armed forces have operated during World War II, and for other purposes; without amendment (Rept. No. 2088). Referred to the Committee of the Whole House on the State of the Union.

Mrs. SMITH of Maine: Committee on Naval Affairs. H. R. 5915. A bill to amend the Naval Reserve Act of 1938, as amended, so as to establish the Women's Reserves on a permanent basis, and for other purposes; with amendment (Rept. No. 2098). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 913. An act to protect scenic values along and tributary to the Catalina Highway within the Coronado National Forest, Ariz.; without amendment (Rept. 2099). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. S. 1336. An act to transfer certain real and personal property in Ward County, N. Dak., to the State of North Dakota acting by and through the Industrial Commission of North Dakota; without amendment (Rept. No. 2100). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 632. Resolution providing for the consideration of H. R. 6024, a bill relating to the prevention and control of water pollution, and for other purposes; without amendment (Rept. No. 2101). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar as follows:

Mr. COMBS: Committee on Claims. S. 470. An act to confer jurisdiction upon the court of claims to hear, determine, and render judgment upon the claim or claims of W. P. Richardson, as successor and assignee of W. P. Richardson & Co., of Tampa, Fla.; without amendment (Rept. No. 2089). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 797. A bill for the relief of William W. Willett, Jr.; with amendment (Rept. No. 2090). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 1258. A bill for the relief of Cecil Atkinson; with amendment (Rept. No. 2091). Referred to the Committee of the Whole House.

Mr. COLE of Kansas: Committee on Claims. H. R. 1469. A bill for the relief of Cox Bros.; with amendment (Rept. No. 2092). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 2489. A bill for the relief of Gaylon Dhue; with amendment (Rept. No. 2093). Referred to the Committee of the Whole House.

Mr. COMBS: Committee on Claims. H. R. 3455. A bill for the relief of Chatham M. Towers; with amendment (Rept. No. 2094). Referred to the Committee of the Whole House.

Mr. COMBS: Committee on Claims. H. R. 3494. A bill for the relief of the J. B. McCrary Co., Inc., and for other purposes; with amendment (Rept. No. 2095). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 3508. A bill for the relief of the Northern Lumber & Millwork Co., of Spokane, Wash.; with amendment (Rept. No. 2096). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 3051. A bill for the relief of Laura Spinnichia; with amendment (Rept. No. 2097). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 6411) for the relief of Joseph E. Killian, Jr., and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROE of Maryland:

H. R. 6497. A bill to provide for an examination and survey to determine the advisability and feasibility of dredging Lakes Cove on the Honga River, Dorchester County, Md.; to the Committee on Rivers and Harbors.

By Mr. SHEPPARD:

H. R. 6498. A bill to provide for the refund of certain interest paid by veterans on loans secured by adjusted-service certificates, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 6499. A bill to establish a national housing policy and provide for its execution; to the Committee on Banking and Currency.

By Mr. McGREGOR:

H. R. 6500. A bill to prohibit, for a period of 9 months, the exportation of building materials from the United States; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 6501. A bill to prohibit the induction under the Selective Training and Service Act of 1940, as amended, of persons who have served in the land or naval forces for 30 days or more subsequent to September 16, 1940, and for other purposes; to the Committee on Military Affairs.

By Mr. ROGERS of New York:

H. R. 6502. A bill to provide a traffic safety plan for the several States; to the Committee on Interstate and Foreign Commerce.

By Mr. RAMEY:

H. R. 6503. A bill to authorize the appointment of a Peace Bell Tower Foundation Commission and fixing its duties; to the Committee on the Library.

By Mr. HÉBERT (by request):

H. R. 6504. A bill to authorize the United States Park Police to make arrests within Federal reservations in the environs of the District of Columbia; to the Committee on the District of Columbia.

By Mr. JUDD:

H. R. 6505. A bill to amend subsection (c) of section 19 of the Immigration Act of February 5, 1917, as amended; to the Committee on Immigration and Naturalization.

By Mr. McMILLAN of South Carolina (by request):

H. R. 6506. A bill to extend for the period of 1 year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended; to the Committee on the District of Columbia.

By Mr. MILLS:

H. R. 6507. A bill to provide for the sale of certain submarginal lands owned by the United States; to the Committee on Agriculture.

By Mr. RANKIN:

H. R. 6508. A bill to provide a system of relief for veterans, and dependents of veterans, who served during World War II in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the military order of July 26, 1941, of the President of the United States, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. SCHWABE of Oklahoma:

H. R. 6509. A bill to provide for the automatic promotion of certain hospitalized enlisted men in the armed forces of the United States; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. WINSTEAD:

H. R. 6510. A bill for the relief of Miss Maggie Sue Eakes; to the Committee on Claims.

By Mr. HEDRICK:

H. R. 6511. A bill for the relief of G. C. Hedrick; to the Committee on Claims.

By Mr. ROONEY:

H. R. 6512. A bill for the relief of the legal guardian of Thomas Lynch, a minor; to the Committee on Claims.

PETITIONS, ETC.

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

1898. By Mr. HAVENNER: Petition of the Board of Supervisors of the City and County of San Francisco, records itself as favoring the continuation of Federal price control through OPA, and urges Senate adoption of the price control bill, now under consideration, without crippling amendments, to the Committee on Banking and Currency.

1899. By Mr. LUTHER A. JOHNSON: Petition of F. A. Still, manager, Rockwell Lumber Co., Waxahachie, Tex., and Mr. L. McM. Malloy, Ferris, Tex., opposing tax exemption for co-ops; to the Committee on Ways and Means.

1900. Also, petition of J. E. Wakeland, superintendent, Italy Public Schools, Italy, Tex., favoring House bill 4384; to the Committee on Education.

1901. By Mr. SMITH of Wisconsin: Petition of 15 citizens from Burlington, Wis., requesting that the following rights be reinstated to the people of our country: The right to work regardless of any union, the right to drive a car or truck regardless of any union, and the right to enter any building or place regardless of any union; to the Committee on Labor.

SENATE

WEDNESDAY, MAY 22, 1946

(Legislative day of Tuesday, March 5, 1946)

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, our Father, as in this pavilion of prayer we fling open the shuttered windows of our darkened lives to the effulgent light of Thy presence, enable us in our daily work to reflect some broken beams of Thy glory. Teach us by the adventure of faith how to be victors over life, not victims of it; and that to live worthily we must have a faith fit to live by, a self fit to live with, a cause fit to live for. Enlarge the sensitive area of

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our sympathy and then out of Thine own heartbreak for Thy erring children of earth write deep upon our hearts the suffering and pain of the shepherdless multitudes so broken by the burdens and stress of these cruel years. Grant us such a vision of our world and its appalling need as to make us sharers with Thee in saving it from the worst that is in man to the best that is in Thy will and plan when Thy kingdom comes. In the dear 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 Tuesday, May 21, 1946, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on May 21, 1946, the President had approved and signed the act (S. 1189) to provide for voluntary apprenticeship in the District of Columbia.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 203. An act for the relief of Margery Anderson Bridges;

S. 875. An act for the relief of Mercy Duke Boehl;

S. 1201. An act for the relief of Arthur F. Downs;

S. 1563. An act for the relief of Ferris Ruggles;

S. 1604. An act for the relief of Leo Stuhr;

S. 1916. An act to authorize the Secretary of State to transfer certain silver candelabra to May Morgan Beal; and

S. 1932. An act conferring jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment upon the claim of the board of trustees of the Saunders Memorial Hospital.

The message also announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 1002. An act for the relief of Marvin Sachwitz;

H. R. 1322. An act for the relief of the Marine Engine Works & Shipbuilding Corp., of Tarpon Springs, Fla.;

H. R. 1460. An act for the relief of D. C. Todd;

H. R. 1480. An act for the relief of the S. G. Leoffler Operating Co., of Washington, D. C., and for other purposes;

H. R. 1673. An act for the relief of the Superior Coach Corp.;

H. R. 1797. An act for the relief of Arcadio Saldana Agosto;

H. R. 2130. An act for the relief of Daniel S. Bagley, Jr., and Daniel S. Bagley, Sr.;

H. R. 2269. An act for the relief of Dr. William A. Schumacher and Magdalen M. Schumacher;

H. R. 2954. An act for the relief of John Hamlet;

H. R. 3031. An act for the relief of Walter A. Moffatt;

H. R. 3622. An act for the relief of Mrs. Hazel M. Skaggs;

H. R. 3744. An act for the relief of Mrs. Eva L. Dudley;

H. R. 3848. An act for the relief of the legal guardian of Johnnie Pollock, a minor;

H. R. 4215. An act for the relief of Jane O'Malley;

H. R. 4245. An act for the relief of Jose Villafane Munoz;

H. R. 4251. An act for the relief of the estate of the late Francisca Sanchez Figueroa;

H. R. 4331. An act for the relief of Esequiel (Frank) Padilla, and others;

H. R. 4339. An act for the relief of Fannie C. Fugate;

H. R. 4419. An act for the relief of Mrs. James Plumb;

H. R. 4495. An act for the relief of William H. Roman;

H. R. 4577. An act for the relief of Dolores Joyce;

H. R. 5000. An act for the relief of Marion Powell, a minor;

H. R. 5030. An act for the relief of Mrs. Lim Shee Chang;

H. R. 5091. An act for the relief of Mrs. Mary A. Honnell;

H. R. 5352. An act for the relief of Joseph Ippolito;

H. R. 5811. An act for the relief of the legal guardian of David Owens, Jr.;

H. R. 6010. An act for the relief of the Yakutat Cooperative Market;

H. R. 6011. An act for the relief of Dr. Harry Burstein, Madeline Borvick, and Mrs. Clara Kaufman Truly (formerly Miss Clara M. Kaufman);

H. R. 6148. An act to exempt certain vessels from filing passenger lists;

H. R. 6245. An act for the relief of Mary G. Paul;

H. R. 6334. An act for the relief of the estate of Carmen Aurora de la Flor, deceased;

H. R. 6442. An act for the relief of Mrs. Elizabeth J. Patterson, Joy Patterson, and Roberta Patterson; and

H. J. Res. 340. Joint resolution to amend the joint resolution creating the Niagara Falls Bridge Commission.

REPORT ON PARIS MEETING OF COUNCIL OF FOREIGN MINISTERS

Mr. CONNALLY obtained the floor.

Mr. HILL. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. CONNALLY. I yield.

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

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

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

Aiken	Hawkes	Overton
Andrews	Hayden	Pepper
Austin	Hickenlooper	Radcliffe
Ball	Hill	Reed
Bankhead	Hoey	Revercomb
Barkley	Huffman	Robertson
Brewster	Johnson, Colo.	Russell
Bridges	Johnston, S. C.	Saltonstall
Buck	Kilgore	Smith
Bushfield	Knowland	Stanfill
Byrd	La Follette	Stewart
Capehart	Langer	Taft
Capper	Lucas	Taylor
Connally	McCarran	Thomas, Okla.
Cordon	McClellan	Thomas, Utah
Donnell	McFarland	Tobey
Downey	McMahon	Tunnell
Eastland	Magnuson	Tydings
Ellender	Mead	Vandenberg
Ferguson	Millikin	Wagner
Fulbright	Mitchell	Walsh
George	Moore	Wheeler
Gerry	Morse	Wherry
Green	Murdock	White
Guffey	Murray	Wiley
Gurney	Myers	Wilson
Hart	O'Daniel	Young
Hatch	O'Mahoney	

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Virginia [Mr. GLASS], and the Senator from Tennessee [Mr. MCKELLAR] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Nevada [Mr. CARVILLE], and the Senator from Idaho [Mr. GOSSETT] are absent by leave of the Senate.

The Senator from South Carolina [Mr. MAYBANK] is absent by leave of the Senate because of illness in his family.

The Senator from Missouri [Mr. BRIGGS] and the Senator from New Mexico [Mr. CHAVEZ] are detained on public business.

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], and the Senator from Minnesota [Mr. SHIPSTEAD] are absent by leave of the Senate.

The Senator from Indiana [Mr. WILLIS] is necessarily absent.

The ACTING PRESIDENT pro tempore. Eighty-three Senators having answered to their names, a quorum is present.

Mr. CONNALLY. Mr. President, Monday night Secretary of State Byrnes addressed the Nation in making his report, as one of the members of the Foreign Ministers' Council, of the meeting at Paris. The Secretary made a very able and comprehensive address. I really feel that it was so comprehensive that it covered the situation entirely, and that probably it is unnecessary for me to address the Senate after the address of the Secretary of State and that of the Senator from Michigan [Mr. VANDENBERG] yesterday. However, lest there might be some who question my attitude, I feel compelled to say a few words with respect to the details of the matters with which we dealt.

The Secretary of State had requested that the Senator from Michigan and myself accompany him to the Paris meeting. We were not, however, delegates. We were merely advisers. We had no responsibility except to give our views to the Secretary of State, and the responsibility for action or nonaction rested upon the Secretary.

Senators all will recall that by the agreement reached on August 2, 1945, at the Potsdam meeting, there was created the Council of Foreign Ministers. In the second paragraph of the communiqué issued at Potsdam we read the following:

> The Conference reached an agreement for the establishment of a Council of Foreign Ministers representing the five principal powers to continue the necessary preparatory work—

I hope Senators will bear in mind those words, "preparatory work"—

> for the peace settlements and to take up other matters which from time to time may be referred to the Council by agreement of the governments participating in the Council.

At a later date, at the Moscow Conference, an agreement was reached on December 27, 1945, in paragraph 2 of which, under the heading "Preparation of peace treaties with Italy, Rumania, Bulgaria, Hungary, and Finland," it was provided:

> When the preparation of all these drafts has been completed the Council of Foreign Ministers will convoke a conference for the purpose of considering treaties of peace with

Italy, Rumania, Bulgaria, Hungary, and Finland. The conference will consist of the five members of the Council of Foreign Ministers together with all members of the United Nations which actively waged war with substantial military force against European enemy states, namely: Union of Soviet Socialist Republics, United Kingdom, United States of America, China, France, Australia, Belgium, Belorussian Soviet Socialist Republic, Brazil, Canada, Czechoslovakia, Ethiopia, Greece, India, the Netherlands, New Zealand, Norway, Poland, Union of South Africa, Yugoslavia, Ukrainian Soviet Socialist Republic. The conference will be held not later than May 1, 1946.

Of course, that conference refers to the peace conference to be called under the conditions set forth by the Council of Foreign Ministers.

It will be remembered that last September the Council of Foreign Ministers met in London, where our Secretary of State appeared. Very little, if anything, of a tangible nature was accomplished at that conference.

Following that conference, the appointment of deputies of each country took place, as provided in the agreement which established the Council of Foreign Ministers, and our deputy, Mr. James Dunn, continued in session with the other deputies at London for a very considerable period without accomplishing much in the way of final results. Those sessions, however, did accomplish a great deal in the accumulation of valuable information with respect to the various issues with which the Council was to deal, and with reaching tentative agreements on a number of points which I shall later discuss.

It is not my purpose, Mr. President, to take up much time of the Senate, but it has occurred to me that probably it might be of some interest to the Senate if I made a visual demonstration of some of the questions with which the Council of Foreign Ministers dealt at the Paris Conference. As has already been outlined in the addresses heretofore made, there were a number of issues with which the ministers dealt. Probably the most important one was that dealing with Italy. In the case of Italy the questions involved were, first, Trieste, then Italian reparations, Italian colonies, and the minor question of the Franco-Italian border. A map which gives in greater detail the section surrounding Trieste will presently be placed on the wall, and then I will revert to it.

The city of Trieste is located in northeast Italy. I indicate it on the map. It will be remembered that Trieste prior to World War I was in the possession of Austria. Many years ago it was in the possession of Venice, when Venice was a republic, before the unification of the Italian States. Trieste is located at the head of the Adriatic Sea. It is a city of large importance as a port to Austria, to Hungary, to Yugoslavia, and to all of this territory in the Danubian Basin. It is a city which has large shipping interests and many shipbuilding establishments. There is a highly developed plant located there which builds merchant ships and warships, battleships, so it is an up-and-coming city.

Yugoslavia lays claim to the return, as she calls it, to her of Trieste on the theory that Trieste is a part of the economy of that area, and formerly belonged to Austria-Hungary from which Yugoslavia was detached and created into a separate country, from which Italy reacquired territory including Trieste. Of course, the rumor was that the acquisition of Trieste and the adjacent territory was the price paid by the Allies through a secret treaty to induce Italy not to fight on the side of the Central Powers, but to fight on the side of the Allies. I pass no judgment on the veracity of that rumor.

In the case of Trieste the ministers authorized the deputies to appoint a committee of experts to make an examination and a survey of the Istrian Peninsula, which is just south of Trieste, and of Trieste, with the view of drawing an ethnic boundary line, a line undertaking to leave upon each side of the border as few nationals of the other country as possible, so that they would not be under alien rule. They were also instructed to consider the geographic aspects of the situation.

As the result there were four lines drawn. The Russian line was considerably to the west of Trieste, somewhere in the neighborhood I now indicate on the map. The British line began north of Trieste and went on toward the south. The French line was almost the same as the British line. The American line veered off slightly to the east. At any rate the American line was to the south, as I indicate on the map, and veered up toward the east, leaving Pola, which is a city at the extreme point of the Istrian Peninsula, to Italy. The other lines cut Pola into Yugoslavia. The Russian line was far to the west.

The foreign ministers were unable to agree upon any one of the lines as such. The United States finally receded from its own line and agreed to accept the French or the British line. In fact, the French line was most favorable to Yugoslavia. We agreed to go to the French line. However, there was no final agreement on the issue of Trieste.

Trieste is of vital importance because many regard it as the dominant point in the Adriatic Sea and an outlet into the Mediterranean which, as Senators know, is of high importance to several of the great powers in that territory. Also, some viewed Trieste as a possible site for a great naval and military base. Some feared that if it should go to Yugoslavia it might fall under the influence and power of another government. So there was no agreement on that particular point, although it was recurred to on a number of occasions, and there were many warm and heated debates, involving two translations each time, and 2 or 3 days later it would be reverted to again, and those of us who were not delegates, like the Senator from Michigan [Mr. VANDENBERG] and myself, would have the joy of sitting there and listening to the speeches we had heard 2 or 3 days before repeated and translated twice. That occurred quite a number of times.

Let me say that if any Senator wants to ask me any questions at any time I am perfectly agreeable to any interruptions, because this is not a formal speech, copies of which I have already given out to the newspapers. So I can answer questions without varying from any prepared record.

The next question relating to Italy particularly was the matter of reparations. The Soviet Union claimed that many Italian troops had invaded Russia, particularly in the Ukraine, and had committed depredations and devastations, so they advanced a claim for $100,000,000 of reparations from Italy for themselves and $200,000,000 for Yugoslavia and some of the other countries in that area. There was no final agreement on that point except that the Western Powers, including ourselves and Great Britain and others, tentatively agreed to accord $100,000,000 reparations to Russia if it could be agreed as to the source of the reparations. In the case of Italy there were some thirty or forty million dollars' worth of maritime ships which Italy had available that could be applied to reparations. There were some naval war vessels, which the British and the Americans had captured, which they were willing to turn in for reparations amounting to something like twenty to thirty million dollars; and some Italian assets in Yugoslavia, in Hungary, and possibly Bulgaria and Rumania of a considerable amount, thirty million to forty million dollars, could be applied on the payment of reparations.

Totaling these sums, they are well in excess of the $100,000,000 which Russia demanded. However, Russia has declined that on the theory that she was unwilling to accept naval vessels in lieu of reparations, because her contention was that naval vessels were war booty, and therefore could not be considered as reparations. The reply of some of the Ministers was that if the naval vessels were war booty, it was war booty which had been captured by the British and the Americans, and therefore Russia had no claim upon it. So, after repeated discussions and debate, the final result was that the matter was still left in abeyance, and there was no final agreement as to the reparations.

The next question relating to Italy was the matter of her colonies——

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

Mr. CONNALLY. I yield.

Mr. MILLIKIN. Was not one of the points to be considered that we wanted to avoid making a loan to Italy which in turn would be used to pay reparations to one of our allies?

Mr. CONNALLY. Exactly. I am glad the Senator asked that question. The Soviet Union was insisting that part of the reparations should come out of current Italian production. The Secretary of State made the point, of course, that the United States had already advanced several hundred million dollars to Italy to rehabilitate her industry, and that if reparations were to be taken out of current production which the United States was creating through the loan of the money it would simply mean, in effect, that we would be paying the reparations; and we rejected the claim that reparations should come out of current produc-

tion. That is a very pertinent inquiry, and I am glad to have it suggested.

I am sorry that the map before us does not show that part of the Red Sea upon which Eritrea, one of the Italian colonies, is located; but I am sure that Senators are all familiar with the fact that the province of Eritrea, formerly under the control of Italy, is near Abyssinia, and is on the Red Sea.

The other colonies involved were the Dodecanese Islands, which are included in the area marked on the map by a red boundary. They are near Turkey. It was tentatively agreed, but not finally, that the Dodecanese Islands should go to Greece. The Soviet Union seemed to be agreeable to that arrangement.

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

Mr. CONNALLY. I yield.

Mr. PEPPER. I was pleased to hear what the Senator said about the probability of the Dodecanese Islands going to the Greeks. May I ask the Senator, was northern Epirus discussed?

Mr. CONNALLY. I will get to that in a moment.

In the case of Tripolitania, or Libya, on the Mediterranean, which might properly also include Cyrenaica, it was thought a good while ago that the Soviets would make a demand that they be the trustees for that area. Later their request was modified to the extent of being entirely willing to share the trusteeship with Italy, Italy being one of the trustees and the Soviet Union another. Finally, however, the Soviet Union agreed to withdraw its claim to be a trustee for Tripolitania, provided that Italy was to be permitted to be the trustee under the United Nations or any other international organization which might be agreed upon. However, they could not reach an agreement, on that question, because France was somewhat averse to a clause in the proposed agreement that at the end of 10 years the territory should have its independence. The French have some possessions in that area which might be influenced by that sort of a situation to declare for their own independence.

