been brought about by the cruelty and brutality under the leadership of the Nazi power. I express that fervent wish here on the floor of the United States Senate in the hope that through our cooperation, through our realization of the problem, and through our intense interest in its proper solution, the Christian world will no longer be justly chided for negligence and indifference toward this great human problem of rescue and salvation.

Mr. President, I have no personal or political interest which could be served in any way, shape, or form by the nature of the solution which may come to this problem. But I am a human being, and I feel that I have in my heart humanitarian sentiments. I do not believe that the civilized nations of the world ought longer to be content to see a great race of people hunted like beasts of the field and denied the ordinary comforts, the ordinary safety, and the ordinary dignity which mankind is entitled to enjoy. The Jews are no less created in the image and likeness of God than are we ourselves. Those who would deny that impugn our own good faith and our own vaunted generosity and tolerance.

So, Mr. President, I am glad to share in the sentiments which have been expressed today, and which I have heretofore expressed, here and elsewhere, and the hope that there may be no further delay in solving this great problem which knocks at the door of every civilized nation and every Christian home in all the world.

JUDGE WILBUR K. MILLER

Mr. BARKLEY. Mr. President, a few days ago the President of the United States sent to the Senate the nominations of three distinguished men to be members of the District of Columbia Court of Appeals. One of them was Mr. Prettyman, an outstanding lawyer of the District of Columbia; the second was a former colleague of ours, former Senator Clark of Missouri; and the third was a distinguished lawyer from my State, Hon. Wilbur K. Miller.

In the Washington Merry-Go-Round of yesterday, October 1, there is comment which I think does a great injustice to Judge Wilbur K. Miller, whom I have

known for 20 or 25 years as one of the ablest, most outstanding, and finest lawyers and citizens in the State of Kentucky. This particular part of the Merry-Go-Round reads as follows:

TRUMAN DESERTS F. D. R.

How drastically Harry Truman and Attorney General Tom Clark are deserting one of Franklin Roosevelt's principles was indicated by a recent incident which few people noticed.

One of the great battles Roosevelt fought was against the big utility companies. But the other day a judge appointed by Truman to one of the most important courts in the country handled a case, even after his confirmation, on behalf of one of the big power companies. He is Judge Wilbur Miller, recently appointed to the United States Court of Appeals for the District of Columbia, which handles more important test cases than any other appeals court in the Nation.

However, even after Miller was confirmed by the Senate, he appeared last week before the Federal Power Commission on behalf of the Kentucky Natural Gas Co.

This makes it unanimous. For both of the other two judges Truman appointed to this important appeals court, former Senator Bennett Clark of Missouri and Barrett Prettyman, also have been attorneys for the big power companies or have been antipublic power.

(NOTE.—Bennett Clark was defeated for the Senate by the people of Missouri last year after many bitter years of isolationist opposition to Roosevelt's foreign policies. However, he worked valiantly for Truman's nomination at Chicago.)

Mr. President, I rise to take note of this comment because it does a great injustice to a citizen of my State who happens to be one of the three men appointed by the President to the Court of Appeals for the District of Columbia. His nomination has been confirmed by the Senate, and he will soon take the oath of office as a judge of that high court.

Judge Miller was elected prosecuting attorney of Daviess County, of which Owensboro is the county seat, and he served for 8 years as prosecuting attorney of that county. He made an outstanding record. At the end of his second term as prosecuting attorney he voluntarily retired. Subsequently, he served 4 years as chairman of the Kentucky Utilities Commission, a commission set up by the Kentucky Legislature to regulate the utilities of the State. He was chairman of that commission under the appointment of the Governor, and he served 4 years. During his 4-year tenure as a member and chairman of the Kentucky Utilities Commission, not a complaint was ever registered against his fairness, his good faith, or his fidelity to the people of that State, so far as I recall, in administering the laws of Kentucky as chairman of the public utilities commission of the State. At the end of 4 years he retired from that commission.

He has been a practicing attorney in Owensboro for 20 or 25 years. He engaged in the general practice of law. For a number of years he represented the Kentucky Natural Gas Corp. The Kentucky Natural Gas Corp. is a pipeline company which pipes natural gas into Owensboro and other communities which use natural gas developed in that section of Kentucky and, I think, prob-

ably in the southern part of Indiana. For a number of years he has represented that corporation as local attorney. It had a case pending before the Federal Power Commission; it has been pending there for a long time. In order to wind up his legal practice, in order that he might not leave his clients with, so far as he was concerned, services half performed, he came to Washington last week and represented that pipe-line company, which is not an octopus, which is not a part of any great public utility moguls' holdings, but is a small, local pipe-line company transmitting natural gas into the city of Owensboro and probably into a few towns in that community.

Because Mr. Miller came to Washington to wind up his employment as attorney for that small, natural gas pipe-line company, he is described in this article as a great attorney for the power interests, and he is described as being antipublic power. I may also say that he has been attorney for the Owensboro Public Utilities Co., which is a publicly owned municipal light, water, and gas company in the city of Owensboro. He has represented that public utility, owned by the people, for a number of years. He has tried to wind up his employment as attorney for that company, which is a public-utility company owned by the city, after being voted for by the people of Owensboro.