Great Britain also objected on the ground that just to the east of Tripolitania is the Territory of Cyrenaica; and it expressed a desire to have the trusteeship of Cyrenaica for itself, largely because in this territory there is a tribe called the Senusi, and that during the time of the British campaigns in north Africa the Senusi were the only people who aided them and joined them in the fight. The British made the very appealing claim that, "While we were standing alone the Senusi were the only people who joined us and helped us in the fight. We promised them then that we would never permit them to go back under Italian control. Therefore we cannot agree to the Italian trusteeship of Cyrenaica." So because of that situation there was no further agreement reached with respect to this territory. However, I feel sure that ultimately an arrangement will be arrived at as to the trusteeship of these territories in north Africa.

There was also another territorial question involved in the north of Italy, namely, the Franco-Italian boundary. It is not a matter of very great importance, but there is a little area in the mountains between Italy and France which France claims should be given to her because of the fact that for strategic reasons the enemy attacked through that territory in the present war, and because of the strategic location the enemy was able to get on the heights and bombard the French. So they want that territory back. There was a tentative agreement that they should have the territory back, with the exception of a small area on the south, where some hydroelectric plants were located. The hydroelectric plants, under Italian control, were being utilized largely to furnish power for their railroads.

So while the conference was in session it appointed a committee of experts—engineers and others—to visit the territory, talk with the natives, and see whether they wanted to go to Italy or to France. When the experts went to talk with the natives they found that the natives spoke both languages. There was a sort of a general mixture. They said they spoke the same tongue that was spoken at Nice. At any rate, they agreed to return the little territory on the border to France, but the electrical location is still under consideration and examination by the experts.

I now revert to Trieste. The map which I am now using is a larger map of Trieste and the Istrian Peninsula. It will be remembered that the Istrian Peninsula was the subject of much controversy. President Wilson took a great interest in it during the negotiations following World War I. It will be remembered that Fiume, which is located at this point [indicating on map], was awarded to Yugoslavia. Then D'Annunzio went there with a small army and took charge of Fiume, and created such a disturbance that it was agreed to modify the treaty by a protocol and award that territory to Italy.

In the establishment of these lines leading out of Trieste, one of the problems was to draw an ethnic line so as to throw as few Italians on the Yugoslav side and as few Yugoslavs on the Italian side as possible. But as is often the case in such situations, many of the people along the border spoke both languages, and an absolute ethnic line could not be drawn, because in any event some of the people would be placed in the other territory.

The city of Trieste itself is predominantly Italian in population. The rest of the Istrian Peninsula, except for this little strip on the west side, is strongly Yugoslav. A proposal was made that there be a referendum as between the United States line and the Russian line, allowing the people in that territory to decide whether they wanted to go to Yugoslavia or Italy.

The Soviet Union objected, and said: "We do not object to a plebiscite, but you must take in the whole Istrian Peninsula." Of course, Mr. President, if they took in the whole Istrian Peninsula, it would vote heavily Yugoslav, because all of it except a very narrow strip on the western border is, in fact, Yugoslav. Having been a part of Austria under the old regime, it is natural that they still adhere to those views.

In the case of Italy there was some progress made in the modification of their armistice terms. The Italian Premier came before the Council—I was just a spectator—and made a strong appeal that if there was no agreement on all of these Italian matters, at least there ought to be a modification of the terms of the armistice, on the ground that at present his Government was unable to function directly and to have the respect of the Italian people, on the theory that it had no authority except as it got authority from time to time by consulting the American or Allied military governments. So the powers of the war council for Italy were restricted and limited so as to give the Italian civil government larger opportunities to exert its own policies and carry out its own measures. There was agreement upon the modification of those terms.

In the case of Germany, Secretary of State Byrnes advanced the proposal that the Allies agree upon a treaty providing for the disarmament of Germany through international controls and keeping her disarmed for a period of 25 years, through a period of inspection and control. There was no final agreement on that matter. The representatives of the Soviet Union objected, on the ground that they did not care to go into a long-range program of disarmament for Germany until they were able to determine how far under the present regime disarmament had in fact taken place. Senators probably saw reports in the press of a claim that, in the British zone, disarmament had not taken place and that there was a group and a faction there still agitating for armed control.

However, that is not the only German question which was involved. In the case of the Saar, which is at the point I now indicate on the map—the Saar Basin, with which all Senators no doubt are familiar—France made a claim for the transfer to France of sovereignty and control over the Saar. Senators will recall that several years after World War I there was a plebiscite in the Saar. No final agreement could be reached in regard to that matter, because it was involved in a number of other situations.

To the north of the Saar is what is called the Rhineland, which, of course, is on the west side of the Rhine. The French would like to have the Rhineland. There was no agreement as to that. Considerable sentiment was expressed respecting perhaps the probable or possible neutralization or internationalization of some of the Rhineland.

On the east side of the Rhine is the great Ruhr industrial district. There was much controversy about what would be done with the Ruhr. There seemed to be rather universal tentative agreement, at least, that the Ruhr should industrially be internationalized, but that its sovereignty should still remain with Germany, through the creation of a large corporation—that was one of the proposals made—whose stock would be owned by the owners of those plants, but that the voting stock would be controlled by an international commission. The control of the industries would, in

that manner, be internationalized, so as to prevent their utilization for the manufacture of arms, munitions, and war supplies. France, of course, made a very strong argument that the Ruhr was the armaments factory of Germany in all of the attacks which had been made upon her, and she wanted to demilitarize it and see that none of it was employed for the making of arms. There was no final decision on that matter, although I feel very hopeful that at some time in the future there will be agreement upon the handling of the Ruhr.

The Secretary of State of the United States proposed that the ministers also take up the question of a peace treaty with Austria. The Soviet Union objected. The objective, of course, on our part was that if troops could be removed from Austria—as would be the case if we had a peace treaty with Austria—it would be possible to remove practically all armed forces from all the territories I now indicate on the map, the plea now being that since there are armed forces in Austria and in Italy, it is necessary to maintain troops in Bulgaria and Rumania as a communications line with their troops in Italy and in Austria. Our thought, and our hope, was to make peace and to remove the military controls in Italy and to make peace with Austria. But no agreement could be reached on that point.

In the case of Austria there is also a boundary dispute with Italy, just to the north, where I now indicate on the map, in a little territory in the mountains known as South Tyrol, which was detached from Austria following World War I and was handed over to Italy. Some of the inhabitants of that territory and some of their friends in the United States sent telegrams to us at Paris and were quite insistent that South Tyrol be redetached from Italy and be handed back to Austria, because of ethnic reasons, so they claimed, and background and history.

The Senator from Florida asked me a question about northern Epirus. Northern Epirus is a little territory between Albania and Greece. It is under the mark to which I point on the map. That matter was discussed and mentioned, but no action was taken regarding it at the Conference. It was one of the questions in controversy.

Greece also presented another claim. Senators will notice on the map that the territory of Greece runs on toward the Turkish territory, south of Bulgaria. That strip of territory is rather narrow, and Greece contended that for security reasons she be given part of Bulgaria at that point. She insisted that that territory is so narrow that it is a peril to her, and she is insisting upon getting another little slice of Bulgaria, just to the north of her present territory. That matter was not gone into in any length, but it was mentioned and discussed, and it is one of the matters which will have to be taken up in the future.

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

Mr. CONNALLY. I yield.

Mr. PEPPER. Did not the Greeks also make the claim that they had been invaded two or three times in recent years by the Bulgarians?

Mr. CONNALLY. Yes; that was mentioned.

Mr. PEPPER. And that they had no natural defense line at the present boundary, but that if they got the additional territory there would be a mountainous area which would aid them in their defense line?

Mr. CONNALLY. That is true, I say to the Senator. That matter was mentioned as something necessary for their own security, because of the forays and inroads and raids and encroachments from Bulgaria.

In the case of Bulgaria, there was not much done except that an agreement was made that Bulgaria should retain its boundaries as of 1941, with the reservation that the Greek claim would be given consideration later on.

In the case of Hungary, as Senators probably already know the territory of Transylvania had already been given back to Rumania. So nothing was done with respect to it. It had been agreed to by the nations involved.

In the case of the two provinces of Bessarabia and North Bucovina, Russia acquired them in 1940 before we became involved in the war. She acquired them by treaties with Rumania and the other affected territories.

In the case of Finland, the agreement of the Foreign Ministers was that the treaty should be written by Great Britain and by Russia. Therefore, the general conference did not take up any of the details of what might be included in the treaty. The report was to the effect that a very heavy indemnity was to be paid to Russia.

I have had this map drawn to show some of the territories with regard to Poland, not because they were involved in the discussion at Paris, but because it was quite convenient to show them in connection with this matter. These territories are what are supposed to be new Poland, and they take in a great deal of former German territory. However, the treaties affecting those areas are not yet legally binding. The treaty establishing the so-called Curzon line in Poland was legalized some time ago by an agreement between the two countries involved.

Mr. President, the conference is to reconvene in Paris on June 15. I cannot, of course, with any degree of accuracy, predict what may transpire. I am fearful that the conference is to be reconvened too soon. A longer breathing spell might have been helpful in composing some of the existing differences. But be that as it may, the date for reconvening has been set for June 15.

In the Moscow agreement it was provided that the Council of Foreign Ministers should draw the peace treaties, and that after they had been drawn a general peace conference should then be called. The drafts of the peace treaties would then be submitted, and the Foreign Ministers would receive from the Peace Conference its recommendations.

Mr. President, I read from the report on the Moscow meeting of the Foreign Ministers:

> The conference will consider the draft treaties prepared by the States that signed the respective armistices. The Peace Conference will then draw up its own recommendations. After that, the states which prepared the preliminary texts will consider the recommendations of the Peace Conference and prepare the final texts of the treaties to be signed by all states actively at war with the enemy states in question.

And so on. The Soviet Minister contended that under that language the treaties should be finally submitted to the Peace Conference, and after the Peace Conference had acted upon them they should not be signed unless all four of the foreign ministers approved.

Mr. President, my view is, What right have four foreign ministers, or three foreign ministers, or a half a dozen foreign ministers, to meet and resolve that the 21 nations who fought the war should not have the authority to make the peace treaties, but that, instead, the foreign ministers should be able to make and dictate the terms of the peace treaties?

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

Mr. CONNALLY. I yield.

Mr. AUSTIN. I may have misunderstood the distinguished Senator from Texas, and therefore I ask him to clarify the matter in order that the record may be perfectly accurate. Am I correct in saying that the Senator is not talking about the Moscow agreement, but is talking about a meeting of foreign ministers?

Mr. CONNALLY. I am speaking of the meeting of Foreign Ministers at Moscow last December. I do not get the distinction which the Senator has drawn.

Mr. AUSTIN. I want to make sure that this is not a binding agreement, but only a tentative arrangement.

Mr. CONNALLY. That is what I am trying to demonstrate. The Moscow agreement was made in December of 1945. The point I am trying to make is that no one authorized the foreign ministers, be they four or three or five, to do this, and that the primary responsibility and primary power to make these treaties in their final form rests with all the nations who bore arms and were at war with enemy states.

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

Mr. CONNALLY. I yield.

Mr. PEPPER. I understood the able Senator from Texas to say that it had been agreed to by the Foreign Ministers at Moscow last December that the procedure which had been outlined should be followed. I should like to know whether there was such an agreement arrived at as the one to which the Senator has referred. Secondly, if there was such an agreement, does the Senator suggest that the Foreign Ministers should meet again and arrive at another agreement concerning procedure?

Mr. CONNALLY. I say to the Senator that I have already read from what was agreed to at the meeting of Foreign Ministers in Moscow, but the Senator

may read it for himself. The point I make is that the ministers convoked themselves and agreed. But who gave them the authority and power to make treaties?

I think the views of the Secretary of State are sound on this point. I am not authorized to quote him, but I gathered from his address the other night that he takes the view that the foreign ministers shall prepare drafts of the treaties and agree upon them so far as they can do so. After that has been done, the foreign ministers shall call a peace conference of the nations who were at war, submit the drafts to which they have agreed, and point out wherein they have not agreed. The peace conference shall then make up its mind and express its views with relation to the treaties.

The Secretary of State also pointed out—I think he is correct in his view—that the responsibility and final authority in connection with a peace treaty rests with the nations which were at war rather than with four foreign ministers, each of whom has in his pocket a veto and may exercise it if he wishes to do so.

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

Mr. CONNALLY. I yield.

Mr. BARKLEY. Who has authority to call together representatives of the 21 nations? Someone must do it.

Mr. CONNALLY. I will say to the Senator that I have thought of that point. I suppose that any nation could invite others to hold a peace conference at its capital.

Mr. BARKLEY. Under the United Nations there is practically no authority inherent in the foreign ministers to convoke a meeting of these 21 nations.

Mr. CONNALLY. I think the foreign ministers agreed among themselves that they would call the peace conference.

Mr. BARKLEY. In other words, the 21 nations, through their representatives, agreed that the foreign ministers should do so?

Mr. CONNALLY. No; the agreement was made in Moscow. I will read it to the Senator.

Mr. BARKLEY. No. The Senator does not need to do that. It may be only a technical point, but does the Senator construe what was done by the foreign ministers at Moscow as conferring upon themselves the authority to call a meeting of the 21 nations?

Mr. CONNALLY. I have no objection to their calling a peace conference, but I do not see any sense in calling a peace conference if it is not going to have any authority and if it cannot write a peace treaty itself, rather than to submit it to the four ministers.

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

Mr. CONNALLY. I yield.

Mr. AUSTIN. Does the Senator understand that it requires unanimous consent of all the ministers to anything they undertake to agree upon?

Mr. CONNALLY. Does the Senator mean of the 21 nations?

Mr. AUSTIN. No. That is not my question. Does the Senator have the opinion that the Council of Foreign Ministers is governed solely by a unanimous agreement?

Mr. CONNALLY. That has been the practice up to the present time.

Mr. AUSTIN. Then one country can interpose a veto?

Mr. CONNALLY. Yes; and that is what I am protesting against. I am protesting against four ministers assuming the authority to write a peace treaty, submitting it to a conference, and when it comes back, if it does not suit the four ministers, allowing any one of them to veto it. I do not subscribe to that sort of doctrine in international law. A group of nations who want to make a peace treaty should have the authority to make their own rules of procedure and decide as to what kind of a vote would be required for the adoption of the treaty. It would be binding, of course, only upon the nations that ratified it. It is not possible to make a treaty and force a nation, unless it is the victim of conquest, to execute a treaty to which it did not agree. So I am appealing to the nations of the earth and to the foreign ministers of the earth for the widest opportunity for the nations that should have a part in writing the peace treaties. It is all right for the foreign ministers to engage in preparatory work to aid in framing what they think could be a good treaty and submit it to a conference of nations; in fact, that is what the agreement originally said—that the foreign ministers should engage in preparatory work looking to the peace treaties.

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

Mr. CONNALLY. I yield.

Mr. TUNNELL. I should like to have the Senator refer again to Poland. He described the line of the new Poland and said that there had been some agreement as to the boundary. Does the Senator have any idea where under that agreement the line is drawn? Is it the Curzon line?

Mr. CONNALLY. Yes; I think it is—or at least approximately so. The Curzon line is here. [Indicating.]

Mr. TUNNELL. And that leaves a large amount of Poland to Russia?

Mr. CONNALLY. Yes. She got quite a strip of territory there—a cut-back into Poland. This other territory [indicating on map] goes to the Baltic Sea and gives her ports in the old Polish Corridor. Then this [indicating] is German territory, and that is proposed to be added to Poland. Legally, however, those treaties have not as yet been consummated.

Mr. TUNNELL. Does Russia admit the right of the United Nations to determine Poland's territorial limits?

Mr. CONNALLY. I do not know what they are based on, but I have an idea what her hopes are.

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

Mr. CONNALLY. I yield.

Mr. MAGNUSON. I wish the Senator would go back to Trieste, which involves a question I have been interested in for a long time. I do not know all the ramifications of the problem, but Trieste appears to me to be one of the ABC's of the problem. Here is a country, an ally, Yugoslavia, that during the war fought the enemy with very little aid from us. Yugoslavia and some of these territories behind her have need of seaports. Here is another country, Italy, which was our enemy during the war, which has about as much use for another seaport as a dog has for three tails. What is the main objection—does it come from Italy itself or from other countries—to letting Yugoslavia or countries behind her have Trieste? Is it merely because of the population there; is that the whole matter?

Mr. CONNALLY. The most forceful argument they make is based on ethnic considerations.

Mr. MAGNUSON. Does Italy make that protest?

Mr. CONNALLY. Yes; Italy wants Trieste and Yugoslavia also wants it. There is a good deal of substance to the consideration the Senator pointed out. Geographically, of course, the whole Istrian Peninsula is more or less a part of the old territory of Yugoslavia, but it was the desire of the Conference not to cut the Italian population into Yugoslavia and not to cut the Yugoslavian population into Italy. Ethnic considerations were the chief factors. There is no agreement about it.

Mr. MAGNUSON. What about Fiume?

Mr. CONNALLY. Fiume goes to Yugoslavia, on everybody's plan.

Mr. MAGNUSON. What is the difference in relative value as between the two seaports?

Mr. CONNALLY. Trieste is immeasurably more important. Trieste is so located that its commerce goes up not only into Yugoslavia but Hungary and Austria and the Danube Basin. There has been some change in that respect because of the building up of some of German ports some years ago, which diverted a good deal of the business that had gone to Trieste, after it had been switched back to Italy, but still Trieste is a very important commercial port and the railway connections were formerly very good. They are probably bad now on account of the war, but Trieste has outlets into all this territory.

Mr. MAGNUSON. Is it the Senator's impression that because there are a number of Italians in Trieste it was proper that that should outweigh the equitable considerations of Yugoslavia?

Mr. CONNALLY. It may not finally. I am merely stating the situation as it is today. The chief considerations of those opposed to giving Trieste to Yugoslavia were based upon ethnic grounds.

Mr. MAGNUSON. Can the Senator state what other countries joined with Italy in protest, or was it Italy alone that protested?

Mr. CONNALLY. I do not think any other country except the four foreign ministers took any part in the matter.

Mr. President, the future involves the meeting of the foreign ministers hereafter, and the final treaties of peace. I want to make it clear to the Senator from Vermont that in my reply to him a little while ago I did not refer to the original

Moscow declaration in which Secretary Hull participated, but to the one of last December in which Secretary Byrnes took part.

Mr. AUSTIN. I thank the Senator, because I did get that impression.

Mr. CONNALLY. I am sorry.

Mr. President, my contention is that the only final authority for the making of peace treaties will rest with the representatives of the nations who were at war. I think that the Council of Foreign Ministers have already rendered a very fine service in doing the preparatory work in this conference. While it may not have attained all that many hoped for, the conference in Paris rendered a distinct service in that it familiarized the members more intimately with all the issues involved, gave us a better acquaintance with the motives and purposes of the other nations, and I think distinctly widened the channels of agreement and narrowed the channels of disagreement.

But, Mr. President, the United States in participating in conferences of this kind occupies a rather unique position. The United States is the only Nation that wants nothing and asks for nothing.

Other nations which are members of the Council have their ambitions, they have their traditional affections, and their traditional prejudices. They, of course, want a peace treaty which will not be to their disadvantage, but possibly to their advantage. So it is not an easy task to secure agreement by four great nations. Moreover, it is difficult, as we look and peer into the future, to know just how and where we are ever going to make adjustments which will receive the approval of all four of the Foreign Ministers.

Suppose we do not; what are we going to do? Suppose we do not reach a peace agreement; suppose we do not agree on a treaty. The world will be in a state of chaos. It was thought that some of the nations did not want agreements at this time because of the fact that elections were pending in France and Italy in June, and they would prefer to wait until after those elections to make any agreements. I do not make that as a charge. I do not know. That was merely a theory that was advanced.

The United States wants nothing in Europe except peace, and our warrant for taking part in the negotiations respecting matters which, so far as our own direct interests are involved, are at least of secondary importance, is that we do not want war to break out in Europe, because such a war would not only desolate Europe, but might involve us again in a world war. So, after all, it is worth our effort if we can contribute to the composing of differences between the nations with regard to all these matters.

The task will not be an easy one. We stand for peace, of course; we stand for the UN; we stand for the trusteeship system under the United Nations to give it strength and to give it prestige.

We stand for the old theory of national sovereignty, each nation deciding its own destiny, provided it does not impinge upon or transgress the rights of another nation or another people. For that we will not stand.

Another difficulty is that a democracy like our own finds it much more difficult to deal with international problems frequently than does a totalitarian state, controlled by the edict of one man, of one master. I am glad to know, however, that the distinguished Senator from Michigan in his address yesterday indicated that there would be no political or partisan differences in the United States on the issues here involved or on the issues of foreign policy. I congratulate him. I am happy that such is his attitude, and that such is the attitude of his party.

Mr. President, I have pictured the situation as we find it. I beg the pardon of the Senate for taking so much of its time.

The world is in a confused and uncertain state. From the Mediterranean around the globe to China, and all of the Far East, the fate of peoples is in the balance. Hunger and starvation are stalking abroad in many lands. Military forces are still occupying the territories of many countries. The threat of war is heard even in Europe, as well as in China and other portions of the East.

Mr. President, the United States has a great historic background. We have well-defined objectives in national policy and in domestic policy. It seems to me that the powers which rule the world have laid upon the United States the obligation and the destiny to give, whatever the cost, of all that it has in influence, in intelligence, and in power, to help the world bind up its wounds and embark once again upon a road of peace.

It will require not only patience, but perseverance; it will require not only tolerance, but long periods of sacrifice.

Mr. President, we cannot bring about harmony among the nations of the earth if we cultivate hatred and enmity for particular nations, or, on the other hand, undue affection or liking for others. We have to live in this world. We are here, and other nations are here. They are going to live on this earth, and so are we, and it is up to us to undertake to adjust our policies and our affairs, with firmness, with a knowledge of what is right and just, but with a view to living with the rest of the world, and living in peace and harmony.

God grant us the strength, the power, the intelligence, and the patriotism to follow out these great objectives, and thus render the greatest possible service to mankind and the world.

TRANSACTION OF ROUTINE BUSINESS

By unanimous consent, the following routine business was transacted:

PAYMENT OF OVERTIME, LEAVE, AND HOLIDAY COMPENSATION

The ACTING PRESIDENT pro tempore laid before the Senate a letter from the Comptroller General of the United States, transmitting a draft of proposed legislation to provide a method for payment in certain Government establishments of overtime, leave, and holiday compensation on the basis of night rates pursuant to certain decisions of the Comptroller General, and for other purposes, which, with the accompanying paper, was referred to the Committee on Claims.

USE OF GRAIN FOR FEEDING NEEDY PEOPLE OF THE WORLD

Mr. CAPPER. Mr. President, I have received a letter from Rev. Cyril M. Hicks, minister of the First Pilgrim Congregational Church, of Kansas City, Kans., embodying resolutions adopted by the Conference of Congregational-Christian Churches, held at Lawrence, Kans., urging that grain now used for the making of beverage alcohol be used to feed the needy people of the world. I ask unanimous consent to present the letter and that it be printed in the RECORD and appropriately referred.

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

FIRST PILGRIM
CONGREGATIONAL CHURCH,
Kansas City, Kans., May 14, 1946.

Hon. ARTHUR S. CAPPER,
The Senate, Washington, D. C.

DEAR SIR: At the meeting of the conference of Congregational-Christian Churches held at Lawrence, Kans., last week, the following recommendations were unanimously adopted:

1. Faced with a world in which millions of people are starving, we urge our Government to remove from the domestic market sufficient grain at the source to provide immediate shipments in the greatest possible volume to meet the desperate need in other lands. Moreover, after the harvests this summer the total volume of food will still be far short of meeting the needs of the starving overseas. We therefore recommend that our Government take immediate steps to reinstitute such a rationing program as would assure the minimum supplies for our share of the quantities and kinds of food required overseas for the next year.

2. We recommend that the grain now diverted for the making of beverage alcohol shall be stopped in the interests of the needy in the world.

3. Believing that in the atomic age in which we live the only security is to be found in an understanding that casts out suspicion, in love that casts out fear, and that it is now one world or none, we recommend that support be given the McMahon bill now pending in Congress, which advocates civilian control of atomic energy, in order that the citizens of these United States may know the facts concerning its dangers and its infinite possibilities. We further recommend, the support of this bill without any crippling amendments. Because the possession and use of atomic energy is worldwide in its implications, we urge that an international control commission be set up with power to prohibit its uses for purposes of war and destruction.

We commend these three resolutions to your respectful attention and we shall continue to give our support to you in the great and burdensome task that is yours.

Respectfully,

CYRIL M. HICKS,
Chairman, Resolutions Committee.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

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

S. 2142. A bill to provide for two heads of departments of military science and tactics in the public schools of the District of Columbia; without amendment (Rept. No. 1368); and

S. 2219. A bill to extend for the period of 1 year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended; without amendment (Rept. No. 1369).

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

S. 2218. A bill to amend the District of Columbia Alley Dwelling Act, approved June 12, 1934, as amended; without amendment (Rept. No. 1370); and

H. R. 5718. A bill to facilitate the liquidation of Washington Railway & Electric Co.; without amendment (Rept. No. 1371).

BILLS INTRODUCED

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

By Mr. WILSON (for Mr. BUTLER):

S. 2225. A bill to amend 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. McMAHON:

S. 2226. A bill for the relief of Mrs. Yvonne Nguyen-Thi-Tung Rogoff; to the Committee on Immigration.

By Mr. McCARRAN:

S. 2227. A bill to extend the Civilian Pilot Training Act of 1939; to the Committee on Commerce.

(Mr. GUFFEY introduced Senate bill (S. 2228) to prevent the use of the unused excess-profits credit carry-back as a Government subsidy to employers in strikes, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. SMITH:

S. 2229. A bill to amend the act of May 24, 1939, to provide for the retirement of former enlisted men of the Coast Guard who have had 20 or more years of service; to the Committee on Commerce.

By Mr. VANDENBERG:

S. 2230. A bill to amend the Export-Import Bank Act of 1945 to require the written approval of the Secretary of State prior to the making or renewing of a loan to a foreign country; to the Committee on Banking and Currency.

By Mr. OVERTON (by request):

S. 2231. A bill to amend the act to provide for the issuance of devices in recognition of the services of merchant sailors; and

S. 2232. A bill to provide for the transfer of air navigation facilities in foreign countries; to the Committee on Commerce.

By Mr. THOMAS of Oklahoma:

S. 2233. A bill for the relief of Edward Easton Soule (with accompanying papers); to the Committee on Claims.

By Mr. HOEY (by request):

S. 2234. A bill to amend the District of Columbia Unemployment Compensation Act to provide for unemployment compensation in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(Mr. GEORGE introduced Senate bill (S. 2235) to provide a system of relief for veterans, and dependents of veterans, who served during World War II in the organized military forces of the Government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the military order of July 26, 1941, of the President of the United States, and for other purposes, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. RADCLIFFE introduced Senate bill (S. 2236) providing for a medal for service in the merchant marine during the present war, which was referred to the Committee on Commerce, and appears under a separate heading.)

(Mr. RADCLIFFE (for himself, Mr. MEAD, Mr. MAGNUSON, Mr. MITCHELL, Mr. PEPPER, Mr. GUFFEY, Mr. TAYLOR, Mr. MORSE, Mr. GREEN, and Mr. MYERS) introduced Senate bill 2237, to provide aid for the readjustment in civilian life of those persons who rendered wartime service in the United States merchant marine, and to provide aid for their families, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. FERGUSON:

S. 2238. A bill for the relief of Frank Clifford Varah; to the Committee on Immigration.

By Mr. CORDON:

S. 2239. A bill relating to the taxation by State and local taxing units of certain real property sold by the United States, and for other purposes; to the Committee on Public Lands and Surveys.

RELIEF FOR WORLD WAR II FILIPINO VETERANS AND THEIR DEPENDENTS

Mr. GEORGE. Mr. President, I ask unanimous consent to introduce a bill, which has been submitted by the Veterans' Administration, to provide a system of relief for veterans and dependents of veterans who have served during World War II in the organized military forces of the Commonwealth of the Philippines. I ask that the bill be appropriately referred.

There being no objection, the bill (S. 2235) to provide a system of relief for veterans, and dependents of veterans, who served during World War II in the organized military forces of the government of the Commonwealth of the Philippines while such forces were in the service of the armed forces of the United States pursuant to the military order of July 26, 1941, of the President of the United States, and for other purposes, was received, read twice by its title, and referred to the Committee on Finance.

MEDAL FOR SERVICE IN THE MERCHANT MARINE

Mr. RADCLIFFE. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill providing for a medal for service in the merchant marine during the present war.

It is peculiarly appropriate today, Maritime Day, that this bill should be introduced, because it calls attention to the distinguished and absolutely indispensable services which were rendered by our patriotic seamen during the war.

There being no objection, the bill (S. 2236) providing for a medal for service in the Merchant Marine during the present war was received, read twice by its title, and referred to the Committee on Commerce.

MERCHANT SEAMEN'S WARTIME SERVICE BILL

Mr. RADCLIFFE. Mr. President, on behalf of myself, the Senator from New York [Mr. MEAD], the Senators from Washington [Mr. MAGNUSON and Mr. MITCHELL], the Senator from Florida [Mr. PEPPER], the Senators from Pennsylvania [Mr. GUFFEY and Mr. MYERS], the Senator from Idaho [Mr. TAYLOR], the Senator from Oregon [Mr. MORSE], and the Senator from Rhode Island [Mr. GREEN], I ask unanimous consent to introduce for appropriate reference a bill, to provide aid for the readjustment in civilian life of those persons who rendered wartime service in the United States merchant marine, and to provide aid for their families.

Last year on this day our emphasis was on the redirection mainly of our maritime efforts to bring the war in the Pacific to a speedy conclusion. Within the short period of 1 year, our merchant marine carried the men, equipment, and food necessary for victory over Japan, and then handled one of the most amazing transportation jobs on record in carrying out our demobilization program.

Today we commemorate our first postwar Maritime Day. Our merchant marine is in the midst of the transition to peacetime operations. The patterns of postwar operations are still largely unset. Privately owned vessels which were under charter to the Government during the war are being returned to private owners. The first sales under the Ship Sales Act, of which bill I was in charge while it was in the Senate, are expected to take place next month. Our shipyards are busy reconverting the fleet. Naturally the maritime labor force is shrinking in numbers.

While reconversion legislation has been enacted for the industry, no adequate provision has been made for our maritime workers. In the dark days of the war we scoured the Nation for skilled seamen. In fact, we had to rob our shipyards of experienced seamen to man our fleet, not because the shipyards could afford to part with any skilled workers but because the needs for sea duty were even greater. Thousands of former seamen took up the helm again not in the interest of personal gain but in order to serve our country where they were needed most. At times they left higher paying and less dangerous shoreside occupations to do a much needed job, and they did it well.

We searched the Nation for boys of 16 and 17 years of age to fill the manpower needs of the merchant marine. These youths, too young to enter the armed forces and anxious to make their contribution to our war effort, responded by the thousands, and their assistance was a very big one.

The courageous group of professional seamen, the 60,000 men who were sailing at the outbreak of war, kept to their jobs through the long, hard years even though many of them lost their lives because of the submarines, mines, torpedoes, and bombs.

Can our Nation afford to forget these men now that the war is over? Will we permit their skill to be dissipated? Will we say to them: "Your reward is a shrinking of job opportunities, unemployment without unemployment compensation, injuries without benefits?"

There is heartening news from several committees of the Congress which want to answer these questions in the negative.

The Merchant Marine and Fisheries Committee of the House of Representatives is handling a Merchant Seamen's War Service Act. The benefits proposed in it are civilian in nature and limited

to provisions aimed to prevent hardship and suffering occasioned by war service.

This session should not adjourn without making justifiable provision for the war-maimed, for the dependents of the war dead, for the youths who interrupted their schooling, and for the older war service seamen faced with intermittent periods of unemployment.

A suitable Merchant Seamen's War Service Act is proper and due. The only problem that remains is to find time on our crowded calendar to act. We must find that time and find it quickly.

It is also heartening to hear that the Congress is turning its attention to unemployment insurance legislation. There can be no doubt that an issue of outstanding importance is suitable insurance coverage for merchant seamen. While other nations have moved forward to systems of continuous employment for seafarers, our country has not yet afforded adequate protection against unemployment.

Careful consideration is now being given to this very important matter. At a minimum, it would take a year before any such permanent system can be in operation after legislation is passed. Even with temporary coverage under a Merchant Seamen's War Service Act, legislation providing for such permanent system should be enacted now if there is to be real continuity of coverage.

There is a tendency to forget the tremendous contribution made to the war effort by the longshoremen and associate maritime skilled workers on the dockside. They are occupations which are often back-breaking and hazardous. Yet in spite of a very high, if not the highest accident rate of any industry, efforts to improve and strengthen the Longshoremen's and Harbor Workers' Compensation Act have been unsuccessful. I trust that Congress will, as soon as possible, turn its attention to this matter and pass adequate legislation.

In these brief remarks today I have stressed the importance of action. Let us show our appreciation by positive action rather than by merely words of praise on this Maritime Day. The accomplishments of our seamen, longshoremen, and other maritime workers during the last war will live in history.

It is our privilege and our duty to show appreciation in fitting manner.

There being no objection, the bill (S. 2237) to provide aid for the readjustment in civilian life of those persons who rendered wartime service in the United States merchant marine, and to provide aid for their families, introduced by Mr. RADCLIFFE (for himself, Mr. MEAD, Mr. MAGNUSON, Mr. MITCHELL, Mr. PEPPER, Mr. GUFFEY, Mr. TAYLOR, Mr. MORSE, Mr. GREEN, and Mr. MYERS), was received, read twice by its title, and referred to the Committee on Commerce.

HOUSE BILLS AND JOINT RESOLUTION REFERRED OR PLACED ON THE CALENDAR

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

H. R. 1002. An act for the relief of Marvin Sachwitz;

H. R. 1322. An act for the relief of the Marine Engine Works & Shipbuilding Corp., of Tarpon Springs, Fla.;

H. R. 1460. An act for the relief of D. C. Todd;

H. R. 1480. An act for the relief of the S. G. Leoffler Operating Co., of Washington, D. C., and for other purposes;

H. R. 1673. An act for the relief of the Superior Coach Corp.;

H. R. 1797. An act for the relief of Arcadio Saldana Agosto;

H. R. 2130. An act for the relief of Daniel S. Bagley, Jr., and Daniel S. Bagley, Sr.;

H. R. 2269. An act for the relief of Dr. William A. Schumacher and Magdalen M. Schumacher;

H. R. 2954. An act for the relief of John Hamlet;

H. R. 3031. An act for the relief of Walter A. Moffatt;

H. R. 3622. An act for the relief of Mrs. Hazel M. Skaggs;

H. R. 3744. An act for the relief of Mrs. Eva L. Dudley;

H. R. 3848. An act for the relief of the legal guardian of Johnnie Pollock, a minor;

H. R. 4215. An act for the relief of Jane O'Malley;

H. R. 4245. An act for the relief of José Villafañe Muñoz;

H. R. 4251. An act for the relief of the estate of the late Francisca Sánchez Figueroa;

H. R. 4331. An act for the relief of Esequiel (Frank) Padilla, and others;

H. R. 4339. An act for the relief of Fannie C. Fugate;

H. R. 4419. An act for the relief of Mrs. James Plumb;

H. R. 4495. An act for the relief of William H. Roman;

H. R. 4577. An act for the relief of Dolores Joyce;

H. R. 5000. An act for the relief of Marion Powell, a minor;

H. R. 5030. An act for the relief of Mrs. Lim Shee Chang;

H. R. 5091. An act for the relief of Mrs. Mary A. Honnell;

H. R. 5352. An act for the relief of Joseph Ippolito;

H. R. 5811. An act for the relief of the legal guardian of David Owens, Jr.;

H. R. 6010. An act for the relief of the Yakutat Cooperative Market;

H. R. 6245. An act for the relief of Mary G. Paul;

H. R. 6334. An act for the relief of the estate of Carmen Aurora de la Flor, deceased; and

H. R. 6442. An act for the relief of Mrs. Elizabeth J. Patterson, Joy Patterson, and Roberta Patterson; to the Committee on Claims.

H. R. 6011. An act for the relief of Dr. Harry Burstein, Madeline Borvick, and Mrs. Clara Kaufman Truly (formerly Miss Clara M. Kaufman); ordered to be placed on the calendar.

H. R. 6148. An act to exempt certain vessels from filing passenger lists; to the Committee on Commerce.

H. J. Res. 340. Joint resolution to amend the joint resolution creating the Niagara Falls Bridge Commission; to the Committee on Foreign Relations.

THE GREAT LAKES-ST. LAWRENCE WATERWAY AGREEMENT—AMENDMENT

Mr. LUCAS. Mr. President, I ask unanimous consent to submit an amendment intended to be proposed by me to Senate Joint Resolution 104, 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, and request that it be referred to the Committee on Foreign Relations. I also request that the amendment may be printed in the body of the RECORD at this point.

The ACTING PRESIDENT pro tempore. Without objection, the amendment will be received, referred to the Committee on Foreign Relations, and will be printed in the RECORD.

The amendment intended to be proposed by Mr. LUCAS is as follows:

On page 2, line 3, beginning with the word "with", strike out through line 10 and insert in lieu thereof the following: "with the exception of article VII, article VIII, paragraph 'c,' and article IX thereof, and the President is hereby authorized and empowered to fulfill the undertakings made on behalf of the United States in said agreement, with the exception of article VII, article VIII, paragraph 'c,' and article IX, upon the receipt by him of satisfactory evidence and of the approval of said agreement with the exceptions provided above, by reciprocal or concurrent legislation of Canada."

Mr. LUCAS. Mr. President, in connection with the amendment I should like to say a few words in explanation.

For the convenience of the committee section VIII (c), subject of my statement, is as follows:

If any diversion of water from the Great Lakes system or the international section, other or greater in amount than diversions permitted in either of the countries on January 1, 1940, is authorized, the government of such country agrees to give immediate consideration to any representations respecting the matter which the other government may make; if it is impossible otherwise to reach a satisfactory settlement, the government of the country in which the diversion of water has been authorized agrees, on the request of the other government, to submit the matter to an arbitral tribunal which shall be empowered to direct such compensatory or remedial measures as it may deem just and equitable; the arbitral tribunal shall consist of three members, one to be appointed by each of the governments, and the third, who will be the chairman, to be selected by the governments.

The amendment I submit proposes to except section VIII, paragraph (c), of the St. Lawrence agreement from Senate approval, when and if that approval is granted. While its effect would be to strike out this paragraph from the agreement, there is no intention of interfering with the main object of the St. Lawrence agreement, an agreement I can wholeheartedly support if this section is eliminated.

The historical foundation behind section VIII (c) is well known by the members of this committee. I will recapitulate it but briefly in order to refresh the committee's memory on the Illinois-Michigan Canal, to which section VIII (c) chiefly addresses itself.

The canal was authorized over 100 years ago. By 1848 the canal was completed and in operation, diverting water from the Great Lakes Basin into the Mississippi Basin. This water was small in amount originally, due to the fact that

it was pumped from the Chicago River into navigation locks on the canal.

The city of Chicago, even then growing very rapidly, drained a considerable amount of sewage into the Chicago River. To facilitate removal of the sewage the pumps were enlarged in 1881. The pumps were not sufficient and the Chicago end of the Illinois-Michigan Canal became the seat of a pollution that threatened to destroy the effectiveness of the canal itself and disturb the health of Chicago. To remedy this situation the Chicago Sanitary District obtained approval in 1899 for a project to reverse the flow of the Chicago River, draw the pollution away from Lake Michigan and do away with the inadequate pumping system. By 1901 a gravity canal was in operation, the pollution was relieved, and a steady flow of 4,167 cubic feet per second of Lake Michigan water was diverted through the Chicago River and connecting canals into the Mississippi system.

From 1901 to date there has been a steady flow of water through this waterway. To my knowledge, the right to maintain this flow has not at any time been challenged by Canada. In fact, when the boundary water treaty of 1909 was negotiated, inclusion of provisions which might have any restriction of the flow of the Chicago diversion was specifically avoided, and a silent permission apparently granted by Canada to allow 10,000 feet per second to flow out the canal. The amount of water turned through this waterway has varied from 1,500 feet per second to 10,000 feet per second. The present allowance is the 1,500 cubic feet, but this allowance has been increased to 10,000 feet per second when circumstances have so required.

It may be pointed out that if section VIII (c) of the Great Lakes-St. Lawrence agreement is approved, the amount of water allowed to flow through the Chicago outlet will be permanently frozen at 1,500 feet per second, and frozen there without regard to the considerations which through the years have allowed variable flowage, without regard to equitable interests involved, and in specific curtailment of the presently exercised public controls over this outlet, as set out below.

At the present time, the flowage at the Chicago outlet is subject to the combined control of the Secretary of War and the Supreme Court.

The Secretary of War has basic authority to provide for navigability of the Great Lakes system, including the Illinois-Michigan Canal. Specifically, he has authority to regulate the flow of water in accordance with the needs of navigation—*Sanitary District of Chicago* v. *U. S.* (266 U. S. 405 (1925)).

The Supreme Court in the case of *Wisconsin* v. *Illinois* (278 U. S. 367 (1929)) took cognizance of the equitable interests of the Great Lakes States in the amount of water allowed to flow through the Chicago outlet. This case has been continued on the docket and is now pending before the Supreme Court. The Court has established an equitable adjustment to balance the interests of Chicago and Illinois in drainage and navigation, the interests of the lower Mississippi States in the increased flow of water from Lake Michigan, and the interests of the Great Lakes States in a sustained water level in Lake Michigan and other lakes.

While this matter has been under the cognizance of the Supreme Court, this Court has time and again given renewed consideration to problems as they have arisen. From 1930 until 1935 the Supreme Court allowed a flow of 6,500 feet per second through the outlet. From 1935 until 1938 the Supreme Court allowed a flow of 5,000 feet per second through the waterway. From 1938 until the present, basic allowance has been 1,500 feet per second. But as mentioned above, this allowance has been increased in special circumstances up to and including a flow of 10,000 feet per second. Such an allowance has resulted from the fact that the Supreme Court, through its masters in equity, has given careful attention to the rights of the various parties as mentioned above and has flexibly adjusted those rights to meet the needs as they have arisen. When the sanitary situation in Chicago has cleared up, it is presumed that complete control will again revert to the War Department under its power to control navigation.

While it is admitted that Congress could, if desired, directly provide for control of the flow, and while it is further granted that the numerous acts of Congress, passed to aid Illinois in her plan to set up the canal here involved, do not stop Congress from considering the problems anew, still it is suggested that the abrupt curtailment of the present policy in this intricate situation in favor of an absolute and rigid flowage limit of 1,500 feet per second, a curtailment resulting from a collateral interest, would have a detrimental effect upon any change or development that Congress might wish to work out later.

It is further suggested that the dropping of section VIII (c) from the agreement would have no adverse effect on the agreement as a whole. Canada, herself, has always had the international privilege of making any objection to diversions of water from the Great Lakes system. The elimination of section VIII (c) will not interfere with her privilege, though I cannot say what would be the effect on this privilege in view of Canada's long acquiescence in the diversion.

I will enumerate but a few of the equitable considerations which would be abruptly cut off should section VIII (c) be included in the Great Lakes-St. Lawrence agreement.

First. From time to time further temporary increases in flowage may be necessary to rescue particular localities from contamination due to dormant sewage and refuse down river. The power to afford needed rescue should not be curtailed.

Second. The very safety of the port of Chicago and, in fact, of the water front of the whole of Lake Michigan may be imperiled because of the unusually high lake levels. At the present time the level of Lake Michigan is at its highest in 16 years, and lake-front property in northern Illinois is being washed away. Substantial damage from erosion is feared in both Chicago and Milwaukee.

Third. The Chicago Canal has been used for shipping naval vessels down through the Mississippi to the open sea. It may well be that at some future time we may need to increase the flow for temporary periods, in order to insure safe passage of naval vessels over the shallower parts of the river below Chicago.

Fourth. It may be also pointed out that at one time sewage from cities bordering Lake Michigan had so collected in the port of Chicago that the Secretary of War had to increase temporarily the flow of water down the Chicago River in order to insure the usability of the port itself. The controlling authorities should not be estopped from taking care of such situations should they arise in the future.

Fifth. The power facilities of the Chicago drainage canal may be small when judged against our immense national power resources, but in the recent emergency the power developed by the temporary emergency increase in flow was an important factor in sustaining the health and safety of this metropolitan area. For the safety of the future, we must be free to use additional water if shortages develop.