It seems to me that in fairness to Judge Miller, while recounting the fact that he represented a small pipe-line company bringing natural gas into Owensboro, it should also be pointed out that he represented the people of Owensboro as attorney for the municipally owned water, gas, and light plant for that city, if the true picture is to be drawn regarding this man who is about to go on the bench of the Court of Appeals for the District of Columbia.

Judge Miller has frequently been appointed as special judge in the trial of cases in various parts of Kentucky. About a year ago he was appointed as special judge of the court of appeals to pass upon a constitutional question. The entire court of appeals was disqualified because of the interest of the members of the court in the question. A completely new court was appointed, with special judges, and Judge Miller was appointed as one of the special judges of the court of appeals to try that case.

He is one of the outstanding lawyers in the State of Kentucky and is so recognized by the bar. He is one of the finest, fairest, most public-spirited men with whom it has ever been my pleasure to come in contact.

Mr. President, I do not refer in any sense of bitterness at all to the comment appearing in the column Merry-Go-Round. I feel that if Mr. Pearson had known all the facts, he would not have made the comment; and I am calling attention to the facts because the column entitled "Merry-Go-Round" appeared in the Louisville Courier Journal, published in Louisville, Ky., and it circulates all over the State. I think the article appeared in the Louisville Courier Journal; it was published either in

the Louisville Courier Journal or the Louisville Times. At any rate, it was published in a newspaper which circulates widely in all parts of Kentucky, including Owensboro, and also in Ohio and probably all over the West.

Mr. Lawrence W. Hager is the owner and publisher of the Inquirer and Messenger, of Owensboro, Ky. I wish to read a telegram I have received from him today commenting upon the article appearing in Mr. Pearson's column. Let me say that the telegram refers to an editorial appearing in the Owensboro Inquirer and Messenger, published in the home town of Judge Miller. The telegram reads as follows:

OWENSBORO, KY., October 1, 1945.

Senator A. W. BARKLEY,
Senate, Washington, D. C.:

The Owensboro Inquirer and Messenger, under title "Pearson Didn't Have All of the Facts," are saying editorially:

"Drew Pearson's reputation for factual reporting may suffer in this area as a result of his characterization in today's Merry-go-Round of Wilbur K. Miller as 'antipublic power' and the columnist's inference that Mr. Miller is a 'big utility' lawyer by virtue of the fact that he has been attorney for the Kentucky Natural Gas Corp.

"The Kentucky Natural Gas Corp. is not a power colossus, but a comparatively small pipe-line company which distributes nothing but natural gas. An even more unfortunate oversight on Mr. Pearson's part, however, is the fact that Mr. Miller also is attorney for Owensboro's municipal utilities, the biggest municipally owned producer of electric power in Kentucky. The Owensboro municipal light and water plant had total sales of \$1,038,132.86 in 1944. Sales of the Kentucky Natural Gas Corp. were \$1,728,922.36 for the same period. Profits from the operation of the publicly owned plant pay three-fourths of the operating expenses of the city of Owensboro. Due to the earnings of this plant, from which transfers to the city's general fund were \$426,097.03 in the last fiscal year, Owensboro city taxes and property assessments are low, and light and water consumers—domestic, commercial, and industrial—have very favorable rates, hence Mr. Miller is fully cognizant of the benefits to be derived from publicly owned utilities plants.

"Too, Mr. Pearson is unaware, and perhaps could not be expected to know, that Mr. Miller and his deceased law partner, the late Judge A. D. Kirk, as legal consultants and general advisers to the Owensboro Utility Commission, contributed a great deal to the development of our municipal utilities, receiving in return for their services what probably was a smaller retainer than was ever collected by any lawyer for the amount of work involved. We suspect that if Mr. Pearson had been in possession of all of the facts about the services of Mr. Miller and the late Mr. Kirk to Owensboro's municipal utilities, the columnist's method of deduction would have had him to classify the new United States Court of Appeals Justice as 'propublic power' instead of 'antipublic power.'

"Mr. Pearson's criticism of Mr. Miller for representing the Kentucky Natural Gas Corp. after the latter's confirmation by the Senate, moreover, was without justification, in view of the fact that the Federal Power Commission hearing already was in progress when the Senate acted on President Truman's appointment of the Owensbororan. Mr. Miller, as chief counsel for the Kentucky Natural Gas Corp., could not have walked out on his client after the hearing began. Additionally, he still was a private citizen and will remain such until he takes the oath of office. Some attorneys, after appointment to Federal judgeships, have delayed taking the oath of office for months in order to wind up their

private practice. Mr. Miller expects to have his affairs in order to be sworn in as justice in a few days.

"While the Owensboro municipal utilities and the Kentucky Natural Gas Corp. are enterprises represented by Mr. Miller in the utility field, he is also attorney for a number of other corporations, because he is one of the ablest lawyers in Kentucky and much business of this kind has gravitated to him. In this connection, however, it should interest Mr. Pearson to learn that while most of Mr. Miller's corporation clients were opponents of the late President Roosevelt, Mr. Miller himself was a staunch supporter of Roosevelt and his policies in all four of his Presidential campaigns. Under auspices of Daviess County Democratic campaign committees, Mr. Miller made a number of speeches in behalf of Mr. Roosevelt.