No one can now say that the Supreme Court should immediately increase the flow of water, but it is apparent that it is possible, if not probable, that the Supreme Court or the War Department in the future may have to rely upon flexible authority to increase the flow in emergencies.

In conclusion, I may point out that I do not here ask that any particular theory or view of the Chicago diversion be adopted or approved. I do not maintain that any particular flow of water should be insured. I only maintain that this Government, through its properly designated officials, should not be cut off unnecessarily by outside agreement from the continued equitable consideration and disposition of the Illinois-Michigan drainage problems. It is with this thought in view that I submit my amendment to Senate Joint Resolution 104.

Mr. President, I now ask that three letters which bear on this subject may be printed in the RECORD.

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

ARMY SERVICE FORCES,
CHICAGO ORDNANCE DISTRICT,
Chicago, Ill., October 17, 1945.

Mr. SIDNEY A. SMITH,
Chicago, Ill.

DEAR SIR: Thank you for yours of October 16, 1945, enclosing the brochure Corridor of Commerce.

Your assurance "that there is nothing in the proposed set-up that will in any way affect the present situation as regards to diversion from Lake Michigan waters at Chicago" is the very thing that I object to. The present situation is that we are limited to an annual average diversion of 1,500 cubic feet per second, which is not enough to properly dilute the effluent from the sewage-disposal plants and maintain the Illinois waterway in a fit condition for navigation. The decree of the United States Supreme Court limiting the diversion to this amount

may be modified and the Congress of the United States has the power to authorize greater diversions. What we want to guard against is any treaty provision with Canada limiting or prescribing the powers of the Congress and Supreme Court of the United States to adjust this diversion in any amount up to the capacity of the main drainage of the channel and to reserve all of our rights to this diversion as a purely American domestic matter.

If section VIII of the treaty can be eliminated, I think that all of the objections of the Mississippi Valley States could be removed. The proponents of the St. Lawrence waterway certainly ought to be willing to leave this question to the Congress and Supreme Court, and I am reasonably sure that there will be a determined opposition to ratification of the treaty unless the proponents are willing to make this concession.

Very truly yours,

ROBERT I. RANDOLPH,
Former President,
Mississippi Valley Association.

MISSISSIPPI VALLEY ASSOCIATION,
St. Louis, October 26, 1945.

Mr. SIDNEY A. SMITH,
Anchor Storage Co., Chicago, Ill.

DEAR SIDNEY: Replying to your letter of October 16, which was awaiting me when I returned to St. Louis, with which you sent the booklet Corridor of Commerce.

What our people object to is article VIII of the proposed St. Lawrence Treaty with Canada. You say that "nothing in the new set-up in any way contemplates any change in the situation so far as diversion at Chicago from Lake Michigan waters is concerned." This is not true.

The present set-up is merely an order from the Supreme Court of the United States. It is a wholly American set-up. The treaty gives the Canadian Government the right to intervene and control future use of the waters of Lake Michigan. This is a right they have been denied ever since the close of the war of 1812. It would be a great victory for the British if they could put this one over on us.

Lake Michigan is a wholly American lake. All of its watershed is within the United States. It is not properly a part of the boundary waters between Canada and the United States. The flow of water from Lake Michigan is into the boundary waters, and the boundary line is 50 miles north of the northern end of Lake Michigan.

So far as the Valley Association is concerned, I do not believe our members will ever consent to or approve of any arrangement with Canada that does not completely eliminate any reference to Lake Michigan that would give Canada any say whatever in what is to be done with its waters.

With kindest personal regards and best wishes,

Sincerely,

LACHLAN MACLEAY,
President.

MISSISSIPPI VALLEY ASSOCIATION,
St. Louis, November 12, 1945.

Mr. SIDNEY A. SMITH,
Anchor Storage Co., Chicago, Ill.

DEAR SIDNEY: Replying to yours of November 6, which was awaiting me on my return to St. Louis this morning.

It is my sincere belief that if article VIII of the proposed St. Lawrence Treaty or agreement is removed, the greater part of the objections to the St. Lawrence project in the valley would be dissipated. All that would be left in the way of objections would be from cities which might believe that the St. Lawrence seaway would affect their commerce in a detrimental way.

The position of the Valley Association has always been taken on the basis of article VIII, which would have a very bad effect upon the valley as a whole, and so long as article VIII remains in the treaty we will oppose the St. Lawrence project with every influence we possess.

With kindest personal regards,

Sincerely,

LACHLAN MACLEAY,
President.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT—AMENDMENT

Mr. GURNEY. Mr. President, I ask unanimous consent to submit amendments intended to be proposed by me to the bill (S. 2057) to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, and request that they lie on the table, be printed, and be printed in the RECORD.

These amendments would reestablish the provisions of the Selective Training and Service Act concerning the right to induct persons under 20 and over 30 years of age which were removed therefrom by the recent action of the House of Representatives regarding Senate Joint Resolution 159.

There being no objection, the amendments were received, ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

On page 1, between lines 6 and 7, insert the following:

"SEC. 2. (a) So much of the first sentence of section 3 (a) of the Selective Training and Service Act of 1940, as amended, as precedes the first proviso is hereby amended to read as follows:

" 'SEC. 3. (a) Except as otherwise provided in this act, every male citizen of the United States, and every other male person residing in the United States, who is between the ages of 18 and 45 at the time fixed for his registration, shall be liable for training and service in the land or naval forces of the United States:' "

On page 1, line 7, delete "SEC. 2." and insert in lieu thereof "(b)."

Mr. GURNEY. Mr. President, I ask unanimous consent to submit another amendment intended to be proposed by me to Senate bill 2057, to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, and request that it lie on the table, be printed, and be printed in the RECORD.

This amendment merely revises the provisions of the amendment by the House of Representatives to Senate Joint Resolution 159 concerning the induction of fathers so as to preclude the induction of fathers only who have a child or children dependent upon them for support or with whom they maintain a bona fide family relationship in their homes. The amendment to Senate Joint Resolution 159, as passed by the House of Representatives, would prohibit the induction of all fathers regardless of whether their child or children are dependent upon them for support or whether they maintain a bona fide relationship in their homes with such child or children.

There being no objection, the amendment was received, ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

On page 3, beginning with line 8, strike out all down to and including line 22 on page 3, and insert in lieu thereof the following:

"SEC. 5. (a) Section 5 (e) (3) of such act, as amended, is hereby amended to read as follows:

" '(3) After May 14, 1946, no individual who has a child or children dependent upon him for support, or with whom he maintains a bona fide family relationship in their home, shall be inducted without his consent for training and service under this act. As used in this paragraph the term "child" includes a child legally adopted, a stepchild, a foster child, and a person who is supported in good faith by the individual in a relationship similar to that of a parent and child but such term does not include any person 18 years of age or over unless such person is physically or mentally handicapped.'

"(b) Section 5 (e) of such act, as amended, is hereby amended by adding at the end thereof the following new paragraph."

Mr. GURNEY. Mr. President, I also ask unanimous consent to submit another amendment intended to be proposed by me to the bill (S. 2057) to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, and request that it lie on the table, be printed, and be printed in the RECORD.

This amendment is merely designed to eradicate an omission which inadvertently appeared in the bill.

There being no objection, the amendment was received, ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

On page 4, line 16, delete the word "proviso" and insert in lieu thereof the following language: "and fifth proviso."

Mr. AUSTIN. Mr. President, I ask unanimous consent to submit an amendment intended to be proposed by me to the amendment intended to be proposed by the Senator from South Dakota [Mr. GURNEY] to the bill (S. 2057) to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, and request that it lie on the table, be printed, and be printed in the RECORD.

There being no objection, the amendment was received, ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. AUSTIN to the amendment intended to be proposed by Mr. GURNEY to the bill (S. 2057) to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, viz: On page 6, line 20, after the period insert the following:

"Hereafter the retired or retirement pay of any person whose name is borne on the emergency officers' retired list of the Army, Navy, Marine Corps, or Coast Guard of the United States and who is entitled to receive retired or retirement pay shall, in lieu of being computed upon the basis of the pay to which he was entitled at the time of his discharge from his commissioned service, be computed upon the basis of the rate provided in the Pay Readjustment Act of 1942, as amended by this act, for an officer of corresponding grade who is credited with the same number of years of service for longevity purposes as the number with which such person is credited."

REPORT ON PROPERTY ACQUIRED BY UNITED STATES

Mr. HAWKES submitted the following resolution (S. Res. 272), which was referred to the Committee on Military Affairs:

Resolved, etc., That the Secretary of the Treasury in cooperation with all agencies of the Federal Government concerned shall report to the Congress with respect to any real property (including property acquired for, or for use in connection with, fortifications, coast defenses, military camps, cantonments, proving grounds, airfields, training areas, training schools, bomb-testing areas, plants and manufacturing areas, research facilities and grounds, and all other related or similar activities) which has been or shall have been acquired by purchase, condemnation, or otherwise, by or on behalf of the United States for any purpose or purposes related to the present emergency since June 30, 1939.

The Secretary of the Treasury is directed to include in this report—

(1) The area and assessed valuation of all such real property and the improvements thereon at the time of acquisition by or on behalf of the United States;

(2) The tax classification of such property at the time of its acquisition by the United States;

(3) The present status of such property and the amount of such property intended to be permanently retained by or on behalf of the United States in a tax-exempt status;

(4) The amount of such property now idle, the amount of such property now being held in stand-by capacity, and the steps being taken to return such property now idle to taxable status or taxable ownership as soon as possible;

(5) The steps, if any, which have been taken or which are to be taken for the disposition of that portion of the property not intended to be permanently retained and for the return of such property to taxable ownership.

That the Secretary of the Treasury shall transmit this report to the Congress not later than January 1, 1947.

ADOPTION OF NANSEN PASSPORTS FOR DISPLACED PERSONS

Mr. VANDENBERG. Mr. President, I have been officially advised by the State Department that the American representative on the Intergovernmental Committee on Refugees has been instructed to actively favor the adoption of Nansen passports, or their equivalent, for the benefit of displaced persons or so-called stateless persons in the former war areas. I am very glad that the State Department has taken this step. I hope the effort may succeed. Congresswoman LUCE in the House and I, in the Senate, initiated congressional resolutions to this end early this year.

After World War I so-called Nansen passports were issued under authority of the League of Nations. They proved to be a source of great assistance and protection for displaced or stateless persons who had no government of their own to whom they could apply. While they did not establish ordinary passport rights in the usual sense of the word, they did provide definite protective identifications which proved to be of great and humane service in the preservation of human rights and fundamental freedoms.

There is even greater need for Nansen passports, or their equivalent, in the aftermath of World War II, because the problem of refugees, displaced persons, and so-called stateless persons, is of even greater magnitude and greater challenge.

WEST COAST SITE FOR UNITED NATIONS

Mr. KNOWLAND. Mr. President, I wish to have placed in the body of the RECORD a copy of a letter which I have raceived from the mayor of San Francisco and a brief press statement which he made a couple of weeks ago relative to the United Nations. Considerable discussion has taken place with regard to the present site of the United Nations being changed. I serve notice on the Senate that California is still interested in having the United Nations locate on the Pacific coast, and we should be glad to have its temporary location there provided it later chooses the Pacific coast for its permanent headquarters.

I believe the two items to which I have referred will be of interest to the Senate.

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

OFFICE OF THE MAYOR,
San Francisco, May 6, 1946.

Hon. WILLIAM F. KNOWLAND,
Senator from California,
Washington, D. C.

MY DEAR SENATOR: Herewith copy of a press release I issued on May 3. I might add that Governor Warren was asked to attend the meeting but could not make it and wired the acting secretary of the meeting, as follows:

"Thank you for your letter concerning the May 3 meeting of the United Nations Committee in San Francisco. I am sorry that I cannot attend as I must be in San Diego on that day. I, long ago, gave my assurance that the State of California will do everything in its power to facilitate the establishment of permanent United Nations headquarters in California. This assurance stands today just as much as when it was first given. Please express my continued interest in the purposes of your committee."

The press release resulted from the meeting of the committee and was prompted by numerous informal inquiries we had received, asking whether or not the San Francisco Bay area was still interested in having the United Nations permanently located in this neighborhood. We have had reports that the various delegates and secretariat of the Security Council are not entirely satisfied with the arrangements in New York and that perhaps at the General Assembly next September, a move might be made to locate everything in California.

Following my press release, on May 3, I telephoned Mr. E. R. Stettinius, Jr., and followed the talk with a letter (May 4) to Mr. Stettinius from which I quote in part as per enclosure.

As you may be hearing something about this from newspapers or other sources, I have written you fully so that you may know what is taking place out here. I would welcome any comment or suggestions.

Sincerely,

ROGER D. LAPHAM,
Mayor.

At the call of Mr. Walter Haas, its chairman, the San Francisco Chamber of Commerce Committee on Permanent Headquarters for the United Nations, met this noon. In addition to the committee there were present representatives of the press, and several others who had been following developments in recent weeks.

It was the feeling of the meeting that Mayor Lapham should ascertain whether or not the General Assembly, when it meets next September in New York, would reconsider its selection of an area for permanent headquarters for the United Nations.

Further, it was the feeling that the San Francisco Bay area would welcome its selection as a permanent site and would be willing to arrange whatever temporary accommodations might be necessary, provided the General Assembly definitely decided upon a permanent site in this bay area. It was the feeling that unless the San Francisco Bay area had the assurance of the permanent site, that the difficulties in taking care of any meeting on a temporary basis would not justify the inconvenience to which the community would be put.

And finally it was the feeling that if the San Francisco Bay area is designated as the permanent site and asked to provide temporary headquarters, the full cooperation of the Federal Government would be necessary to assist in lightening the burden which the city would be called upon to carry in providing office space and living quarters.

Those present at the meeting besides the mayor included Attorney General Robert Kenny and Dr. Henry P. Grady.

Mayor ROGER D. LAPHAM.

THE PEACE OFFENSIVE—EDITORIAL FROM NEW YORK TIMES

[Mr. WHITE asked and obtained leave to have printed in the RECORD an editorial entitled "The Peace Offensive," from the New York Times of May 22, 1946, which appears in the Appendix.]

"RURAL AMERICA" POISONED BY PEWS' PRESS—ARTICLE FROM "IN FACT"

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article entitled "'Rural America' Poisoned by Pews' Press" from In Fact for May 20, 1946, which appears in the Appendix.]

IMPORTATION OF WATCH MOVEMENTS

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a memorandum exchanged between Switzerland and the United States Government, concerning the importation of watch movements and the assembling of watches in this country, which appears in the Appendix.]

STATISTICS RELATIVE TO UNITED STATES AND BRITISH NAVAL FORCES

[Mr. WHEELER asked and obtained leave to have printed in the RECORD two letters addressed to him by the Secretary of the Navy, incorporating certain statistics relative to the United States and British naval forces, which appear in the Appendix.]

UNITED STATES, BRITISH, AND RUSSIAN WAR PRODUCTION

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a letter, with attached data, received by him from John W. Snyder, Director of the Office of War Mobilization and Reconversion, relative to total United States, British, and Russian war production in major categories, which appears in the Appendix.]

WAR EXPENDITURES FOR THE UNITED STATES, GREAT BRITAIN, FRANCE, RUSSIA, AND CHINA

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a letter and attached memorandum received by him from Mr. E. F. Bartelt, Fiscal Assistant Secretary of the Treasury, supplying certain data relative to total and per capita war expenditures of the United States, Great Britain, France, Russia, and China, which appear in the Appendix.]

STATISTICAL DATA FOR UNITED STATES AND ALLIED FORCES

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a letter received by him from Brig. Gen. Miles Reber, Office of the Chief of Staff, providing various statistical data relative to the United States and Allied forces, which appears in the Appendix.]

STRENGTH OF THE ARMY

[Mr. WHEELER asked and obtained leave to have printed in the RECORD a letter and accompanying data relative to the strength of the Army, received by him from Brig. Gen. Miles Reber, Office of the Chief of Staff, which appear in the Appendix.]

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. PEPPER] in the nature of a substitute for the amendment of the Senator from Virginia [Mr. BYRD], as modified.

Mr. MAGNUSON. Mr. President, last week I voted against the present consideration of the so-called Case bill, now before the Senate. I did so for three definite reasons. First, I felt that the bill served no purpose in the present emergency and that it was merely a stopgap in meeting the problem, although it would probably have some purpose later on.

The second reason was that I felt, as many Senators on this floor have expressed themselves in the last few days as feeling, that in view of the fact that in our minds we had come to the conclusion that the bill had no immediate purpose in solving the problem and inasmuch as we have many other things to do, we might well take up the time of the Senate with other matters, since we are going to be pressed for time on important problems and the session, I hope, is drawing to a close. The second reason was to me, therefore, very pertinent and paramount.

For instance, Mr. President, as has been stated again and again, the draft situation is still in confusion. It is in confusion for many reasons. We merely extended the present draft act. There is a bill on which the Military Affairs Committee has worked long and laboriously, and no action will probably be taken on it for some time because the Senate has taken up the pending labor bill.

We also have the matter of the extension of the very vital agency, the OPA, which will be delayed in the Senate for many days because of the fact that we have spent so much time on a measure which, in my opinion, was not pertinent to the times, or did not present a solution or an answer to the problems of today.

There are yet to be considered several appropriation bills, involving the operations of practically every governmental department, including the vital Department of the Interior, the highly important Department of Agriculture, and many other departments whose operations are going to fit into production and reconversion in America. Those measures will be held up.

Mr. President, we have also a bill on the calendar which I am advised by the majority leader will be acted upon before the present session comes to a close, if a jam is not caused by reason of such debates as have been going on recently, or by the bringing up of the Case bill. The bill to which I refer is Senate bill 1850, which was introduced by the Senator from West Virginia [Mr. KILGORE], the Senator from Florida [Mr. PEPPER], the Senator from Massachusetts [Mr. SALTONSTALL], by myself and about 15 other Senators. It is a bill which would establish a national research foundation, and it is vitally important to the future welfare of the Nation. It may turn out to be one of the most important pieces of legislation Congress has passed in many a year. The bill would provide aid and incentive for America to continue scientific research, both military and commercial. The Office of Scientific Research and Development will expire on July 1. That is the office that was brilliantly headed by Dr. Vannevar Bush during the war, and which contributed so greatly to our victory. That office still has pending with private and public research organizations many contracts involving a number of top military secrets, contracts which must be continued in effect in order to keep America militarily strong. That bill is lying untouched on the calendar because of the fact that the Senate took up the so-called Case bill. That, Mr. President, is the second reason.

But the third and most compelling reason to my mind is that I knew that the purpose of those who insisted upon the Senate considering the so-called Case bill, as reported from the committee, was not that of considering that bill at all, but considering a great deal of antilabor legislation, to strike back at labor at a time when the emotions of all Members of the Senate, of the other House of the Congress, and of the people of the Nation were somewhat clouded by what has been going on.

Mr. President, the Senate is a deliberative body, and when it passes on legislation dealing with such an important subject as labor relations it should deliberate very carefully. As the situation is now, we are going to pass on several amendments without proper deliberation. We are going to pass on them, I think, in the heat of emotion rather than with common sense. That is why I rise today, Mr. President, not only to explain my position in this matter, but to point out what I think are some of the fallacies connected with the legislation and the futility of proceeding at this time with labor legislation.

There have been proposed to the bill and are pending 23 amendments striking right at the heart of what is the great labor problem of America. I hold no brief for some of the labor leaders or for the tactics adopted by some of them. But I do hold a brief for and a duty to speak for the millions of laboring people in the United States who have done nothing to bring about the present situation. If some of the pending amendments are adopted, they will not hurt the so-called labor leaders or the bad boys of labor, but they will hurt the common laboring men. They will wipe out some of the gains they have fought for and won during the course of 50 or 60 long years, and it will be done, in my opinion, not in the exercise of reason, but rather in anger and emotion, perhaps rightly so. We have a duty in this body, however, not to act in that manner, but to act after calm deliberation.

The very futility of the proposed action is pointed out by the debate which has taken place on the so-called Byrd amendment. The more I have sat here and listened to the debate and the more I have listened to the statements which have resulted from prejudices and heated emotions, the more I believe I was right in casting my vote against the consideration of the bill.

In my opinion the Byrd amendment is designed to strike at labor, and particularly at a certain division of labor, a certain union in labor, and a certain man in labor. Yet, in order to do that, the Senate is attempting to legislate against the interests of millions of laborers in this country who have done nothing to bring about the present situation, who are patriotic Americans, and probably are not involved in any kind of strikes at all. Perhaps we should do something, but I do not think we should do it in this manner. I do not think we should do it through the medium of 23 amendments which would require many months of study and experience in order properly to deal with this matter.

Mr. President, I do not know whether legislation is ever the answer to labor-management problems. I do know that if you and I have a dispute and we know we must settle it as between ourselves, we will set ourselves to that task much more quickly if we know that the questions at issue will not be turned over to a third party whom either one of us may assume might favor the one or the other.

Mr. President, as an example of what I mean, this morning, following the seizure order, I read this in a news story published in the Washington Post:

> Following the seizure order, speculation centered on whether Lewis would agree to cooperate with the Government and prevent a resumption of the strike.
>
> LEWIS' STRATEGY
>
> Among Government officials close to the situation there was a fairly firm conviction that there would be no strike, at least in the formal sense, with Nation-wide effect.
>
> It was pointed out that for some time Lewis' strategy was to get in the position of having the Government, rather than the operators, negotiate a contract with him. He now has this assurance, spelled out, gratuitously, in Mr. Truman's Executive order taking over the coal pits.

I do not doubt that that speculation is correct. I do not say that there was anything wrong in taking over the coal mines. I think it was a courageous, rightful action on the part of the President. But my point is that once they set themselves to the task, labor and management normally settle their problems together without Government interference more quickly than they do

when they know there is a third party involved.

Much has been said in this debate, in the newspapers, and over the radio about the reason for the Senate taking action. I suppose the Senate today is discussing this matter because of the actions of one man, a man by the name of Lewis. He has caused a great deal of trouble, and brought about much ill-feeling in the country. Whether he is right or wrong, I do not know; but I do know, Mr. President, that for the greatest deliberative body in the world to act in haste because it is angry at the tactics of one individual is not the proper way to legislate. I also know, as every other Senator knows, and as was pointed out yesterday by the able Senator from Vermont [Mr. AIKEN], that should John L. Lewis resign or disappear from the coal-mining picture tomorrow these problems would still remain. I also know that I cannot attribute to more than 600,000 miners a blind, moronic following of any individual who is not pleading a just cause for them.

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

Mr. MAGNUSON. I yield.

Mr. BALL. The Senator has indicated that he does not believe that this legislation has had proper consideration. I agree with him that legislation aimed at one man or one union is likely to be bad. However, I point out to the Senator that the Senator from New Mexico [Mr. HATCH], former Senator Burton, of Ohio, now a Justice of the Supreme Court, and I introduced a bill. Hearings were held on a modified version of that bill and on the President's fact-finding bill introduced by the Senator from Louisiana [Mr. ELLENDER] beginning last fall and lasting through February. Hearings were held on those bills, as well as on the Case bill, which came over from the House. Minority amendments aimed at abuses in the labor situation—not particularly strikes, but what we felt were definitely abuses—were offered in the committee. They were very carefully considered. The reasons for them, and the facts in the present situation which we believe justify them, are carefully set forth in the statement of minority views, which includes the text of six such amendments. I do not think the Senator is correct in saying that the amendments come here without having received consideration.

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

Mr. MAGNUSON. I yield.

Mr. AIKEN. As a member of the committee I should like to say that so far as the amendments offered by the Senator from Minnesota and the Senator from Ohio are concerned, the subject of those amendments was considered in committee. However, much of the subject matter of the other amendments which have been submitted on the floor of the Senate, and which go to make up the total of 23, was not considered by the committee. I refer particularly to the question which is generally understood as preventing an agreement in the coal-mining industry, the subject of health and welfare funds, and the manner in which such funds should be financed. That subject has not been considered by the committee at any time when I have been present.

Mr. BALL. The Senator is correct.

Mr. AIKEN. So far as the amendments offered by the Senator from Minnesota and the Senator from Ohio are concerned, those amendments were considered in the committee and were voted down by a majority of the committee, and are now brought to the floor of the Senate as part of a minority effort to have them attached to the pending legislation.

Mr. BALL. Which is a perfectly legitimate procedure.

Mr. AIKEN. Yes. I wish to say, in fairness to the Senator from Minnesota, that the proposals offered on the floor of the Senate are more unfair and unjust to labor than are the amendments proposed by the Senator from Minnesota and the Senator from Ohio.

Mr. MAGNUSON. I thank the Senator from Vermont. I will say to the Senator from Minnesota that I intended to make an exception of the so-called Ellender amendment and the amendment sponsored by the Senator from Minnesota and two other Senators. However, as to the other amendments, the Senator from Vermont is correct. But even assuming that the amendment of the Senator from Minnesota and the so-called Ellender amendment have been considered in committee, after all, the action to be taken upon them, in my opinion, is being taken at a time when emotion probably overrides the rule of reason and a consideration of their merits and demerits. The bill to which the Senator from Minnesota refers would not be on the calendar or before the Senate if it had not been for the emotion displayed in bringing up the so-called Case bill.

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

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from Washington yield to the Senator from Minnesota?

Mr. MAGNUSON. I yield.

Mr. BALL. The Case bill, House bill 4908, was reported before the coal strike. I entirely agree with the Senator from Washington that it would be much better if the Senate, in a time of comparative peace on the labor-relations front, were seriously and deliberately to consider a complete revision of the Federal labor-relations code, or the question of a lack of such a code. But I submit to the Senator from Washington that there is not a chance of the Senate ever considering labor legislation when there is no difficulty on the labor-relations front. It simply cannot be done. I have been trying for 6 years to have it done. I believe that that is the way in which to get the best legislation; but I respectfully submit that the United States Senate will never consider labor legislation except in a time of crisis on the labor front.

Mr. MAGNUSON. The Senator from Minnesota may be correct. Perhaps we are like the man with the leaky roof. When it was not raining he did not need to fix it, and when it was raining he could not fix it.

Nevertheless, I believe the Senator from Minnesota will agree with me, indeed, I think he has already impliedly agreed, that there is a good chance that Congress, in taking up these matters in this manner, is likely to enact legislation for which we shall be sorry in the future; legislation which will create more chaos and more strikes. I am not referring to the amendment of the Senator, which I wish to discuss in a moment.

As I pointed out, I am not convinced that legislation is the answer to these problems. Any time the country becomes a little concerned—or greatly concerned, as it is now—about labor matters, there is always the cry, "Congress ought to pass a law." Sometimes it is just as difficult for Congress not to enact legislation as it is to enact legislation. I am not so sure that legislation is the answer. It is surely not the answer unless the Government has some authority to enforce its decrees. If the Government is to step into labor disputes, it should step in with some authority, or stay out. Aside from the coal strike, the history of labor disputes has been that when labor and management have been left alone they have settled most of their problems. Perhaps at this time it might be wise for the Government to step in with some authority, as the President rightly did yesterday; but as a permanent policy, I am not convinced that legislation is the answer to our labor-management problems.

I am sure that the Senator from Minnesota himself would like to have more time to consider all these amendments, with the exception of the two which have been mentioned. There is much to be said, much testimony to be given, and much experience to be gained before Congress should take drastic action.

As an example of what I mean, the public seems to have the impression that the Senate is now acting on legislation which would stop strikes. The public has the impression that possibly when the Senate concludes its deliberations on this question we shall have solved, once and for all, insofar as legislation can solve them, the problems of labor and management in the future. I do not believe that it is possible to do it by legislation, but the public has that impression.

The proposal before us is an effort to strike at some of the gains which labor has made and to legislate for millions of working people throughout the country who have had nothing whatever to do with the present emergency. We have had many proposals before us, and we are asked many questions every day. Probably the most difficult question to answer in our talks with our friends—political, personal, and otherwise—regarding the labor problem is the question which is so often asked, "Why do you not make labor as responsible under its contracts as you make management?" Sometimes that is a most difficult question to answer. It often causes a great deal of legitimate argument on both sides. But, as an example of what I mean when I say that I am not convinced

that national legislation is necessary, let us consider the amendment of the Senator from Minnesota [Mr. BALL] and other Senators. It sounds well when it is read, and the average person cannot understand why Congress cannot legislate to make labor unions as responsible as management under their collective-bargaining contracts. The Senator from Minnesota and other Senators have an amendment bearing on that matter. My remarks are directed toward their proposal to amend the committee bill by inserting a provision which would create a right of action, under Federal statute, for breach of a collective-bargaining agreement. Mr. President, this is a highly technical matter, but I hope I shall be able to point out how difficult it is to legislate in respect to such problems, and I shall endeavor to point out why I think it would be wrong to adopt even the amendment of the Senator from Minnesota and other Senators.

The right of action suggested in that amendment would be enforceable in the Federal courts against a labor union in its own name. Money judgments could be assessed against the assets of the union, but not against the assets of individual members of the union. The idea back of that proposal is, I believe, to enable either party to a collective-bargaining agreement to sue the other party and collect damages for breach of contract.

Although some representatives of management have complained to the Committee on Education and Labor that collective-bargaining agreements are one-sided affairs, enforceable only at the instance of labor, and although suggestion has been made that the law should be changed so as to give management an easier method of bringing suit for the breach of such contracts, those representatives of management have never inquired into the facts of the matter closely enough to be able to determine why they had the impression that collective-bargaining contracts are binding on only one party. Therefore, I should like to refer to the facts of the matter.

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

Mr. MAGNUSON. I yield.

Mr. AIKEN. I should like to point out today what I pointed out yesterday, namely, that in connection with the consideration of labor legislation we are placing too much emphasis on alleged breach of contract. If I am correctly informed—and so far the correctness of my information has not been disputed—not a single one of the strikes which has disturbed the public in recent months has been the result of a breach of contract on the part of either the employer or the union involved.

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

Mr. MAGNUSON. I yield.

Mr. BALL. The strike of the United Mine Workers in support of the unionization of foremen in the mines, last fall, seriously curtailed coal production at a time when we needed desperately all the coal we could obtain. That strike was a clear violation of the contract which the United Mine Workers had with the management at that time.

Mr. AIKEN. Mr. President, if the Senator will further yield to me, let me say that not only is what the Senator from Minnesota said true, but I realize that the National Labor Relations Board issued a complaint against the General Motors Corp. for violation of the National Labor Relations Act. I thank the Senator for the information he has given us, but I still insist that for the last several months none of the major strikes has been caused by breach of contract.

It occurs to me that breach of contract on the part of either employer or employee is not a very common cause of strikes. More often, the contract expires, and the men do not go back to work until they get a new contract which is satisfactory to them—as in the case of the present so-called coal strike, which is not a strike in the technical sense of the word, but is simply a refusal to go back to work until the employees get a contract which is satisfactory to them.

Mr. BALL. Mr. President, will the Senator yield to me once more?

Mr. MAGNUSON. I yield.

Mr. BALL. I think I would agree that none of the major strikes affecting the workers in the steel and coal industries in the last several months have involved a breach of contract. But I would remind the Senator that the testimony before the Mead committee in regard to stoppages—and most of them were wildcat strikes—in Detroit, the center of the automobile industry and the center of war production during the war period, showed that all of them were in violation of contract. Most of them were attempts by small groups of members of the union, sometimes supported by the union and sometimes not, to bypass the grievance machinery provided in the contract, and to attempt to settle a grievance by means of a strike, in violation of the contract. I think there is a great deal of that sort of thing in industry. They do not usually make the newspaper headlines, because generally they are small strikes.

But it would be a tremendous inducement to employers to enter into collective-bargaining contracts and to make more concessions than they are now willing to make to employees if they had some assurance that there would be a little pressure toward some possibility of getting something in return, namely, stability of relationships for the life of the contract. They have no such assurance today.

Mr. AIKEN. Mr. President, if the Senator from Washington will further yield to me, let us say that I agree that breaking contracts is a very bad thing; but I still say that matter has been overemphasized in considering labor legislation. I think nearly all employees and nearly all labor unions have due regard for their contracts. I do not think we should say that the situation is so bad that national legislation is needed in order to handle it, thereby implying that it is a general practice, when as a matter of fact it is not a general practice.

I know there were a number of so-called grievance strikes during the war, usually without the sanction of the union to which the workers belonged. Many of them were started on Saturday night and were settled by Monday morning, so that almost no time at all was lost.

While I am on my feet I should like to bring the Senator from Washington up to date in regard to the number of amendments. He has been speaking of 23 amendments offered to the pending bill. Up until recently, the number of amendments offered was 28. Five more have been offered since the Senator from Washington counted them.

Mr. MAGNUSON. Since I made my last count.

Mr. AIKEN. I do not know how many there are at the present time.

Mr. BALL. Mr. President, will the Senator yield on that point?

Mr. MAGNUSON. I yield.

Mr. BALL. I wish to point out that on almost every major bill a great many amendments which are labeled "intended to be proposed" are printed and lie on the table, but in many cases the majority of them never are really offered to the measure under consideration.

The amendments to which reference has just been made have, with only two exceptions, merely been printed as amendments intended to be offered. Actually, only two amendments have been offered, namely, the Byrd amendment and the Pepper amendment. The other amendments have simply been printed and are lying on the table. Usually in connection with every major bill, about half of the amendments which are printed never are actually offered.

Mr. AIKEN. That is correct.

Mr. MAGNUSON. Mr. President, I say to the Senator from Minnesota that in the case of most major bills, amendments which have been printed and lie on the table and are intended to be proposed have previously been considered by the committee and have been rejected by it. They are amendments which the committee has had under consideration and on which it has held hearings.

Mr. AIKEN. They have been printed and are for the consideration and action of the Senate, and there are many of them.

Mr. MAGNUSON. Of course, the Senator from Vermont is correct. I think the RECORD should show that most of the labor difficulties occur after the collective-bargaining agreements have expired, and when the parties are negotiating for new collective-bargaining contracts. But, even assuming that agreements have been violated, I hope I shall be able to point out in the course of my remarks the futility of enacting legislation to correct such a condition.

Mr. President, I suggest that we examine more closely the amendment of the Senator from Minnesota and other Senators. In the first place, collective-bargaining agreements are contracts. They must involve an offer, an acceptance, and proper consideration, just as in the case of other contracts. They are no different from other types of contracts, except that they provide continuing terms covering relationships between employees and employers. In that respect they are specialized, and for that reason they have been called by a special name, to wit, collective-bargaining agree-

ments. In all other respects, however, they are similar to other types of private contracts.

I say to the Senator from Minnesota that they are just as binding, legally, on all the parties to them as are any other contracts. However, the representatives of industry have complained that inasmuch as labor unions are generally unincorporated—that complaint is made on all sides—collective-bargaining agreements, therefore, although binding, are practically unenforceable. I hope I shall be able to point out what a difference there is between incorporating so-called labor unions and incorporating most of the employers. The argument to which I have just referred is based on the fact that, at common law, unincorporated associations cannot be sued in their own names, but suits can be brought only against all the members individually.

There were sound reasons for the development of this rule of the common law. The members of an unincorporated association could not limit their liability for acts done in the name of the association to the assets in the association's treasury, but, instead, had to put all their own individual property in jeopardy. Since that was so, the courts were reluctant to forfeit the property of an individual member for an act done in the name of the association unless the individual member actually participated in, authorized, or ratified the act. That is the reason for the rule that all the members had to be served and brought into court. In that way the court could determine whether the agents of the association had the authority to bind the credit of the members. To be consistent and to carry through the principle that those associations had no separate legal existence or entity, the court also refused to allow them to bring suits as plaintiffs in their own names, except in special circumstances.

This short description, however, by no means completes the picture of the law governing the suability today of unincorporated associations. The courts and the legislatures of the several States, faced with the growth of large labor organizations, as well as other types of unincorporated associations having separate and continuous existences in fact, apart from their members, have gone a long way toward rectifying the inequities resulting from the protection given to members of unincorporated associations at common law.

The minority views of the Senate Labor Committee in urging the adoption of the amendment, correctly assert that the Federal courts must follow the laws of the States in suits on collective-bargaining agreements when a Federal statute is not involved. The minority views however, give an incorrect picture of the laws of the various States on the question. At the present time, fully three-fourths of the States permit suits to be brought against unincorporated associations in their own names. In other words, at least three-fourths of the States allow a suit to be brought against any employee or any group of employees for the violation of a collective-bargaining agreement.

In the two cases which occurred in Florida and Nebraska, the courts held that the labor unions before them were not doing business so as to come within the statutes. For these two cases, however—I do not say that there have not been more, but if there have, their decisions are not controlling today—there are eight jurisdictions in which the courts themselves changed the rule without any legislative help. Those are Illinois, Massachusetts, Missouri, New Jersey, Ohio, Texas, Vermont, and the State of Washington. Those cases show two very important things. First, that the courts have developed an established technique for getting around the harshness of the rule that unincorporated associations can never be sued; and second, that they are willing to use such technique in order to keep pace with existing realities. This technique, which actually amounts to allowing suit to be brought against a few members as representative of all, is an equity device which the courts have demonstrated they will use in law actions when there is no adequate legal remedy available. Of course, that is an old cardinal rule of law.

The comparative freedom of courts of equity also make it possible for them to limit recoveries to funds or property belonging to the associations as a condition for permitting this type of suit. Senators, in view of this progress made by the States, I see no reason why it is necessary for the Federal Government to invade the realm of the States to such an extent as to furnish them laws governing suits for breaches of purely private contracts. The law governing private contracts has traditionally been a matter for State control, and we should not lightly violate this separation of functions under the guise of controlling interstate commerce.

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

Mr. MAGNUSON. I yield.

Mr. BALL. I believe that the Senator mentioned Massachusetts and Illinois as States which have recently permitted suits to be brought against unions for violation of collective-bargaining contracts. I have had the question investigated, and two cases have been cited. One is a Massachusetts case, Worthington Pump & Machinery Co. against Local No. 259 of the United Electrical Radio and Machine Workers of America (CIO), October 29, 1945. A dispute arose over the dismissal of an employee member of the union. The company brought suit to enforce its collective-bargaining agreement with the union. The Federal district court, sitting in Massachusetts, applied the law of Massachusetts, which holds that a labor union is not a corporate entity, may not be sued as a person, and may not be subjected to any decree. The case was dismissed.

The other case is *Pullman Standard Car Manufacturing Co.* v. *Local Union No. 2928, United Steel Workers of America (CIO)* (152 Fed. 2d 493, Seventh C. C. of A., Nov. 28, 1945).

The Pullman Co. sued the union for libel, charging that the union's newspaper published an article accusing the company of making false statements to the public and the workers. The case came into the Federal courts because of the parties' diversity of citizenship. However, since the alleged libel occurred in Illinois, the Federal courts were required to follow the law of Illinois. In applying the Illinois law to the case, the court said:

> We think these cases (earlier Illinois decisions) clearly show that the common law of Illinois, which has not been changed by statute, does not permit an action at law against an unincorporated labor association.

Mr. President, Massachusetts and Illinois are two great industrial States in which unions may not be sued for a violation of a collective-bargaining contract.

Mr. MAGNUSON. I believe the Senator misunderstood my statement. The cases which he cited are cases in law. I said that there are States which allow actions in equity, and it is possible to bring a suit against a few members as representative of all. It may be found in the equity action that the members of the union are not individually liable, but that the funds of the union or of the unincorporated association are liable. I am familiar with the issues in the last case to which the Senator referred, and I know also that both cases were law actions.

Mr. President, the minority views picture a dark future for a party who wishes to enforce an agreement with a labor union. Actually the picture given is quite misleading. For instance, it says that an employer or even the Government has no Federal right of action to enforce a collective bargaining agreement.

Of course, the amendment of the Senator from Minnesota would allow a Federal right of action to enforce a collective-bargaining agreement. All of us who are lawyers know that a party who enters into an ordinary private contract has practically no Federal right of action to have the contract enforced.

I wish to point out that no other party who enters into an ordinary contract of almost any kind has a Federal right of action to enforce his contract. Private contract rights have always been left to the States for enforcement, and it would be invading the domains of the States for Congress to change the law in this respect. That statement might apply specifically to unincorporated associations. However, it might also apply to many unincorporated associations which are not labor unions. There again I point out the futility of trying to enact legislation on this subject. There are many unincorporated associations which have nothing to do with labor unions. Under the amendment of the Senator from Minnesota a contract would be enforceable only in Federal courts, and would, therefore, violate a long-time cardinal principle of law, namely, that all contracts are enforceable, if at all, in State courts.

Mr. BALL. There is a considerable difference between a suit at law and a suit in equity. Moreover, the Illinois case which I cited, if the Senator is correct, was not a suit for the violation of a contract while the Massachusetts case was clearly a suit for the violation of a contract.

Mr. MAGNUSON. Of course, Mr. President, sometimes there is a fine distinction between law cases and equity cases. There may have been some factors in the case cited by the Senator from Minnesota other than those revealed by him, or it may have been that the judge ruled against the prevailing rule in Massachusetts, as I interpret the situation, which allows suits in equity to be brought against any group of individuals for the alleged violation of an agreement.

The amendment, of course—showing again the complications of this matter, as I said—would involve private contractual rights of all unincorporated associations, and require them to go into a Federal court. Historically and traditionally all our law has been based upon the fact that private contracts are to be enforced in State courts.

The minority views also state that even in jurisdictions where unions are suable, primarily in representative suits, any judgment or decrees rendered may be unenforceable. I have heard that story many times.

They further state that only where unions are given legal status by statute are union funds available to satisfy judgments. Two cases are cited to support these statements. The Aalko case, which is cited for the first point, was a citation for contempt for violating an injunction. In discharging the defendant the court merely held that in a representative suit those named as defendants must be named in the restraining order to bind the others whom they represent. Otherwise, representatives are being treated differently from the others, thereby denying the similarity of self-interest between the two groups. The case did not arise in a jurisdiction where unions are suable in their own names. The law is contrary in three-fourths of the other States of the Union.

It does not stand for the proposition that a decree against a labor union or its members may be unenforceable any more than any other decree against any other group of persons, even in the State where the statute has provided that unions as such are not suable.

The second proposition cited by the minority views is likewise inaccurate. For the record I wish to quote the cases cited. They are: *Newark International Baseball Club, Inc.* v. *Theatrical Managers, Agents and Treasurers' Union et al.* (7 A. (2d) 170 (1939) N. J.); *Bayci* v. *Rango* (25 N. E. (2d) 1015 (1940) Ill.); *Colt et al.* v. *Hicks* (179 N. E. 335 (1932) Ind.); *Fitzpatrick* v. *Rutter* (51 Yale L. J. 44 (1941)). These cases show that there is no necessity for a statute giving a union legal status in order for a court of equity to get at a union or its funds.

The minority views further mention that the Norris-LaGuardia Act, and State statutes patterned after it, operate to prevent enforcement of collective-bargaining agreements by outlawing the granting of injunctive relief to prevent a breach of such an agreement. In other words, they complain about the Norris-LaGuardia Act, which is an antilabor injunction act, that these collective-bargaining agreements cannot be enforced by injunctive means. Of course, that has nothing to do with liability for breach of a contract, but that has been one of the complaints, and a weapon of the antilabor people, for many long years. An injunction is not granted in suits for breach of contract unless it is necessary to prevent irreparable damage, unless there is no adequate remedy at law.

In an ordinary case of breach of contract, recovery of damages is the adequate remedy. Even in special cases, such as those involving unique employment contracts, where there is no adequate legal remedy, the courts in granting injunctive relief are very careful to avoid creating conditions of involuntary servitude.

With the use of the injunction restricted in these ways in ordinary cases, how can it be argued that those further conditions on its use provided in the State anti-injunction acts prevent enforcement of collective-bargaining agreements to any degree at all? Furthermore, the proposed amendment does nothing to make injunctive relief more available. If the persons behind the amendment really believed that the lack of an injunctive remedy prevented collective-bargaining agreements from being enforceable against labor unions, they would have made some provision in the amendment for authorizing its use. They do not believe this, however. They believe rather that the fault lies with some supposed difficulties in bringing suit against unincorporated associations.

I do not intend to go into a discussion of the necessity or merits of the anti-injunction statutes. If any Senator wishes to go back to the hearings of the La Follette Civil Liberties Committee and other committees in the late twenties and early thirties, I think he will be able to see for himself the deplorable conditions which prompted passage of this legislation. The Norris-LaGuardia Act is an important part of the law today, and the wisdom of its provisions has seldom been questioned. I do not think the Senate wishes to restore the possibility of imposing conditions which amount to slavery on our citizens again, especially where the desire is only to furnish a more expeditious means of enforcing collective-bargaining agreements. The equities between these two needs are so self-evident that probably even the Senator from Minnesota [Mr. BALL] and his colleagues would not seriously want to repeal the Norris-LaGuardia Act in order to provide an easier method of enforcing the agreements.