"We believe that Mr. Pearson will discover, when he becomes acquainted with Mr. Miller—as he undoubtedly will when the latter becomes a resident of Washington, D. C.—that the Owensbororan is one of the most conscientious men ever named to a Federal judgeship. The Washington columnist might be interested in a comment on the Miller appointment uttered on the day it was announced by a labor leader who organized the plants of one of Mr. Miller's clients, and who sat across the consultation table from the United States Court of Appeals Justice during the prolonged and difficult negotiations for a union contract. 'I want to see Wilbur and congratulate him,' the union organizer said. 'In all of our dealing with him, he has been fair. There is one thing about him—whenever he reaches a decision on that court, it will be an honest one.'

LAWRENCE W. HAGER,
Publisher, Inquirer and Messenger,
Owensboro, Ky.

I am sure that the Senate will never have cause to regret confirming the nomination of Judge Miller, and that the President will never have cause to regret having made the appointment. Any intimations that Judge Miller will not discharge his duties with justice and fairness while on the bench are entirely without justification.

THE JEWISH-PALESTINE ISSUE

Mr. McMAHON. Mr. President, from the magnificent analysis and statement with respect to the Jewish-Palestine issue, made by the distinguished Senator from Kentucky [Mr. BARKLEY], it would perhaps seem superfluous for me to speak further upon the subject. I would not do so if it were not for the fact that for a long time I have been deeply concerned about this great and paramount issue.

President Truman has proposed the greatest single act of humanitarianism since the outbreak of World War II, but the British Government, I am shocked to say, is seeking to prevent its execution.

The President has advised Prime Minister Attlee, through Secretary of State Byrnes, of his desire to remove 100,000 Jewish refugees from concentration camps in occupied Germany so that they may begin life anew in Palestine. It is a magnificent gesture the President proposes, one which produces an applauding echo throughout the length and breadth of this land. But the British, who have endeavored for the past 20 years, with one excuse after another, to make Palestine a ghetto of the Arab world, are willing to admit only 1,500 refugees a month—a mere 18,000 during the next year.

This seems difficult, Mr. President, to believe, but Reuter's, the official British news agency, says it is so.

How tragic this is.

Instead of trying to cooperate with the Government of the United States in salvaging some of the survivors of the greatest mass tragedy of the ages, the British, it would seem, are endeavoring to prolong this tragedy.

It is indeed unfortunate that a people who, all alone, stood off Hitler for more than 9 months, and whose magnificent courage during the darkest days of the blitz proved them to be a people who will willingly die in the cause of justice, are permitting their escutcheon to be blotted because of their attitude toward Palestine.

From the advent of Hitler back in 1933, more than 5,000,000 Jews have been victims of his mad determination to wipe out an ancient people. Of approximately 7,000,000 Jews who lived in Nazi-occupied Europe and Russia before the war, not more than 1,400,000 now survive.

Had the war in Europe continued another 4 months, it is a fair assumption that Hitler would have succeeded completely in his diabolical scheme.

Of those who survived more than 100,000 are still in concentration camps in Germany, and 65,000 in camps under the supervision of the American Army.

These people have no place to go. They are a destitute, homeless people, afflicted with memories of a tragic past. Most of them have lost all of their loved ones, and all their earthly possessions. They are alive today only because Eisenhower, Bradley and Patton got to Germany before they, too, were removed from concentration camps to the crematoriums. Otherwise, their bones, also, would have been included in the piles of human ashes discovered by the onrushing American armies.

It is these survivors whom President Truman, reflecting the unquestioned wishes of the American people, wants to help right now by getting them to Palestine, the only place on God's green earth where they can again live as free men and women. But Britain does not want them to go there.

I have said that nearly 5,000,000 Jews lost their lives under Hitler. Many of them—I do not know how many, but surely many hundreds of thousands, and perhaps more than a million—could have been saved but for the rigid, tragic application of the British white paper.

The white paper was a part of the British policy of appeasement promulgated by the late Prime Minister Chamberlain as a part of his futile endeavors to appease Hitler. In those days Hitler's anti-Jewish propaganda was being industriously circulated in the Near East. He found a fertile field among Arab politicians who saw in the presence of the Jews in Palestine a substantial betterment of the condition of the lowly and poverty-stricken Arabs. The Jew brought to Palestine vision, medicines, schools, modern living and more employment at higher wages. Naturally, the Arab peasants welcomed the Jew, but by the same token, the Arab politicians viewed with horror and with apprehension the magnificent physical and cul-

tural development which followed the Jew into that ancient and barren land.

Those politicians and Hitler had much in common and the politicians, like Hitler in Europe, set up a hue and a cry against the Jews. They did not want any more Jews in Palestine. Thus, when Prime Minister Chamberlain, back in 1939, promulgated the white paper limiting immigration into Palestine to a mere 75,000 during the course of the succeeding 5 years, and none at all after that time, Mr. Chamberlain and the British Government were following sheeplike behind Hitler's leadership.

Mind you, Mr. President, Chamberlain imposed this restriction on Jewish immigration into the one country which had been set aside by the Versailles Treaty as a Jewish homeland at a time when it was more necessary than ever in the world's history for the unfortunate Jews of Europe to find a haven of refuge. A few months after promulgation of the white paper, Hitler proved to Chamberlain the futility of all his appeasement policies. The need for unrestricted immigration into Palestine then was greater than ever before because with the advent of the formal state of war, Hitler's atrocities against the Jews increased one-hundredfold. Protests against the application of the white paper were renewed but the British excuse then was that tampering with the white-paper policy might inflame the Arabs and upset the progress of the war in Africa and the Near East. Mind you, Senators, at that time hundreds of thousands of Jews, caught like rats in a trap, were endeavoring to escape from Hitler. They could have gotten to Palestine, not only from Germany, but from Poland and from all of the satellite countries, but the British Government through the white paper said, "No, you must remain where you are." They did—and more than 5,000,000 of them were exterminated.