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

Mr. MAGNUSON. I yield.

Mr. BALL. I think it is very essential that the Congress repeal the Supreme Court interpretation of the Norris-LaGuardia Act, so that we can get at some of the vicious monopolies which labor organizations are enforcing today in various places in the country.

Mr. MAGNUSON. There again we would be repealing an act which has reacted to the benefit of labor.

Mr. BALL. The interpretation of an act, I say.

Mr. MAGNUSON. It was an act to stop abuses, to hit at some particular group, whose action was affecting every workingman in the country, and under which every workingman in the country was abused, and seriously abused, for many years.

The need for an anti-labor-injunction act became so apparent that the legislatures of practically every State in the Union, Democratic and Republican alike, following the passage of the Norris-LaGuardia Act, enacted similar legislation.

Mr. BALL. Does the Senator seriously believe that labor unions should be free to racketeer, to create and enforce monopolies which are in restraint of trade, and not have the anti-kick-back law applied to them? They have been exempted from prosecution for those things in recent Supreme Court decisions, based largely on the Court's interpretation of the Norris-LaGuardia and Clayton Acts.

Mr. MAGNUSON. Of course, I did not say anything of the kind. I do not think they are free to do what the Senator suggests.

Mr. BALL. The Supreme Court has said so specifically.

Mr. MAGNUSON. The Supreme Court said so far as Federal enforcement is concerned, and I think the Senator can look at the statutes in every State in the Union and find antiracketeering, anti-exploitation, and antiextortion laws, of which crimes many complain, and for committing which labor leaders should be sent to jail.

Mr. BALL. Have they done any good in stopping the monopoly enforced by the electrical workers' union in New York?

Mr. MAGNUSON. The laws of New York State should be enforced. What I am trying to point out is the difficulty of passing Federal legislation to correct certain specific evils, because we must pass legislation that applies to everyone. The difficulty, even with an amendment such as that offered by the Senator from Minnesota, is that on its face it sounds like a good amendment.

Mr. BALL. On that basis the Senator, if he was here in 1935, should have opposed the passage of the original Wagner Act—which was directed at certain abuses and evils in the labor-relations field—on the ground that the States could take care of the situation, and the Federal Government did not have any business taking over something which the States could do. It seems to me the Federal Government is already in this field of labor relations up to its neck. Many of the abuses and evils which we are trying to reach in our amendments are the direct result of these Federal statutes and their interpretation. I think it is the obligation of the Congress and the Federal Government to do something to correct the evil, and not merely pass the buck to the States.

Mr. MAGNUSON. I was not in the Senate in 1935, or in the House of Representatives, but my point is that many of us feel that Congress should not have passed the so-called Wagner Labor Relations Act, and the reason why there has been abuse, and the reason why there are some evils in connection with it, is that it was passed in a frame of mind similar to that the Congress is in now regarding labor matters.

I do not say that the Wagner Act in principle should not have been passed. Perhaps the Senator is right, perhaps we should have a Federal statute enforcing the right to contract. I am merely trying to point out that there is a remedy existing at law, which has been used on many occasions, and traditionally and historically the right of contract can be enforced, and always has been enforced, in State courts.

The Wagner Act covered a great variety of fields of labor which the States could not handle, in which the States had no authority, but in this case I contend they can handle them.

Mr. BALL. They can, but they are not doing so. They had authority to do everything that was provided in the Wagner Act——

Mr. MAGNUSON. After the Wagner Act was passed.

Mr. BALL. And some States have no Wagner Act on their books.

Certainly the States are not doing anything about the monopoly situation.

Mr. MAGNUSON. Mr. President, there is another point regarding the pending amendment which I should like to mention. The amendment under discussion is designed to make it easier for employers to bring suit against labor unions. Do the Members of the Senate realize that it is almost impossible for a labor union to sue an employer for breach of contract? Collective-bargaining agreements are generally construed either as contracts between the employer and the employees or contracts for the benefit of the employees. In either case injured employees must usually sue for themselves. A union may not bring suit because it has no interest in the matter. Furthermore, even though its disability to sue as an unincorporated association has now largely been removed, it still has the same difficulties bringing suit as an employer does in bringing it into court as a defendant. If the Senate is going to confer special privileges on one side, it probably should also adopt an amendment which would confer the same privileges on the other side.

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

Mr. MAGNUSON. I yield.

Mr. BALL. If the Senator will read our amendment, he will find that it says:

> Any labor organization whose activities affect commerce as defined in this act shall be bound by the acts of its duly authorized agents acting within the scope of their authority from the said labor organization and may sue or be sued as an entity.

Mr. MAGNUSON. What is the Senator's interpretation of "a labor organization"?

Mr. BALL. A "labor organization" as defined in this measure is the same as defined in the Wagner Act. The Senator is complaining that unions have difficulty in suing employers for violations of contract. This amendment would cure that situation.

Mr. MAGNUSON. I do not so understand it. Perhaps I have not read the amendment too carefully, or perhaps the language has been changed.

Mr. BALL. The language of the amendment is "may sue or be sued."

Mr. MAGNUSON. Mr. President, I have already tried to explain that it is not as hard to bring a suit for breach of contract against a labor union as some of the proponents of this legislation assert. What, then, is the reason for this agitation to make changes in the contract laws of the various States? Probably it is because some sections of industry have recently been hard pressed by labor unions for an increase in wages, and they are looking around now for a weapon with which to strike back. I believe, however, they have not thought the matter through.

Supposing industry is given an easier method of bringing suit against labor unions, will that make collective-bargaining agreements any more binding than they are at present? I submit that it will not. Usually people only start bringing lawsuits against each other after they have severed relations. Since an employer and his employees ordinarily do not permanently sever relations during a labor controversy, an employer will not feel too eager to start suing if he wishes to restore harmonious relations with his employees when the controversy is settled. A lawsuit at such a stage would not contribute to settlement of a dispute and might permanently erase all chance that employer and employees could ever again work together in a common effort. If those sections of industry which seem so desirous of obtaining an easy method of bringing lawsuits against labor unions had ever thought the matter through, they would probably have come out with the conclusion that such a weapon would be of no use to them anyway.

Where there have been industrial disputes which have bred lawsuits, bitterness and dissension usually have resulted. If this amendment is adopted there will undoubedly be some employers who in the heat of a labor dispute will use it imprudently. The responsibility for the industrial dissension which will probably result will fall, Senators, on us, if we adopt amendments such as the Byrd amendment, without thinking them through.

Mr. President, there are several other amendments offered by the minority. I believe there are six all told. These amendments, in my opinion, have not been considered fully and in whole.

Some of the amendments proposed to the bill violate fundamental concepts of law in our country. Adoption of some of them would, in my opinion, result only in bringing about more chaotic conditions. Adoption of some of them would place the Government in the position of using clubs over the human relationships of both labor and management. I only hope, Mr. President, that the Senate will turn down some of these amendments, not that some features of them should not, perhaps, be considered again, but we should consider them carefully, we should consider them not in the heat of emotion, but in the light of reason, and this body should not pass legislation aimed to strike at a specific situation which will involve millions of working people, who have done nothing in themselves to cause the present situation, but have tried only to better their lot. If we must strike at individuals who abuse their privilege, if we must pass laws affecting all the working people of the country because some of their leaders are bad boys, then I think Congress had better sit down and deliberate on a specific way of doing it, and, if it is possible, pass legislation directed at the evil itself, and name names, rather than hit at the great body of labor which has contributed so greatly to the welfare of the United States.

Mr. GUFFEY. Mr. President, to discuss intelligently the Case bill and the proposed amendments one must look at the coal dispute itself, which touched off the sudden consideration of this bill in an atmosphere charged with heat and venom.

The coal industry is an industry with a peculiarly national character, an industry requiring national action.

It is a truism that the coal industry is basic to our economy, an industry without which all other industries are stopped.

In addition, the nature of competition in the industry makes national treatment of the industry more imperative.

This is an industry with a large proportion of absentee mine owners, where the less responsible mine owners set a pattern of cutthroat competition at the expense of the workers.

For these reasons the negotiations between the industry and the union are on a national basis.

The three major issues in the dispute are national issues affecting the miners throughout the country—the health and welfare fund, wages, and mine safety.

All these issues arise so sharply because of the dangerous and difficult character of the occupation of mining.

In all three there rests a real grievance, a grievance that exists irrespective of what one's attitude is toward John L. Lewis.

Congress could have and should have remedied some of the factors which have contributed to this dispute. Congress could have and should have renewed the Guffey Coal Act, which eliminated cutthroat, irresponsible action in the industry.

Congress could have and should have ensured enforcement of the Mine Safety Act of 1941.

Mining is the industry with the greatest accident severity and with an accident and death toll that reads like battle reports from Iwo Jima, as the able Senator from West Virginia has so correctly said.

During the war there was no pressure to reduce the accident toll because of the drive for production. But we are today paying the penalities of a National Mine Safety Act that provides only for inspection and for no enforcement.

Congress could have and should have passed a National Health Insurance Act which would assure comprehensive medical and hospital services to all persons who work for a living and their dependents.

It would do this not by increasing our national expenditures for medical care

but mainly by organizing them on an equitable insurance basis.

In the light of these factors—the national character of the industry and the unremedied grievances of the workers—why this sudden pressure for legislation to restrict and curb labor?

The type of proposals being suggested are designed not to solve but to aggravate the situation by in some measure prohibiting justifiable demands, as under the Byrd amendment, or by disarming the workers who have exercised their inalienable right to refuse to work under conditions intolerable to them.

This is not a matter for ad hoc legislation.

This is a matter for serious, deliberate, and extensive consideration.

What is called for is a probe of the causes of labor disputes, as under the Kilgore resolution, Senate Resolution 228.

What is required are adequate mine safety laws, national health legislation, and correction of competition abuses in the industry.

Do we in Congress want to mine this coal ourselves? Do the mine owners? Obviously not.

But if that were the only way, we—and they—would insist on the minimum protection of health and welfare the miners are asking.

And if we had to mine it, would we want chains put upon us to prevent us from protesting against intolerable conditions?

Let us be fair, Mr. President. Let us remember the Golden Rule. Let us not put shackles on others which we would not want put on us if we were in their place. The proposals being sponsored by the Senator from Virginia [Mr. BYRD] and others are clearly one-sided. The record shows that we cannot stop strikes unless we meet the justifiable grievances. We would promote more severe labor conflicts by the type of one-sided legislation being proposed.

I have another example which I want to take up today in some detail. We have already in fact promoted industrial strife through one-sided legislation guaranteeing postwar profits to corporations.

Under the carry-back, carry-forward provisions of the 1945 tax law, corporations are entitled to rebates from the United States Treasury of their war taxes if their earnings in the two postwar years fall below normal earnings. These provisions permit corporations to finance their disputes with labor from the United States Treasury.

It is time that we corrected the abuses arising from this feature of the tax legislation. In the fall of 1945 this Congress repealed the excess profits tax law. That law, as Senators know, was directed toward prevention of war profiteering. It placed a relatively high level of taxation upon that portion of the income of a corporation which exceeded the corporation's prewar income level as determined by various standards set forth in the statute.

There was one feature of the excess profits tax law to which, unfortunately, very scant attention was paid at the time of its original enactment. This was the carry-back, carry-forward provision. Under this provision a corporation which had been in the excess profits class was permitted in subsequent years to seek tax rebates out of the taxes previously paid. If the income of the corporation should fall below the normal earnings credit allowed as the corporation's starting point for excess profits taxation, the corporation was empowered to recover from the United States Treasury as much as 45½ percent of the amount by which its profits fell short of the allowed level. If it suffered a loss, it could recover 85½ percent of the loss, in addition to the 45½ percent of its allowed prewar income level.

Many persons have pointed out that for the largest part of major American industry this amounted virtually to a Government guarantee of certain minimum profits even if not a single wheel turned or a single item were produced. That observation is substantially accurate.

As I have said, in the fall of last year we terminated the excess profits tax, effective with the beginning of this year. But at the same time we continued the carry-back provision through 1946. In other words, for the year 1946 we declared that if a corporation's profits went over its prewar levels, it paid no extra taxes; but if those profits fell below the prewar level, the corporation secured a tax rebate. It was truly a "heads-you-win, tails-I-lose" proposition that the Government offered American industry.

Some justification was advanced for this action. It was pointed out that a number of corporations might suffer substantial loss or reduction of income due to reconversion costs, and that it was appropriate to assist them through the reconversion period.

Both in the committee report and in the floor discussion, however, it was recognized that there might arise instances in which this arrangement was subject to abuse or produced inequitable consequences. It was specifically agreed and noted that subsequent action by Congress might be needed to meet such a situation. During the months since our action, precisely such an inequitable effect has become manifest. I feel it my duty to call it to the attention of the Congress and to seek its correction.

A number of our major corporate enterprises have in recent months become engaged in labor disputes. Some still are today so engaged. In the normal operation of our democratic ecenomy, I assume that such disputes—I hope and trust a very small number—will arise during the remainder of this year. The carry-back provision still in effect has made the United States Government an active and effective partner in these disputes. The United States Treasury is, in effect, called upon to subsidize the employers in these strikes.

This has given employers substantial encouragement to fight their employees, refuse wage increases, and prolong strikes. In every State except five, and my own is among those exceptions, unemployment insurance benefits are denied to workers involved in strikes. Even veterans are denied, under the GI bill of rights, their readjustment allowance payments where their unemployment is due to a strike. Yet the United States Government offers a guaranteed profit to the employers in these same strikes.

Such payments by the United States Treasury to these employers obviously do not come within the purposes for which we retained the carry-back. We sought to aid reconversion, and certainly not to finance strike-breaking.

An outstanding example of this situation is the Westinghouse Electric Corp., which just last week settled the 119-day strike of its 75,000 employees, members of the United Electrical, Radio and Machine Workers. Seventy-nine million dollars of excess profits taxes were paid in 1944 and 1945 by Westinghouse and are available to guarantee Westinghouse earnings in 1946 should its profits fall below normal earnings or should the company sustain a loss.

Westinghouse's normal profit base is computed at $24,500,000. While the basis for computing the company's normal profits is the 1936–39 earnings, the law permits adjustments which bring the base to a figure substantially above the average profits. If as a result of the strike the company should make no profit at all in 1946, it would receive a refund of 45.5 percent of $24,500,000, or $11,200,000. If as a result of the strike the company should lose $10,000,000, the Government would refund in addition to the $11,200,000, 85.5 percent of the loss, or an additional $8,550,000. The total refunds would amount to $19,750,000, giving the company a net profit of $9,750,000. If the company's losses are greater, then the refunds are greater. If Westinghouse can show a loss of $25,000,000 during the current year, the refund will amount to $32,000,000.

For a long time Westinghouse refused to settle with the United Electrical, Radio and Machine Workers of America, CIO, for its 75,000 workers, while the General Electric Co. had settled with the same union for its 100,000 members for an 18½-cent wage increase, and the electrical division of General Motors had settled with the same union for its 30,000 employees for the same amount.

The report of two mediators, William H. Davis and Arthur S. Meyer, to Secretary Schwellenbach tells the story of the one major corporation that refused over many weeks to settle with the union in accordance with the established national wage pattern. Fortunately, this strike has at last been settled in accordance with the national wage pattern.

The General Electric Co. presents another example. It estimates that its Federal tax bill will be reduced by $10,000,000 this year as a result of this tax law. It estimated that as a result of its losses in the first quarter of 1946, its profits for the full year would fall below normal and on that basis it would be entitled to $10,000,000 in refunds. In 1945 GE's profits after taxes were $56,000,000. The company's report to its stockholders confirms this and reads as follows:

> The credit of $10,000,000 to 1946 operations for Federal income and excess-profits taxes represents the estimated minimum amount by which such taxes will be reduced under the provisions of the Internal

Revenue Code, when final results for the year have been determined, as a result of the operating loss sustained in the first quarter of this year.

Even without the carry-back provisions of the tax law, companies have huge funds for contingencies, including strikes.

The Jones & Laughlin Steel Corp. has reported that $4,000,000 was transferred from its reserve for contingencies to its income account for the first quarter of 1946 because of its expenses incurred as a result of the strike. As the strike cost is a deductible expense for income-tax purposes, and as the $4,000,000 transferred from the reserve is not taxable income, no provision for income taxes is required for the company for the first quarter of 1946, the company announced. Thus, companies with tremendous reserves built up during the war years have adequate protection in the event of strikes.

In the auto and auto parts industry, the figures are similar. Auto and parts firms received rebates of $51,062,687 in 1945 under the tax carry-back provisions. They estimate that they will receive $74,858,956 for the first quarter of 1946 alone. The auto and parts industry has available a total of $513,950,344 on deposit with the United States Treasury which may be refunded in 1946 to cushion any possible losses.

Let us compare what the Government does for corporations to guarantee profits, taking Westinghouse as an example, and what the Government does for the workers.

First. As I have shown, the Federal tax law of 1945—Code, section 710C—guarantees Westinghouse $11,500,000 if it makes no profit but just breaks even.

The Westinghouse workers who were out on strike in Ohio, Massachusetts, Connecticut, and West Virginia and many other States were not even entitled to inadequate unemployment insurance.

Only 5 States out of 48 States allow payments to strikers, and those only after substantial waiting periods.

Second. Westinghouse profits equal at least to the best peacetime profits are guaranteed by permitting price increases. The 1936–39 average profits of Westinghouse were $18,000,000. Under the new wage policy, Westinghouse is guaranteed profits of almost 10 percent on its net worth of $320,000,000, which amounts to a guaranty of $32,000,000 in profits when it gets back into production.

Under the national wage pattern policy, however, UE workers cannot get more than an 18½-cent increase—or a $7.40-a-week increase.

This is despite the fact that Westinghouse workers have suffered an average cut of $17 a week in their take-home pay after VJ-day as a result of reduced incentive pay, downgrading, and loss of overtime.

Third. Our price policy will increase corporation profits even more. OPA is removing price controls from machinery and other consumer durable goods. Prices on necessities of life are spiraling upward.

There is great danger that by reason of what the House of Representatives has done to the price-control bill and what is threatened in the Senate, price control may for all practical purposes be nonexistent.

Westinghouse has recently raised the prices on its heavy equipment 15 percent. This increase alone would permit more than a 30-percent increase in the wages of the workers who make that equipment.

On the other hand, our price policy reduces the workers' living standards. While the removal of price controls will increase industry's profits enormously, workers will find their living standards reduced far below prewar levels.

Fourth. Liberal sums are paid to corporations to settle their expired war contracts, by virtue of the Contract Termination Act of 1944. But severance pay to discharged war workers, as a cost in war contract settlements, is disallowed.

Congress further has refused to pass an unemployment compensation bill giving a maximum of $25 a week for 26 weeks.

Fifth. Corporations are permitted to reduce their wartime taxes by writing off completely, in 1945, the cost of war-built machinery and equipment. Billions of dollars of previously paid taxes will be refunded by the United States Treasury to these corporations. But war workers who were discharged receive no special tax credits to cover the cost of finding another job, frequently in other cities.

Sixth. Under the Surplus Property Act of 1944, corporations are permitted to purchase the modern Government-constructed plants and equipment on extremely liberal terms. Westinghouse, for instance, was able to buy the large Government-constructed plant in Buffalo, where it will be able to produce motors at lower wage rates than those presently paid in East Pittsburgh.

Seventh. The Tax Adjustment Act of 1945 eliminated the excess-profits tax of 85 percent and reduced the normal tax on corporations. This was a tax law for the greedy, not the needy. But no real tax relief was enacted for the workers. Only the most minor reductions were made.

The Tax Adjustment Act of 1945 has created a lopsided, inequitable situation in labor disputes.

The carry-back provisions are an inducement to keep labor disputes in progress, an encouragement to corporations to fight labor unions, and a subsidy to firms who refuse to bargain with the representatives of their employees.

I am introducing a bill to correct this situation. Its provisions are simple. It declares, in effect, that where a corporation has been involved in a strike during a taxable year beginning after the end of 1945, which is when the excess-profits tax ended, it cannot seek rebates under the excess-profits-tax law.

The bill does not seek to penalize anyone or to pass any judgment on the position of the employer or the employees in the strike. It simply assures that the excess-profits carry-back will not be diverted from its intended function. It assures Government neutrality in the strike. The carry-back is retained for reconversion purposes. It is denied for use as a strikebreaking fund.

Mr. President, I ask unanimous consent to introduce the bill and that it be appropriately referred.

There being no objection, the bill (S. 2228) to prevent the use of the unused excess-profits credit carry-back as a Government subsidy to employers in strikes, was received, read twice by its title, and referred to the Committee on Finance.

Mr. GEORGE. Mr. President, I did not care to interrupt the Senator from Pennsylvania during the course of his remarks. However, so many statements are made throughout the country about the loss carry-back and carry-forward provisions of the tax law that I wish to state for the RECORD at this time, so that it may stand for all time, that that provision in the Tax Act did not come from the Senate Finance Committee or from the Ways and Means Committee of the House of Representatives. It came from the Treasury Department itself. The Treasury has not submitted any request for any modification or any change in the act. I wish that statement to appear in the RECORD, and I also wish it to appear that the distinguished Senator from Pennsylvania is now and has been a member of the Senate Finance Committee and was active on that committee when the Treasury made the recommendation for the loss carry-back provisions of the Excess Profits Act and when they were incorporated into the act.

Mr. GUFFEY. Mr. President, I wish to say to the distinguished and able chairman of the Finance Committee that the statements he has made concerning the law are absolutely correct. It is the application of the law which Congress passed upon the request of the Treasury Department that I am objecting to.

R. L. BENTON

Mr. ELLENDER. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 1373, House bill 4763. I have consulted the Senator from Maine [Mr. WHITE], and he has no objection.

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

Mr. ELLENDER. I yield.

Mr. WHITE. This is the bill concerning which the Senator spoke to me a few moments ago, a private claims bill?

Mr. ELLENDER. Yes; it is a private claims bill, involving $1,856.09, and the War Department has recommended it.

Mr. WHITE. I hope the bill will be passed.