Even after the Germans had been driven from North Africa, and all prospects of war in that area had disappeared, the British continued to remain adamant in the enforcement of the white paper. They still found excuses to prevent homeless Jewish refugees from going to Palestine.

In the meanwhile, because of the brutal application of this immigration policy, hundreds of thousands of Jewish lives were needlessly sacrificed. Hundreds of thousands of these people might have been saved.

Now the war is over. There has been peace in Europe since May 8, and still Britain enforces the white paper.

Mr. President, let us look at another aspect of the situation. As a part of the deliberate policy of the United States and the British Government, Palestine was legally designated during 1917 as a national homeland for the Jews. There were prolonged negotiations between President Woodrow Wilson and Prime Minister David Lloyd George, and the Government policy, since known as the Balfour Declaration, was proclaimed. According to all of the writings of Mr. Wilson and Mr. David Lloyd George, it was the full intent of our Governments at the time to make Palestine eventually into a free and independent state in

which the rights of all peoples would be equal under the law, but in which a majority of the population would be Jews. There is no question about this. It is as factual as any historic record can be.

At the Versailles Treaty, His Majesty's Government was given a mandate over Palestine to continue until such time as a sufficient number of Jews had arrived in Palestine to establish a proposed commonwealth.

The United States Government was not a signatory to the Versailles Treaty but we were very much a factor in the British mandate over Palestine, because in 1924 the Coolidge administration negotiated a treaty with Great Britain in which the British administration of the mandate was confirmed. This treaty, however, specifically stipulated that Britain would make no change in the immigration policy into Palestine without prior consultation with the United States. But Britain has, as the record shows, completely ignored the United States in all matters pertaining to Palestine. On March 9, last year, President Roosevelt asserted in the White House that the United States had never given its approval to the white paper of 1939. Despite this strong hint from an Allied and Associated Nation, Britain continued to enforce the white paper, and it is doing so to this day. In the meanwhile, last year the Democratic and Republican National Conventions went on record favoring the immediate creation of Palestine as a Jewish commonwealth. The majority of Members of this Congress have gone on record favoring this policy, and insofar as I know, none of us differ on the question of relief to those unfortunates whom President Truman would transplant to Palestine.

During its long climb up the political ladder, the British Labor Party espoused the cause of the free and democratic Jewish commonwealth in Palestine. During all this time the Labor Party challenged the Churchill government's application of the white-paper policy. Only a few months ago, in May 1945, the British Labor Party—the same party which now rules the destinies of the British Empire—adopted an official declaration on Palestine which reads:

There is surely neither hope nor meaning in a "Jewish national home," unless we are prepared to let Jews, if they wish, enter this tiny land in such numbers as to become a majority. There was a strong case for this before the war. There is an irresistible case now, after the unspeakable atrocities of the cold and calculated German Nazi plan to kill all Jews in Europe. * * * The Arabs have many wide territories of their own; they must now claim to exclude the Jews from this small area of Palestine less than the size of Wales.

Mr. President, that was the statement of the Labor government before it came to power.

When the Labor government came into power, we in the United States who believe in the validity of the Jewish claims to Palestine had the right to think that at long last the pledges of the British and the American Governments would be carried out. But once more we were doomed to further and more bitter disappointment and disillusionment. Not

only is the Labor government ignoring its pledges, but, of even greater distress, it is seeking to block President Truman in his efforts to furnish relief to 100,000 people who are in such dire distress.

This attitude of the British Government is a horrible commentary and a great shock to those of us who had always admired the British for their traditional belief in fair play. This is anything but fair, and it cannot help but lessen the prestige of the British in this country.

I hope the British Government will appreciate the depth of American feeling on the subject of Palestine, and take immediate steps, not only to comply with President Truman's great humanitarian objectives but also to carry out the historic pledges of our Governments.

Mr. MURRAY. Mr. President, this morning while the Palestine question was under discussion I had intended to express some thoughts on the subject, but was precluded from doing so by the intrusion of the bill, which has been under discussion during the day. I should now like to submit some brief remarks in connection with that matter.

Mr. President, when we review the history of the Palestine problem we find that there was hardly another instance in the memory of our generation where promises have been so lavishly made and so consistently violated. Between 1917 and 1920 most governments of the world, including our own, gave careful consideration to the future of Palestine. After much soul-searching a decision was arrived at in the light of the needs of the Jews, of the position of the Arabs, and of the interests of the entire civilized world.

The Arabs, until then subjects of the Turkish Empire, were put on the road to freedom. In the case of the Jews it was recognized that this group of people, living scattered all over the world, who found equality of rights and decent treatment in some countries, but unending sorrow and persecution in others, also deserved to have a country where those of them who wished to emigrate would be truly at home. Palestine, because of its historic connection with the Jewish people, was recognized as the place which should become the national home of the Jewish people.

This was the basis on which the nations of the world decided to entrust the mandate over Palestine to England, with the understanding that Great Britain would use its position to further the immigration and settlement of Jews in Palestine. It was understood, of course, that all inhabitants of Palestine, whatever their race or religion, would enjoy perfect equality of rights and that particular attention should be paid to guaranteeing religious freedom and the protection of the holy places in that country, which is holy to so many faiths. But it was clearly understood at the same time that the Jews should be enabled to immigrate to Palestine in large numbers, so that its Jewish inhabitants would ultimately become a majority of its total population, and so that, in this sense, the state that would one day be established in Palestine would be a Jewish state.

Let me make it plain that the term "Jewish state" was never meant as a state in which Jewish religion should be controlling but simply a state in which the majority of the population were Jews. All this is very clear from the diplomatic correspondence surrounding the Palestine mandate. The American peace delegation in Versailles, President Wilson in person, British leaders such as Mr. Lloyd George and General Smuts, all made clear that this was their understanding of the purpose of the Palestine mandate.

A large number of governments, then united in the League of Nations, gave their formal approval to this policy, which became incorporated in the League of Nations mandate. The United States of America fully subscribed to this understanding by entering into a treaty with Great Britain in 1924. This treaty, which can be found on the statute books of the United States, gives our country the same rights to supervise the faithful execution of the provisions of the Palestine mandate as we would have had were we a member of the League of Nations. In addition, the treaty stipulates that no modification of the terms of the mandate by Great Britain could affect the validity of our treaty.

The legal position with regard to Palestine and the commitments which the nations of the world have undertaken with regard to the Jews who desire to enter Palestine were, therefore, quite clear 20 years ago. What happened since then that would have made the breach of these commitments and a change of policy justifiable or at least excusable? Has it been demonstrated that the Jews in Palestine were unable to do the job of settling the country? Has it been demonstrated that they have, in doing so, oppressed or contributed to the impoverishment of their Arab neighbors? Has the position of the Jews in the world become so much better that their need for a national home has become less than it was in 1917?

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

Mr. MURRAY. I yield.

Mr. WHEELER. As chairman of the committee of four which visited Palestine last June, I was very much surprised to see the great improvement which had taken place in that area since I had been there before. We stayed overnight at Tel Aviv, which is one of the cleanest and finest cities to be found there, much cleaner than any other city in the vicinity. It is a very beautiful place, built up entirely by the Jewish people. I can see no excuse for anyone saying the Jews should not be permitted to go to Palestine if they wish to go and buy land. I do not undertake to tell the British government what it should do, but I see no reason why, if the Jews desire to come to Palestine and stay there, they should not be permitted to do so.

Mr. MURRAY. I thank the Senator for his comment. I appreciate that he has made a very careful study of this problem on the ground, and that he is familiar with the facts. I am sure he is qualified to approve and corroborate what I am now saying.

Have the Arab peoples lost their chance at independence in other countries so

that they could have looked only to Palestine as the one place where they could have a national state of their own?

Nothing of the sort. Quite the contrary, the Jews have shown remarkable success in peacefully colonizing Palestine. Their example and cooperation have resulted in a tremendous rise both of the numbers and of the economic standards of the Palestine Arabs. The Arabs in Palestine today enjoy a far higher economic standard than they did before the coming of the Jews and a far higher standard than that of Arabs in most neighboring countries. So beneficial did Jewish colonization prove to the Arabs that, far from leaving the country, as they used to in the days before the First World War, large numbers of Arabs from neighboring countries immigrated into Palestine in order to share in the prosperity brought by the Jews.

And what about the Jewish situation in the world? If it was bad in 1917, it has become immeasurably worse in the years since. All during the 1920's, anti-Semitism became stronger in one European country after another, in the 1930's the Nazi rule of Germany resulted in a world-wide campaign of hatred against the Jews, and in the early 1940's about 6,000,000 Jews in Europe were slaughtered, gassed, brutally murdered. Their survivors have lost all, and are finding it almost impossible to start life anew in the countries where they have met and are still meeting with so much hatred. If it was necessary to have a Jewish national home in 1917, how much more has this necessity been demonstrated in 1945?

And what about the situation of the Arab-speaking peoples as a whole? They have progressed on the road to independence. They are rapidly freeing themselves from the last traces of foreign control. Five of the Arab countries—Iraq, Saudi Arabia, Egypt, Syria, and the Lebanon—have become members of the United Nations. A sixth Arab State, Yemen, is also almost fully independent. The Arab position in the world has tremendously improved. The Jewish position in the world has tremendously deteriorated. If it was wise and just to facilitate the establishment of a Jewish state in Palestine in 1917, it is far more wise and just to do so today.

The American people, and its qualified representatives, time and again gave full expression to this point of view. As early as 1922, Congress went on record in a joint resolution as favoring the Jewish national home, and President Harding approved the resolution and made it part of the law of the land. Presidents Coolidge and Hoover expressed their approval of this policy. Both the Democratic and Republican Parties reaffirmed this policy most emphatically at their recent national conventions in the summer of 1944. In these conventions, they pledged themselves to a policy of large Jewish immigration and of a Jewish majority in Palestine that would result in the establishment of a free and democratic Jewish commonwealth. President Roosevelt publicly concurred in this policy, and pledged himself to carry it out. President Truman likewise has declared that he will pursue the same policy.