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

There being no objection, the bill (H. R. 4763) for the relief of R. L. Benton was considered, ordered to a third reading, read the third time, and passed.

EXTENSION OF TIME FOR RELEASE OF POWERS OF APPOINTMENT

Mr. GEORGE. Mr. President, from the Committee on Finance, I ask unanimous consent to report favorably without amendment House Joint Resolution 353, and I submit a report (No. 1367)

thereon. I request unanimous consent that the joint resolution may be considered at this time, because it provides for a mere extension of a provision of existing law, in regard to which the Treasury Department is in agreement.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 353) extending the time for the release of powers of appointment for the purposes of certain provisions of the Internal Revenue Code, which was read, as follows:

Resolved, etc., That section 403 (d) (3) of the Revenue Act of 1942 (relating to the release of certain powers of appointment) is amended by striking out "July 1, 1946" wherever it appears and inserting in lieu thereof "July 1, 1947"; and section 452 (c) of the Revenue Act of 1942 is amended to read as follows:

"(c) Release before July 1, 1947.—

"(1) A release of a power to appoint before July 1, 1947, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1947 and to that part of the calendar year 1947 prior to July 1, 1947."

Mr. GEORGE. Mr. President, this joint resolution is unanimously reported by the Senate Finance Committee and has the recommendation of the Treasury Department. It merely extends for 1 year the time for the release of powers of appointment for the purposes of certain provisions of the Internal Revenue Code.

The PRESIDING OFFICER. The question is on the third reading of the joint resolution.

The resolution (H. J. Res. 353) was ordered to a third reading, read the third time, and passed.

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

Mr. TUNNELL. Mr. President, it is not my intention to engage in a filibuster, and I shall not do so. I do not propose to filibuster as a general rule. A time may come when I think it is necessary to filibuster, but I have not yet reached that point.

However, I have not yet spoken on the pending bill or on any of the amendments to it. I have sat by about as well as any other Member of the Senate has, I think, and I have listened to what has been said by other Members of the Senate. It seems to me that a matter which threatens to set aside entirely the whole foundation of labor legislation is entitled to fair consideration and adequate debate. I am of the opinion that the situation in the Nation is worse than some of us have conceived. I hold in my hand an article which has attracted my attention. It is entitled "Crisis in Industrial Relations," and is written by Benjamin L. Masse. I do not know Masse and I do not know anything about the magazine in which his article appears, so far as its leanings are concerned. The magazine simply bears the title "America." I now read from the issue of May 18th:

A little more than 2 weeks ago John L. Lewis, president of the United Mine Workers, essayed a prediction. "Our economy," he announced, "is being gradually stagnated. As the days progress, tonnage will go off the railroads, factories will close and distress will come to th American people."

All these dire things, and worse, have now come to pass. The steel industry is largely down; rail transportation is crippled; our greatest cities have cut essential services. The distress which Mr. Lewis calmly predicted for the American people has become, in the solemn words of President Truman, "a national disaster." Worse still, it has leaped the Atlantic and laid a new cross on the broken peoples of suffering Europe. Since the mines were closed on April 1, shipments of desperately needed coal have dwindled to a trickle.

It may be of some importance for the solution of the present crisis to determine who is mostly to blame for it, the rugged individualist who dominates the United Mine Workers or the rugged individualists who operate the Nation's coal mines. But, if we are mainly concerned with the future of the country, a more fundamental question must be asked. It is not a new question; but the wave of strikes last winter and now the coal strike and threatened rail and ship strikes have given it a new emphasis. It is this: Can labor and management be trusted to govern themselves? Or, to put the question in a different way: Is the philosophy which underlies our basic law for industrial relations, the National Labor Relations Act, false and impractical?

It has not perhaps been sufficiently noted that the philosophy of the Wagner Act directly contradicts one of the fundamental dogmas of Marxism, namely, the inevitability of class warfare in a capitalistic system. Karl Marx held, because of his belief in the false theory of surplus value, that, where the means of production are privately owned, the system can be made to work only by exploiting the proletariat; that is, the nonowners. For this reason he taught the necessity of class warfare, with the expropriation of the capitalists and the dictatorship of the proletariat as the ultimate objective and solution.

The National Labor Relations Act rejects this pessimistic philosophy. It supposes that strikes and other forms of industrial unrest are not the necessary fruit of the employee-employer relationship but arise from "the denial by employers of the right of employees to organize and the refusal by employers to accept the procedure of collective bargaining." The main purpose of the act, then, is to promote industrial peace by removing one of the chief sources of labor-management strife, as the following paragraph from section 1 makes clear:

"Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees."

Such is the great faith which underlies the National Labor Relations Act, a faith in the fundamental decency of workers and employers, in their respect for justice, in their ability to settle conflicts of interests by recourse to fact and reason rather than by resort to force.

Must we now concede that this approach to industrial relations, so thoroughly in harmony with both Christian and democratic ideals, has turned out to be much too optimistic? And must we admit, too, the corollary that Marxist pessimism is closer, after all, to the realities of the market place?

Marx' theory of class warfare is now generally admitted today, outside blindly partisan circles, to be bad history, bad sociology, and bad economics. It is bad history because it postulates a purely imaginary account of the rise of private property; bad sociology because it oversimplifies the idea of class and ignores embarrassing facts; bad economics because it supposes a theory of value which cannot be applied consistently even to commodities, much less to human beings.

But while wrong in his premises, it may still be possible that Marx is closer to the truth in his conclusion—that workers and owners a.e in irreconcilable conflict—than are the advocates of industrial harmony through collective bargaining. (Professor Schumpeter, of Harvard, once wrote that Marx was right in predicting that capitalism would inevitably be succeeded by socialism, but wrong in all his reasons.) Can the hope which engendered the Wagner Act, that labor and management would work together peacefully if only equality of bargaining power were assured, be said honestly to have been realized? Or has experience confirmed Marx?

It seems to me that our hope in the act has not been realized. I say this with sincere regret, and with advertence to all the extenuating circumstances. When every allowance has been made—the relatively short time the Wagner Act has been on the books, the still shorter time in which it has been fully operative, the difficult circumstances in which collective bargaining has had to function since VJ-day, the large number of peaceful and unpublicized settlements of disputes—the fact remains that in several key sectors of industry, at one of the most critical times in history, labor and management have chosen to slug it out with dangerous, and perhaps fatal, consequences to our whole economy and even to the world.

This is the capital point about postwar industrial relations, and it cannot be evaded or explained away. It does no good to quote statistics, to show that in so many hundreds of instances, involving so many millions of workers, labor and management have contrived to arrive at peaceful agreements. The stoppages in the production of autos and electrical goods, of steel and of coal, have done irreparable harm to the Nation's reconversion program. They constitute a deadly break-down in industrial relations, the kind of break-down which no government in the world can afford to ignore. Indeed, they provide sufficient excuse, if excuse is wanted, for Government seizure and operation. (If the threatened strikes in rail and sea transportation become realities, the same can be said of them.) They thus furnish considerable support to the bilious thesis of Karl Marx.

It is one thing, however, to say that the Wagner Act has failed to achieve its principal goal—industrial peace—and quite another to say that it cannot achieve that goal. The former proposition I am prepared reluctantly to admit; the latter I simply do not believe. For I do not believe in the gospel according to Marx. I do not believe that the attempt to secure peace in industry through collective bargaining has so far failed because workers and employers are and must remain inveterate enemies. I believe rather that the present break-down in industrial relations is the failure of individuals and not of a system, and can, therefore, be repaired.

But I also believe that the time for individual reform is strictly limited, and that a continuation of present failures in labor and business leadership will have disastrous consequences. There is no question here of

apportioning blame for the present crisis, for the situation is much too serious to quarrel about that. There is question only of sounding a warning to responsible leaders of labor and management that the time is short and the sands are running out. The American economy is punch-drunk and reeling; it cannot absorb many more blows like the coal strike without going down for the count.

IF COLLECTIVE BARGAINING FAILS

Lately I happened on an excerpt from a speech by Senator ROBERT WAGNER which indicates what is ahead of the country, if collective bargaining fails. Although the address was delivered almost 10 years ago, just a few days after the Supreme Court had upheld the constitutionality of the National Labor Relations Act, the following paragraphs are, if anything, more pertinent today than they were then. I quote them here for the prayerful consideration—and I mean prayerful—of the relatively small number of men in both labor and management who hold the fate of the country in their hands.

"Modern nations have selected one of two methods to bring order into industry. The first is to create a supergovernment. Under such a plan, labor unions are abolished or become the creatures of the state. Trade associations become the cartels of the state. Every important business decision must get its stamp of approval from public headquarters. That is what is called the authoritarian state.

"The second method of coordinating industry is the democratic method. It is entirely different from the first. Instead of control from on top, it insists upon control from within. It places the primary responsibility where it belongs and asks industry and labor to solve their mutual problems through self-government. That is industrial democracy, and upon its success depends the preservation of the American way of life."

If Senator WAGNER has correctly stated the alternatives, our condition today is much more dangerous than is commonly believed, is as dangerous as I believe it to be. Either labor and management, by their free cooperation, will maintain necessary order in the market place, or it will be maintained by the state; for men can live in society without the economic liberties to which we have become accustomed, but not without order. But labor and management are failing to meet their responsibilities. For the past 6 months there has been terrible disorder in industry, and this disorder has posed and continues to pose a grave threat to the welfare of the country and of the world. Under somewhat similar circumstances, in the not very distant past, labor and management in other countries have been forced to surrender their liberties to an authoritarian state. I know of no special dispensation of divine Providence which assures us that it cannot happen here.

It is true that some employers do not agree with this analysis of the situation. They argue that Senator WAGNER'S disjunction is incomplete, and they add a third possibility—a return to the pre-Roosevelt days when a kind of despotism prevailed in American industry and management was free to fight the attempts of workers to organize. At the recent convention of the United States Chamber of Commerce in Atlantic City, delegates representing this school of thought actually sponsored a resolution calling for repeal of the National Labor Relations Act.

While it might be of some academic interest to discuss this viewpoint, no practical good would be achieved. Labor unions are here to stay, and so is the legal guaranty of the right of workers to organize. Our salvation must be worked out within the framework of organized industry and organized labor, as envisaged in the Wagner Act, and to think in any other terms is to stand barrenly on the sidelines while men struggle to subject a mechanical, mass-production economy to the ideals of democracy. Senator WAGNER'S dilemma cannot be escaped.

EXAMPLE OF THE ILGWU

Many of my readers will probaly have seen the fine article on Julius Hochman and the International Ladies' Garment Workers by Eugene Lyons in the April Reader's Digest. (The article appeared originally in the New Leader for March 16.) In the course of telling the story of the ILGWU, the writer quotes Mr. Hochman to the effect that the goal of trade unionism, is "an effective working partnership between organized labor and organized management." This goal is not achieved immediately, but is the fruit, according to the ILGWU's great labor statesman, of an evolutionary process which has three distinct stages. First comes a period of war, when the union is fighting for recognition and the acceptance of collective bargaining. Then follows a period of truce, during which collective bargaining takes place, but in an atmosphere of suspicion and distrust, with strikes and lockouts a normal accompaniment. Finally there arrives a period of cooperation, which Mr. Hochman characterizes as follows:

Peaceful adjustment of differences by two equals each of whom has a genuine stake in the security and prosperity of the industry. At this stage the union, feeling itself secure, learns to trust and work with the employers. It develops a vested interest in the well-being of its industry.

If we attempt to analyze the break-down of industrial relations in these terms, we shall probably conclude that the explanation lies in the failure of certain powerful unions to pass from the second stage, the period of truce, to the ultimate goal, the period of cooperation. If, therefore, we can discover the reasons for this retarded development, we shall be well on the way to solving the problem—and confounding Karl Marx.

WHAT IS NEEDED

No doubt, among these reasons must be listed inferior labor leadership, the lack of an educational program in many unions and, perhaps more important still, the persistence in labor oratory and literature of a class-conscious, antiemployer vocabulary. If rank-and-file workers are habitually told, for demagogic reasons, that all employers are heartless crooks, they cannot be readily sold on a policy of labor-management cooperation when such a policy has become imperative.

However, many unions never get beyond the second stage, the period of truce, because employers make it inadvisable for them to do so. Although it is not generally acknowledged, there is just as much class consciousness on the side of management as there is in the ranks of labor, and many a union remains militant because, forced to deal with a hostile employer, it can survive in no other way. In the final analysis I believe that the attitude of management toward unionism is the key to sound industrial relations, and that if employers wholeheartedly accept the philosophy of the Wagner Act, our unions will rise to their responsibilities and fulfill their rich promise. Admittedly this involves a gamble, as it certainly involves a radical departure from traditional management attitudes. But the risk of standing pat is greater still. Unless there is a sharp change for the better in industrial relations, and soon, industry and labor will wake up some morning to find themselves taking orders from a gauleiter in Washington.

Mr. President, I shall now read a quotation from the Senator from New York [Mr. WAGNER] on the subject of collective bargaining:

Modern nations have selected one of two methods to bring order into industry. The first is to create a supergovernment. Under such a plan the labor unions are abolished or become the creatures of the state. Trade associations become the cartels of the state. Every important business decision must get its stamp of approval from public headquarters. That is what is called the proletarian state. The second method of coordinating industry is the democratic method. It is entirely different from the first. Instead of control from on top, it insists upon control from within. It places the primary responsibility where it belongs, and asks industry and labor to solve their mutual problems through self-government. That is industrial democracy, and upon its success depends the preservation of the American way of life.

Mr. President, in most instances the fear which has swept the country is sincere. Of course, there are those who are participating in propaganda who are not sincere. But the main body of the people who are alarmed at the present situation are sincere. Men disagree within their own families. I have before me letters from two brothers. They were born on the same farm, educated under the same conditions, and are now living in separate parts of the country. The first letter is from my home State, and I shall read a portion of what the writer wrote me as showing his viewpoint of the present situation:

Certainly, as long as you think you can do nothing, nothing can be done. If your philosophy is common in Washington, then I can at last easily understand why Mr. Lewis continues to be bold in his stand. He apparently has Washington scared until it can no longer think clearly. But let me suggest that that is the only group of people he has got bluffed. In one sentence you say no law can compel miners to work if they don't want to, and in the next you say the only solution is for the Government to take charge of the mines. If you can't compel the miners to work, how in God's name does it matter how the Government or the operators are managing the mines? If the miners can be made to work under Government management, they can under private management if the legal structure is right. I am not saying they should be. All I am saying is that it shows there is some mighty foggy thinking going on in Washington.

That is from the first of the brothers who wrote me.

The second letter was written from another section of the country. I read:

Since my brother saw fit to send me a copy of his letter to you dated May 10 I felt it only right that I let you know that there are others who grew up on that same farm and battled their way to decent living standards as bravely as he did, who have no such burning desire to deprive our fellow Americans of the right to also fight for better living standards.

There is a great deal more in his letter, but I shall not read all of it. I do, however, wish to read one paragraph near the end of the letter. It sums up the knowledge of the writer as follows:

Sorry to be so lengthy about this, but from where I sit you seem to be doing a fine job. Believing as I do, that each Senator has a responsibility to the Nation at large as well as to his own State, I offer you my gratitude for your support of nearly every one of the worthwhile progressive laws placed on the statute books during your term, as well as those now getting such a tough handling by the benighted Democrats from the South and their equally blind Republican brethren from the North.

Mr. President, I have given two viewpoints, coming as they do, from two brothers. One of the brothers has the idea that all that is necessary is to pass a law requiring persons to work, and they will work. He does not have any conception of the fact that there is any fundamental right in persons to refuse to work. That is why he is taking exception to what I have said. When I told him that miners cannot be compelled to work, he said:

If you can't compel the miners to work, how in God's name does it matter how the Government or the operators are managing the mines?

We have now come to the fundamental difference between the thoughts of millions of persons in this country today with regard to what should be done. I do not believe that any person who has studied the question, or has studied the constitutional right of the individual, believes that we need only to enact legislation which would compel men to work, whether they wish to work or not. That is something which I hope will never take place in America. I hope that involuntary servitude will never be permitted. Yet, Mr. President, I heard one who is responsible for the effort being made to have enacted antilabor legislation, say today in this Capitol that his purpose was to break down labor unions. My purpose is not to try to break down labor unions, or break down employment. It seems to me that we must have, in any prosperous country, both elements, and that both of them must function.

I regret very much the feeling which has been aroused between the employer and the employee in America. I am compelled to say that I believe Mr. Lewis has been making a great mistake in the methods which he has used. I know nothing about what are his complaints. I do not believe the American people do. However, they do know that they desire the conveniences of life, and that Mr. Lewis is representing what to them is the organization which is preventing those conveniences being achieved. He probably has reasons; the organization he represents probably has reasons; but they have not taken the American people into their confidence. The result has been one of the greatest outcrys against organized labor I have ever heard in this country. But it is not entirely against Mr. Lewis, let us say. Mr. Lewis is a man who has stood out and taken the brunt for his organization. I think perhaps he is a great, big, strong man who has put himself in position to have his locks sheared. I am not so sure he cannot get some lessons if he will take the story of Samson of biblical days, about one being put in position where he loses his strength. I am not so sure but that he might think of the enticement that has led him into this position at times.

Mr. Lewis has belonged to many organizations. He has belonged to the CIO. He now belongs to the American Federation of Labor. He belonged to the Republican Party until 1932. He then shifted his allegiance politically to Franklin Roosevelt, who became President. He remained loyal to President Roosevelt, so far as is known, until 1940. Then he left the Democratic Party, or abandoned his advocacy of President Roosevelt, after he had been able to get the things labor was demanding. He left the Democratic Party and tried to lead his followers over to the support of the Republican nominee at that time. I guess he thought he could lead them, but they did not go. Then he tried again in 1944 to take his followers into the camp of Mr. Dewey. He did not succeed.

Now we find that Mr. Lewis' so-called friends, his new-found friends, are here with antilabor amendments which undoubtedly have in mind taking away all the gains which labor has made in the past several years.

Perhaps John L. did not have a written contract. He is good about requiring contracts. I suppose he did not have a contract, or perhaps if he had a contract with the Republican Party it was not in the proper form. We know that after his defeat Willkie died of a broken heart. I am not sure whether they will ever break Mr. Lewis' heart or not, but I do think that the next time he makes a contract with the Republican Party he should have it written, under seal, recorded, with an exemplified copy placed in every public place in the county in which he lives or in the State with which he is identified.

We have been told that Mr. Lewis is a very acute man, but he was not very acute in that contract. All he has to do is to come here and look at these amendments. One of the authors says they are not offered yet, they are merely printed. Perhaps John L. would get scared at the printing of those amendments. I do say that the attitude which he has taken, without explaining to the American people as to what he is doing, has done more damage to the labor cause than any one act I can think of in my political life.

Mr. President, Mr. Lewis has aroused this great antagonism to labor. But there was an antagonism before. Let us be fair about the situation. I wish to read to the Senate a little from something written by a constituent of mine. This constituent is a great industrialist. He is connected with a large company in Delaware. He is also a Republican in good standing—and that is very hard to be for long. He said:

The proposed fact-finding labor legislation should not be enacted, as the ultimate effect will be pressure to decide a controversy that can be more satisfactorily settled for the good of the country by the parties in issue.

He has something there. It can be better settled by the parties in issue. Then he says:

For the past 14 years political labor leaders have enjoyed immunity from the few laws that are in force regarding their actions, and there is no reason to anticipate this administration will change that policy.

Now listen to this. This is the summing-up of his philosophy:

We have been approaching a show-down, and we now have one by their efforts. Although the situation is painful to everyone, we should let it take its course without attempting to put Government pressure on business to meet their demands, which is what we believe the proposed measure offers the opportunity of doing.

That writer of the letter believes in letting events take their course. He says, "We are now approaching a show-down." He does not want any relief. He is like the man I heard speaking today; he wants to destroy labor unions. This man said he wanted to break them, and that is the same thing. I do not want to break labor unions, and I do not want to break the National Association of Manufacturers or their constituents. I think that when they enter politics, as they have attempted to do with reference to breaking down the temple of labor laws, they are a menace to the liberty of the Nation.

I think the time has come for us to realize that it takes two sides to make a strike. There is the man who will not work, and there is the man who will not employ under the conditions demanded. Some of them may be right at one time and some at another. Therefore, Mr. President, I say that it is practically impossible to legislate peace in labor matters. There must be an agreement between human beings who take into consideration the fact that they are parts of America, and I am referring to both labor and management when I say that.

I have here a communication from one who is opposed to the particular bill now pending. The letter is from Philadelphia, and the writer says:

This bill, or any bill resembling it (including the Norton-Ellender bill, S. 1661), is a vicious attack on the rights of labor. It is undemocratic in its provisions, and will deprive labor of the rights guaranteed to it by the Wagner Act and the Norris-LaGuardia Act.

I do not think anyone denies that that is the dream of those who have conceived this attack. I wish to say that this letter was not written with reference to the coal strike. Its date was February 28, 1946, before the coal strike had begun. The man who wrote the first letter and the one who wrote the second were discussing labor questions without regard to the coal strike.

Here is another one, dated February 13, 1946. This man is from Connecticut, and, as I remember, is very much of a partisan on the question we are considering. He says:

Prior to the Wagner Labor Relations Act we did not have such situations, nor did we have strikes of the intensity we are having today. The Wagner Act has created an unequal standing between labor and management in the eyes of the law. The same act has tended to throw the control of the actions of labor into the hands of a very few people (labor leaders), who are placed in the position of being protected by law.

Mr. President, one of my earliest recollections of labor difficulties was of those which occurred in the State of Colorado. I believe that State had a Governor who was called "Bloody Bridles" Waite. I remember the bloodshed that resulted from those strikes. I remember that there was a Governor of Illinois by the name of Altgeld, and I

remember the coal strike in Illinois, and the destruction of life and property that resulted there. The writer says we did not have anything of such intensity before the Wagner Labor Relations Act. I do not know; but situations were intense enough so that men killed each other at that time.

I remember when a coal commission was appointed, of which Judge Gray from the State of Delaware was made the chairman. I remember the great discussion which took place throughout the land at that time concerning the difficulties arising in connection with the mining of coal.