Mr. President, the chapter of British rule in Palestine contributes nothing to the honor of the British Government. It is a blank chapter in English history. It is a chapter full of evasion and duplicity. After having received the trusteeship over Palestine mainly in order to help the Jews establish their national home, British administrators did their best to prevent the Jews from doing so. For the present, and as it has been ever since 1939, Palestine is ruled under the notorious British document known as the Chamberlain white paper of 1939, under which no more Jews may enter Palestine, and under which, in this so-called national homeland of the Jews, Jews are not even permitted to live or to own property anywhere except a tiny part of the territory of Palestine.

This document is reviled and repudiated even in England. Winston Churchill, the man who pulled Great Britain through the war, called the white paper a unilateral breach of promises and a violation of international obligations.

But on the part of Mr. Churchill, too, just as on the part of many others, these were only words. For 4 long years Churchill was Prime Minister of England, and he had it within his power to right the wrong that was done. He did not do so. For most of those 4 years there was an explanation—the critical war situation. But for the last year and a half this explanation no longer held true.

During the past year and a half it would have been easily possible to abrogate the white paper, to open Palestine to the Jewish refugees of the Old World, and to lay the foundations of the Jewish state.

It was not done by Mr. Churchill's government, and now we hear that Mr. Attlee's government does not intend to do so, either. It is said to wish to maintain the white paper intact, with but slight and insignificant concessions. It is said to intend to "pass the buck" for the future of Palestine to a United Nations organization which has not yet started operating and which, God knows when, will be able to start operating effectively.

An overwhelming majority of the Members of both Houses of Congress, both political parties, the administration are publicly pledged to support the policy of a Jewish commonwealth, and yet in practice we are failing to carry this policy into execution. It is reported that the President of the United States has asked that 100,000 Jewish refugees be admitted to Palestine at once. This is, indeed, an elementary requirement of the mandate. The victims of our enemy's brutality who by some miracle survived in his concentration camps and who desire to go to the country that was promised to them should be enabled to go without the least delay.

But this is only the first step. Without shirking responsibility, our Government and the Government of Great Britain, who have made so many far-reaching decisions in the international field in the interest of peace and humanity, must not shirk this responsibility, either—the long-overdue responsibility of redeeming and carrying out a sacred obligation.

EXECUTIVE SESSION

Mr. WHEELER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

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

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

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

John J. O'Connell, of Pennsylvania, to be judge of the United States Circuit Court of Appeals for the Third Circuit (new position);

J. Howard McGrath, of Rhode Island, to be Solicitor General of the United States, vice Charles Fahy, resigned;

Everett M. Evans, of Idaho, to be United States marshal for the district of Idaho, vice Edward M. Bryan, resigned;

Robert Grant, of Illinois, to be United States marshal for the southern district of Illinois; and

Hubert J. Harrington, of New Jersey, to be United States marshal for the district of New Jersey.

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

Lt. Gen. Raymond Albert Wheeler (colonel, Corps of Engineers), Army of the United States, for appointment in the Regular Army of the United States as Chief of Engineers, with the rank of major general, for a period of 4 years from date of acceptance, vice Lt. Gen. Eugene Reybold, Chief of Engineers, whose term of office expire September 30, 1945; and

Sundry officers for appointment, promotion, or transfer in the Regular Army.

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

Sundry postmasters.

By Mr. WHEELER, from the Committee on Interstate Commerce:

Harrington Wimberly, of Oklahoma, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1948, vice Basil Manly, resigned; and

Richard Sachse, of California, to be a member of the Federal Power Commission for the remainder of the term expiring June 22, 1947, vice John W. Scott, resigned.

RAYMOND S. McKEOUGH TO BE MEMBER OF UNITED STATES MARITIME COMMISSION—REPORT OF COMMERCE COMMITTEE

Mr. OVERTON. Mr. President, from the Committee on Commerce I report adversely the nomination of Raymond S. McKeough, of Illinois, to be a member of the United States Maritime Commission for a term of 6 years from September 26, 1945, with the recommendation that the nomination be not confirmed.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDENT pro tempore. The Chair requests that all the nominations

of postmasters on the calendar may be confirmed, the postmasters all being from Tennessee, and all being postmasters who have been promoted to be third class postmasters, and that the President may be immediately notified, and the postmasters congratulated.

The Chair hears no objection; and, without objection, it is so ordered.

That concludes the Executive Calendar.

DISPOSAL OF SURPLUS PROPERTY

Mr. STEWART. Mr. President, I wish to call attention to an article which appeared in this morning's Washington Post. I have been speaking in the Senate from time to time about the situation with respect to the method by which surplus property is being handled. I have stated from time to time that it would never be possible to handle the surplus property problem, of which we have spoken so much and about which so much has been written, estimated variously at from \$50,000,000,000 to \$112,000,000,000, I believe, until and unless a central authority had been created charged with the responsibility of disposing of the surplus property.

I have said also that it would be necessary to have a central inventory in connection with the establishment of control of surplus property. I have introduced proposed legislation which has for its purpose the accomplishment of those very things along with other things set out in the bill, which I shall not now take time to discuss in detail, but which are looked upon more or less as corrective provisions of the surplus property law.

The story which appeared on the front page of this morning's Washington Post is as follows:

DEALERS CAN GET THEM—VETERANS AUTHORIZED TO BUY FIND NO ARMY TRUCKS FOR SALE

About 100 veterans, armed with letters authorizing them to purchase Army surplus motor vehicles, showed up at Fort Meade, Md., yesterday to find no vehicles for sale to them.

The men, many from distant parts of Pennsylvania and Virginia, were told simply, "We haven't anything for you." While the veterans waited, a stream of dealers filled the office at the Meade motor pool cleaning up purchases they made of trucks last Thursday and Friday.

In charge of the sales at Fort Meade was C. S. Thomas, representing the Smaller War Plants Corporation. He refused to tell veterans why they couldn't buy vehicles and declared he wouldn't talk to newspapermen about them.

Many of the veterans carried letters authorizing them to buy vehicles, dated September 27 and 28, from the SWPC offices at Philadelphia and Harrisburg.

There were 60 trucks parked in the pool. Those usable were tagged as sold to dealers.

Henry C. Leary, Lancaster, Pa., spokesman for a group of veterans from Pennsylvania, sounded the sentiments for his group.

"We were told to be here sure today. When we arrived we found that the only vehicles worth having had already been sold to dealers. One man offered \$260 for a truck. He discovered it had been sold to a dealer for \$370. He looked up the dealer and was offered the truck for \$650."

In Washington the SWPC passed the buck to the Commerce Department who promptly passed it back to SWPC.

Mr. President, that is a fair example of what we are going to confront in the

handling of surplus property from now on, and many other examples might be cited. First, when the veteran or the small businessman proceeds to the designated place to make a purchase he finds, and he will invariably find, that the truck has already been sold to somebody else, mysteriously sold under some kind of an arrangement or plan that nobody knew anything about.

Second, he is going to find that although he is a veteran no more attention will be paid to him than if he were not a veteran, in spite of the fact that there are provisions in the present law which require the veteran to be given preference.

Mr. President, sometime ago I introduced a bill on which, beyond referring it to the committee I suppose no action has been taken. At that time I spoke on the subject. The bill provides for a central authority to control the sale of surplus property. We created a Surplus Property Board by legislation more than a year ago. The Senate passed one kind of a bill. The House passed another kind of a bill. The legislation was finally written by the conference committee in conference. That legislation was almost totally different from the two bills the two Houses had passed. That shows the controversial nature of the subject. It was more or less controversial then, and it seems to be a matter of some controversy now. But the responsibility for the proper handling of surplus property rests upon this body and upon the body at the other end of the Capitol—the Congress. It is our duty to enact such legislation as will not only require, but compel, the proper and correct handling and disposal of surplus property. It is our duty to enact such legislation as will give to the veteran and to others what we said would be given to them when we undertook to write the original law, and when we debated the question.

I have stated before on this floor that this situation probably would outsmell Teapot Dome, and that the administration and the Congress would have to bear full responsibility for the outcome of the surplus-property problem. I do not know how much of it has already been disposed of, but everywhere one goes he hears stories about it. Someone wishes to know why there happened to be a sale at Fort Meade, Richmond, New Orleans, or some other place in the United States, without the public knowing about it. No one seems to know how the sales are advertised, and yet there is always an adequate number of purchasers to buy, at their own figures, the various things offered for sale.

The other day a young man told me an amazing story. I shall not give his name because he has not as yet been discharged from the Navy. He had heard of a sale of automobiles, and he wanted to buy a jeep. He heard that a sale was taking place near the camp where he was located, not many miles from here. He had saved a little money and had what he thought was enough to purchase a jeep. He was very promptly told that he could not buy one jeep. He was told, "We are selling them in lots of 30." He said, "I thought preference was being given to

servicemen." He was told, "There are two answers to that. In the first place, we are glad to give you preference if you want to buy 30 jeeps, but we cannot sell you 1." How could that boy buy 30 jeeps? How could any average GI being discharged buy 30 new jeeps, and what would he want with them?

As I understand, the purpose of the surplus-property law which we enacted was to prevent speculation. If that was not the purpose, what was the purpose? If any Senator knows that there was any other purpose, or if I am misstating the purpose, I should like to be given to understand whether or not that is a correct statement.

If we are undertaking to prevent speculation we have certainly done a poor job of it up to date. Everyone with whom I talk about the sale of surplus property tells me that there is some sort of mystery about it all. Instead of being helpful to veterans, to the small businessman, and to the average citizen who wishes to purchase some of the \$100,000,000,000 worth of surplus property, it seems to me that the agencies handling it are undertaking, by some sort of sleight of hand, to fool them, or prevent them from purchasing it. Imagine telling a boy from the Navy who had saved up two or three hundred dollars to buy a jeep to take back to his farm with him that he could buy 30, but could not buy 1. Later he was told, "You are not a veteran anyway, because you have not yet been discharged."

It is said that the Commerce Department "passed the buck" to the Smaller War Plants Corporation, and the Smaller War Plants Corporation "passed the buck" back again. It is going to be a game of "buck passing" until the property is all gone. That is precisely what will occur. We could not expect anything else, with an army of agencies, all jealous of one another, trying to handle the property, each absolutely without any sort of purpose or intention to co-operate with the others. Mr. President, that is the problem with which we are faced. We shall be hearing stories of "buck passing" until the whole \$100,000,000,000 worth of property is gone.

The other day I made the statement that I was very doubtful whether 5 percent of the value of the \$100,000,000,000 worth of property would actually be channeled back into the Treasury of the United States. Congress enacted a provision requiring the money received from the sale of surplus property to be applied to the retirement of our war debt. When the final credit is entered upon the ledger, it will be a very small amount if some steps are not taken to place intelligent, purposeful, determined control, and full and complete control, in some one body. My own thought is that it ought to be in the Surplus Property Board. It should have full control of the operation. I have previously so stated. People write to them for information about the purchase of surplus property. They have started "passing the buck." They write to people who inquire and tell them, "We do not handle it any more. You will have to write to the Com-

merce Department or the RFC." Or perhaps they say, "That property has not yet been declared surplus. Through order No. 6 which we just issued, which we admit is a rather cleverly drawn order, we sell surplus property to certain persons who wish to buy it without its being declared surplus."

Many things are being done to thwart the will of Congress. The situation will bring shame upon the heads of all of us. It is our responsibility. We ought to assume the responsibility and enact such legislation as will compel the proper disposition of surplus property.

Numerous other instances have come to my attention. I could name a dozen in a very few minutes. I understand that hearings are to be held, possibly this week. Representatives of the purchasing departments of the various States will appear before the subcommittee of which the Senator from West Virginia [Mr. KILGORE] is chairman, and a group of purchasing agents from seven Southern States which have organized for a like purpose, will appear before my Small Business Subcommittee.

Recently in Nashville, Tenn., the following incident occurred: The State of Tennessee desired to purchase some desks. There was a warehouse full of them. According to my information, they had been declared surplus. It required more than a month to decide who had charge of them, whether the RFC or the Department of Commerce. I was asked to make an investigation of the question. I suppose that, finally, if something has not happened this week, perhaps the State of Tennessee will get some much-needed desks, which it is anxious to purchase.

All the confusion and uncertainty, and the proverbial Government red tape came about by the reason of the fact that, as I am informed, there was a controversy between two agencies as to which one had control of the disposal of the desks. One agency claimed to have partial control, and another claimed to have full control.

Mr. President, such a situation cannot continue indefinitely. I do not know how much of the surplus property has already been sold. I do not know whether we are going to lock the door after the horse has escaped or not. But I certainly wish to be placed on record. I intend to continue to talk about this matter. I wish to go on record as one who is opposed to the present secretive, fumbling method of handling the biggest business that this Government has ever undertaken. I shall discuss this question further next week—perhaps during this week. I hope to have the cooperation of the Senate in the enactment of some kind of legislation which will be in line with the bill which I introduced.

RECESS

Mr. WHEELER. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 33 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, October 3, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 2, 1945:

APPOINTMENTS BY TRANSFER IN THE REGULAR ARMY OF THE UNITED STATES

TO QUARTERMASTER CORPS

Lt. Col. Lee Malcolm Hester, Infantry (temporary colonel), with rank from February 4, 1941.

Lt. Col. Howard Louis Peckham, Corps of Engineers (temporary brigadier general), with rank from December 11, 1942.

TO CORPS OF ENGINEERS

First Lt. Charles Dorsey Maynard, Coast Artillery Corps (temporary major), with rank from June 11, 1944.

TO ORDNANCE DEPARTMENT

Capt. Floyd Garfield Pratt, Infantry (temporary colonel), with rank from June 12, 1945.

First Lt. Milton Harvey Clark, Coast Artillery Corps (temporary lieutenant colonel), with rank from June 12, 1940.

First Lt. Napoleon Robertson Duell, Field Artillery (temporary colonel), with rank from June 12, 1939.

First Lt. Richard Cutler Miles, Infantry, with rank from May 29, 1945.

TO FIELD ARTILLERY

First Lt. Henry Harley Arnold, Jr., Coast Artillery Corps (temporary lieutenant colonel), with rank from June 11, 1943.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

TO BE PROFESSOR OF ENGLISH AT THE UNITED STATES MILITARY ACADEMY, WITH RANK FROM DATE OF APPOINTMENT

George Robert Stephens, vice Col. Clayton E. Wheat, retired.

IN THE NAVY

Medical Director George W. Calver to be a medical director in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as medical officer in attendance on the Congress.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 2, 1945:

POSTMASTERS

TENNESSEE

Lillian V. Proctor, Burlington.
Ona G. Matheny, Campaign.
Sandy B. Harris, Cunningham.
James C. Duke, Darden.
Jessye L. Williamson, Denmark.
Herbert C. Hurst, Eagan.
Una E. Fleming, Elbridge.
Mable E. Watkins, Fosterville.
Bessie Sutton, Frankewing.
Laura J. Keck, Goin.
Edna H. Butler, Goodspring.
Rebecca E. Fleming, Hartford.
James W. Cross, Hickory Point.
William R. Rice, Hollow Rock.
Mildred P. Smith, Huron.
Joe R. Pigg, Kelso.
Guy L. McHaney, Luray.
James L. Gooch, Michie.
Mabel Lowery, Ocoee.
Joyce Myrtle Stratton, Oldfort.
Charles H. Biggs, Palmersville.
Sinda Rector, Pioneer.
Margaret E. Harris, Pleasant View.
Betty L. Sharp, Seymour.
Frank S. Grizzell, Sharps Chapel.
Robert H. McFall, Slayden.
Zaida I. Fullwood, Stantonville.
Harvey M. Ewing, Tennessee City.
Lambert C. Idol, Westbourne.
Mary F. Hall, Westport.

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.

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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 amendments:

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 amendments:

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
Cooey	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 trade-ins 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 hereinafter 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. Biddle, 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.