I have a telegram from Washington, D. C., which I shall read:

> We suggest that inasmuch as the Federal Government heretofore found it necessary to enact legislation involving labor matters and enacted the Wagner Act, and in many other instances has undertaken to exercise control over interstate commerce——

Mr. President, I never thought anyone doubted the right of Congress to legislate with respect to interstate commerce. The one who sent the telegram apparently thinks the Federal Government is a sort of interloper when it enacts legislation respecting interstate commerce. He further says:

> It is now encumbent upon Congress to accept further responsibility in this field and enact legislation along the lines of the Case bill designed to put a stop to violence, prevent secondary boycotts, and make contracts binding on those who sign them.

Mr. President, if he can put all that into one dose of medicine he will be a great doctor indeed. That man is going to try to prevent strikes and prevent violence. If there is a State in the Union that has no way either of preventing or of punishing violence, I have not heard of it. But the sender of the telegram is not from any State. He is from Washington, D. C. I think perhaps in the District of Columbia there is some provision of law against violence. Then he is going to prevent secondary boycotts and he is going to make contracts binding on those who sign them. I have seen contracts which were binding, and I have seen contracts which the parties to them ignored. In my State, regardless of whether the Case bill is passed, one can sue an unincorporated association transacting business under a common name. I am informed that one can so sue in a great many other States.

Here is a telegram from my own State:

> Brotherhood of Painters No. — ask you to use your influence and vote against antilabor bill.

The number of the bill is given. The sender recognizes it to be and calls it an antilabor bill. I find that all those who oppose the so-called Case bill speak of it as antilabor. I find in my correspondence that a very large percentage of those who favor the bill say, like some gentlemen I have heard, that they want to break down the labor unions.

Mr. President, I have a letter from my own State also that was sent on February 27. The writer has a real constructive suggestion. He says:

> After watching the behavior of the United States Senate toward the labor bills now before it—the Case bill and the bill to curb James C. Petrillo—I have come to the conclusion that it is just plain craven, that it cringes every time organized labor says "boo."
>
> Perhaps it ought to be reconstituted, revitalized with new blood of the kind that makes up the House, which has certainly done its plain duty in the case of both of these measures.

I replied as follows:

> I am heartily in agreement with your suggestion that the United States Senate should have new blood. I am not sure but what this could easily result in an improvement in many States.

I did not say as to my own State. He had addressed this letter to me.

We find that the people are really sincere. Here is a letter, dated February 11, from a citizen of Delaware:

> I am a citizen of Delaware who has just come back from the service into civilian life, and as such am fighting for fair wages and living conditions. The Case bill has points against those principles. Please do everything in your power to see that such a thing does not happen to a free living people.

Also in February—I mention the dates because they show that this was before people were angered at John L. Lewis—I received this letter from a resident of New Jersey:

> Therefore, I am sympathetic with the aim of the Case bill to outlaw violence in picketing. Whether court injunctions are the right way to attain this aim I don't know. It would seem preferable to me to spell out in some detail, right in the bill, what constitutes illegal picketing, rather than leave so much to the interpretation of the courts. Injunctions are likely to be regarded by labor unions as the arbitrary whims of reactionary individuals, whereas Federal laws embody the judgment of some 500 elected Representatives of all the people, and therefore tend to receive more respect. Furthermore, it ought to be possible to find other penalties for violent picketing than the loss of bargaining rights now specified in the Case bill. This kind of punishment strikes dangerously close to fundamental liberties and would tend to make martyrs of violators. The important thing is to make clear what kind of picketing is illegal and who is responsible for enforcing the law in this regard.

So far as I know, this man is not a lawyer; and yet when he says, "This kind of punishment strikes dangerously close to fundamental liberties," he is expressing an idea which no lawyer could improve upon. That is the reason why what the Case bill seeks to accomplish cannot be effectively done, and he realizes it. He has intelligence enough to see through it. He says that it strikes dangerously close to the fundamental liberties of the people.

No matter how much we may condemn any particular person, whether it be Petrillo or Lewis, or some other person who has aroused the antagonism of the American people, it is very difficult to infringe upon the liberty of one individual by an antilabor bill. That is the very basis of the opposition of millions of people to acts which, so far as their words go, would accomplish what certain people are demanding be done. They want a law to stop this strike. At that time there was no strike by Mr. Lewis and his members.

Some time ago I was interested in the anti-Petrillo bill. I was a member of the committee which took testimony in the matter, including the testimony of Mr. Petrillo himself. I was appointed as chairman of a subcommittee to pass on the bill, which was introduced by the senior Senator from Michigan [Mr. VANDENBERG] with reference to the Petrillo episode. I myself introduced a bill having for its purpose the same objective as that of the Vandenberg bill. Later I was a member of the committee which handled the Vandenberg bill, and was as helpful as I could be toward its passage. So I could tell this man, if I desired to start up the correspondence again, that I was not particularly favorable to the tactics of Mr. Petrillo.

Here is a letter from California. The writer says:

> How long are we, the American people, going to stand for this CIO anarchy, to allow less than 10 percent of the population to kick the rest of us around? I am hoping that you Senators will have guts—

I do not know what he means with respect to the CIO. Mr. Lewis has passed on from the CIO.

Here is a letter from New Jersey. The writer says:

> Management's right to manage its property free from union domination of its supervisory forces is to be safeguarded.

He is referring to a measure which has not yet been introduced. This afternoon the Senator from Minnesota [Mr. BALL] told us that that amendment had not been offered.

Here is a letter from my home State which gives a rather startling view of the law. The writer says:

> In order to clear up several points in my letter of February 15 in regard to the stand taken by the Delaware State Farm Bureau in asking for your support of the Case bill and Hobbs bill, I would like to state that at the present time labor unions, through a Supreme Court ruling, are exempt by law of any acts of violence, intimidation, or boycotting.

He says that labor unions are exempt by law because of a Supreme Court ruling. I sent him a quotation from the decision written by Justice Byrnes in the case of United States against Local 807, and asked him to let me know of anything that contradicted that quotation. Justice Byrnes stated, in the decision to which he was referring:

> The use of violence disclosed by this record is plainly subject to the ordinary criminal law.

Not only did he not say that there was excuse for the crime, but he said that it was subject to the punishment of the ordinary criminal law. But people over the country have the idea that there is an absolute clearance of all crime, just so long as it is committed by a labor union or some member of a labor union. I do not know who is responsible for that idea. It may be the National Association of Manufacturers. Perhaps it is the chambers of commerce. Sometimes they have sent out things which sounded pretty queer.

Here is a telegram from my home State:

> Delaware State Federation of Labor very much opposed to Congressman CASE's bill, known as H. R. 5262. We ask you to oppose and vote against its adoption.

Of course, one may say that that is from a labor union. The other day a man wrote me that I was representing a certain labor union, naming it. I wrote back and asked him if he thought that people who were members of labor unions were entitled to be represented by their Senators and Representatives in Congress, or whether he believed that Senators and Representatives should confine their representation to other classes than those who belonged to labor unions. He has not yet answered my inquiry. And yet that statement was from a man who is well educated, and who conducts a large business. He says in effect that if we represent labor unions, or if we represent people who are members of labor unions, we are doing something wrong. I feel that it is my duty to represent not only labor unions, but members of the employment branch of industry. I do not intend to do something which I think will injure either of those elements. If there is to be any injury I want it to be the very least possible under the circumstances.

Here is a letter from Pennsylvania. The writer says:

> The present curtailment of our country's production of goods and services is due primarily to some irresponsible and greedy labor leaders who are using their present power to gain more power, at the sacrifice of both labor and the American public.

I cannot answer him, because I do not know what the difficulty is. I can only say, as I have said, that Mr. Lewis is not taking the American people into his confidence. He is not giving us an opportunity to judge whether he is right or wrong. In my opinion he is injuring the cause of labor. By his attitude he is threatening to pull down the great temple of labor legislation which has been built up in America for more than 30 years. That is a danger not alone to labor, but to the American people; and we feel the effects of the first onslaught when a strike is declared.

But let us understand that the great question of the relationship between labor and capital is not going to be determined by one law. It is not going to be determined by one strike. It is going to be determined by the common sense of the American people over a long period. In my opinion the American people do not wish to destroy either labor or management.

Again, in February, long before the last coal strike, I received a letter which contained this statement:

> The news from the important centers such as New York City, Philadelphia, and Pittsburgh makes it evident that the control of the United States is passing out of the hands of the Federal Government and the State governments into the leaders of militant labor organizations.

I do not believe that such a statement can truthfully be made. I do not think anything of that sort can truthfully be said. The Governor of Pennsylvania sent State police into the Pittsburgh area to control those who were striking. That action was taken because of violence or threatened violence. I think the writer of the letter is without reason for the statements he has made in it. I believe Pennsylvania is able to handle its own affairs, and I think it did so.

Here is another letter from Pittsburgh, written in February:

> In my judgment, that is what the Case bill is endeavoring to do. It is not perfect by a long shot, but, as I stated in my letter to you of February 19, it is a step in the right direction and may bring about industrial peace.

He says it may do so. He does not have much confidence in it, and I do not think anyone else has. I do not think many of the people who are responsible for this great antilabor movement all over the country actually believe that passage of this bill would put an end to strikes.

The other day I noticed that the Senator from Kentucky [Mr. FARKLEY], the majority leader, challenged any Member of the Senate to show how there would be one more ton of coal mined or anything else produced by reason of the passage of this antilabor bill. The Senator from Kentucky did not call it an antilabor bill; I am calling it that. No Senator has responded to that challenge, so far as I have heard.

I now read from a letter which I received from a person in Massachusetts:

> As a means of maintaining a more even balance that assures both sides the opportunity to properly arbitrate and eliminate such conditions as we have today in many industries I believe that the Case antistrike bill should be passed.

Evidently many of the people who write such letters have never read the Case antistrike bill. They are opposed to strikes, just as all the rest of us are; we wish that there were no cause for strikes; we wish that strikes could be replaced by agreements.

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

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

Mr. TUNNELL. I yield.

Mr. LUCAS. The able Senator from Delaware has just made a statement about which I should like to make a brief comment. I wish to say that the person who wrote him that letter about the Case bill probably never had read the Case bill and probably knew very little about it. I think that 95 percent of the mail which the Senator from Illinois receives, advising him to do something one way or another in regard to certain matters, may be classified or characterized in the same way that the Senator from Delaware has classified or characterized the correspondence to which he has been referring. In other words, time after time in replying to letters which I have received from constituents in Illinois, I have asked them to state definitely their reasons or to give me a bill of particulars as to why they favor or oppose the enactment of a certain measure. I doubt that I receive more than 1 answer for every 200 letters of that sort which I write in reply.

The radio commentators and the newspapers are constantly asking people to write to their Senators or their Representatives about this or that issue. As a result of that type of propaganda, at the present time my mail is so large that I am unable to answer it. Yet when we reply to such letters from our constituents and ask them to give us some constructive information in regard to the measure to which they refer or to give us detailed reasons why they favor or oppose its passage, 99 out of 100 will never answer that sort of reply.

Mr. TUNNELL. That is correct.

Mr. LUCAS. I simply am saying—and I say this with all due respect, because under the Constitution every citizen has a right to petition his Senator or Representative in regard to what he thinks should or should not be done—that sooner or later our constituents will learn that the form propaganda which comes to our offices day after day simply does not mean a thing, so far as I am concerned.

At this particular moment I have on my desk a stack of postal cards, at least 2 feet high, by which the breweries or some persons who are interested in the making of beer now are asking me to intercede with the OPA in order to keep the breweries in operation, and they have used a card which has my name printed on one side, and on the back there is printed a lot of propaganda, so that all the sender has to do is sign it. I expect that half of the people who signed those cards do not understand what is on the card. That indicates the type of propaganda which the Senator from Illinois does not like; and, so far as he is concerned, those cards go into the wastebasket.

It is all very well for radio commentators and newspapers to suggest that everyone write to his Senators, if those who write will give Senators something to think about and some constructive information upon the subject. But merely to write to a Senator for the sake of writing to him and helping Uncle Sam insofar as the Post Office Department is concerned does not mean a thing to me.

I know the Senator from Delaware takes the same position, and I know that he and every other Senator are now flooded with mail from organizations of all types and kinds which are interested in almost every conceivable question. The result is that we receive such volumes of mail that we are unable to answer it. The only thing we can do is to send, in reply, form letters which say, "In view of the fact that our mail is so heavy and our personnel is so limited, we are required to answer the bulk of the mail we are receiving in this way." Such a reply does not mean a thing to the person who receives it, other than to enable him to say, "I received a card from my Senator today." I have been trying to do that much, but I have reached the point where I cannot do it much longer.

I know that the Senator from Delaware is correct when he says that most of the persons who write such letters to him do not know much about the measures to which they refer. That situation has developed to such an extent that at the present time the bulk of such communications which are sent to Senators come

from persons who know very little, if anything, about the subject concerning which they write.

Mr. TUNNELL. Mr. President, I wish to say that the Senator from Illinois is correct in regard to the point he has made. Just a few days ago a representative of the Post Office Department told me that the present volume of mail is the greatest they have ever known.

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

Mr. TUNNELL. I yield.

Mr. MORSE. I wish to commend the Senator from Illinois for the comment he has made, and to give him a little support in regard to it. I desire to refer to a little incident which I experienced a while ago. I received a great many telegrams from people in my State asking me to support the Case bill. I replied by means of a form telegram in which I stated that I would not support the Case bill when it reached the Senate.

Thereafter, I met at a dinner a man who seemed to be much disturbed because I had given a negative reply and because I did not reply at length to the telegrams I received. I said, "Yes, I received your telegrams, and I threw them into the wastebasket. Do you know why? Because not one of you in a single telegram set forth a single reason why I should vote for the Case bill. If you think for a moment that you are going to dictate to me while I am in the Senate, you are mistaken. But I will give fair consideration to any reasons or evidence you wish to submit to me in support of the position you would like me to take."

I think it is very important to make quite clear that that type of pressure mail is not going to receive any serious consideration from any Member of this body who is here to exercise independence of judgment on the merits of the issues which come before the Senate.

I think it also should be pointed out that, to the extent I am informed about the matter, such scientific sampling as has been made to date of the mail received by Senators and Representatives shows what we all know to be the case, namely, that so far as the volume of mail is concerned, there is no correlation between the volume of mail and public opinion, because when we are faced with a flood of mail we find it is mail which represents special pleading, and is not an accurate, scientific cross-section of public opinion.

Mr. TUNNELL. I thank the Senator. Along that line let me say that I have received three letters from the same man, in the same mail, on the same subject. I assume that some persons think that the bulk of mail has some importance, with the result that, as I have said, one man wrote three letters to me on the same subject, the Case bill, on the same day.

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

Mr. TUNNELL. I yield?

Mr. LUCAS. I wonder whether some organizations have paid representatives in certain sections of the United States, to do nothing but flood Senators and Representatives with mail of that type.

During the past two weeks, while the pending bill has been debated in the Senate, I have received from one individual who is the leader of a certain organization in my State, five telegrams asking me to do certain things in connection with the pending bill. I am wondering whether there are not certain persons employed for the purpose of going around and geting other persons to sign propaganda cards, and communications of a similar nature, to be sent to the Members of Congress.

Mr. President, I wish to make one further observation. Many fine persons are present in the galleries and they see only a few Members on the floor of the Senate. They no doubt are wondering why it is that so few Senators are present and listening to the discussion of the able Senator from Delaware. I wish merely to say that if I had to take time to sign replies to all the letters which come into my office I would be required to spend 48 hours every day, while there are only 24 hours in each day. I do not know of any time in the history of this country when Members of the United States Senate were as busy as they are now. I am required to give attention to all the problems of great States such as Illinois, with its divergent interests, and the various problems which have arisen during the reconversion period. Every day I receive comunications from constituents in my State concerning these matters. I do not have time to attend to them all. I have committee meetings to attend. I have to write letters and make arrangements for conferences on the part of individuals or groups of individuals with the OPA, and with other agencies of Government. Persons who have real problems come from Illinois and seek my assistance. I do all I can to solve them. But the truth of the matter is that every United States Senator has reached the point where he is nothing more or less than a glorified errand boy for the constituents whom he represents. I do not blame our constituents for asking us for help, because they have a right to ask for help in solving the problems which have developed as a result of the World War. But, so far as a Senator having an opportunity to study his Government, and the great issues which are before the Congress at the present time is concerned, he simply does not have the time to do it.

I recall reading about the life of Henry Clay. We have been told that when we go to Ashland, Ky., we can be taken to the place where Henry Clay walked in his orchard. We will be shown the path which he trod day after day. We will be told that he talked to the birds in the trees in preparing a speech which he intended to make on the floor of the Senate when the Senate should next be convened. Mr. President, as a result of my increasing burdens I could not even see a bird or a tree if I had such a path to trod, let alone talking to them. [Laughter.]

The situation which I have described is the result of the complexity of our society. Mr. President, never in the history of this Nation have Members of Congress been compelled to deal and wrestle with such problems as those which are now constantly arising.

I regret having taken so much of the Senator's time.

Mr. TUNNELL. I thank the Senator. I can only say with reference to the question of whether persons are paid for participating in sending out propaganda, that I happen to know one or two such persons who probably never did anything of importance before in their lives, and even now they probably find no opportunity to do anything except to engage in this kind of work.

Mr. LUCAS. Mr. President, I believe the newspapers and the press and radio commentators of the country would do a service to the Members of the Senate and the Members of the House of Representatives if they would tell the people of the country not to write to their national representatives unless they have something constructive to say. I ask my constituents to say something of help if they wish to write me a letter. Give me some constructive advice, not merely a form card or letter which has been prepared by some other individual and placed in their hands, or on the desk of someone who is told to sign it. It is time that our constituents realize what every Senator has on his shoulders in the way of real responsibilities in this economic crisis.

Mr. TUNNELL. Mr. President, I may say that some of the finest letters I have ever received during my life have come during the time a barrage of mail was being received. Therefore, there are two sides to the situation. Some of the letters which I have received came from persons who were conscientiously in favor of some type of labor legislation. In most instances they do not know what provisions the legislation should contain. As a rule they want something which will compel persons to work. But when in answer to such letters I have written that such legislation cannot be enforced, in most instances they have replied with very fine letters. A few days ago I received some propaganda along this line. There was a blank space in which to write my name, and space for a signature. The statement on the card was to the effect that we in the Senate were acting very badly. Persons were asked to sign the printed form and send it on.

Mr. President, I have a letter which was sent from Wilmington, Del., and which reads as follows:

> If in all honesty you feel that the Case bill is the answer to an American maiden's prayer, then your vote for the acceptance of the Case bill before the Senate Committee on Education and Labor should be "yes," which by your vote when the bill appeared before the House for such a flighty stay would assure.
>
> It seems to me that our lower Delaware counties are bountifully placed by not being imposed on by the treasurers of gangster unions, but their eyes never open to how the big house on the sand dunes got to be that way until they realized the scale of living in their own beloved Sussex or Kent County, and even unto the more repulsive New Castle, is much lower than that represented in other less richly endowed States.

Mr. LUCAS. Does the Senator mind telling us the name of that maiden? [Laughter.] As I understood the beginning of the letter, the Case bill is an answer to a maiden's prayer.

Mr. TUNNELL. Yes.

Mr. LUCAS. I wonder what is the name of the lady.

Mr. TUNNELL. The writer does not give the name. I suppose he thought there might be different names of different individuals who might be involved.

Here is a letter from Boston:

I ask you to consider the passage of this bill as a measure to stimulate full production. Will you please use your best efforts to report this bill as is and expedite its passage?

The writer of that letter does not know the situation at all. However, here is one from Tennessee:

The rights of the public are paramount. Strikes are injurious to the Nation, and we believe this bill will go a long way toward correcting this situation. We appreciate your advice as to whether it is receiving the consideration of your committee, and when some action might be expected.

If you do not mind, I should also like your opinion as to the bill itself, as a careful reading seems to highly recommend it. The only objection I see is that it should also embody the HOBBS' antiracketeering bill which passed the House of Representatives sometime since.

Mr. President, that letter was mailed on February 20. So it was not John L. Lewis about whom the writer was complaining. He was complaining about labor in general.

Here is a letter from Illinois:

Apparently the unions are regarded as a special class, even at the expense of the rest of the country, and want to go on with their special privileges whether or not it causes inflation. Even now, Mr. Truman's new price formula seems to cover only organized labor. Can we look to you to protect the interests of all citizens equally, not just pressure groups?"

Mr. President, the term pressure groups always strikes me as being unusual, because the pressure groups from whom we are receiving so much pressure, or from whom I am receiving it, are not composed of labor unions at all. I see the other side of the situation. I see the person who sends out his printed matter and says, "Please sign this."

There is also the thought, sometimes, that too much money is being spent.

Here is a letter dated February 22 from Detroit. It is along the same line as the others are, and I shall read it:

I urge you, as a member of the Senate Committee on Education and Labor, to kill the Case bill in your committee. Statistics show us that indeed a great majority of the American people are laborers, then why is there so much antilabor legislation. Isn't this supposed to be a government run in the interest of the majority? Then I urge you to defeat the Case bill, ELLENDER's fact-finding bill, and other antilabor legislation.

Mr. President, that is plain. We can understand what he wants. He has reasons for thinking that this is antilabor legislation.

A man from New York writes as follows:

To stop the paralyzing strikes that are sweeping the Nation, I want to strongly urge legislation that will be fair to both labor and management.

He wants legislation that will be fair to both and will stop the strikes. He has gone right down the middle of the road and has made no suggestion whatever except that he wants the strike stopped.

I have another letter from Michigan. This relates to the foreman provision, which has not yet been offered by the Senator from Minnesota.

I have a number of other letters, but I wish to discuss for a few minutes the amendment which is now the order of business.

Mr. MURRAY. Mr. President, will the Senator yield before he leaves the subject he has been discussing?

Mr. TUNNELL. I yield.

Mr. MURRAY. While we are discussing letters which are coming to Members of the Senate from their constituents in various sections of the country, many of which do not give any reason or explanation for a request for action on the part of Senators, I have just received from Colston E. Warne, professor of economics at Amherst College, New London, Conn., a letter enclosing a statement giving the reasons why he is making the request which he submits. I should like to read the letter into the RECORD at this time. It is addressed to me as chairman of the Committee on Education and Labor, and reads:

DEAR MR. MURRAY: I am attaching a copy of a letter addressed to you by 114 economists, political scientists, and other educators. This letter is an expression of approval of the Federal mediation bill as reported by the Senate Committee on Education and Labor, of which you are the chairman. Other names will be added to this list in the next few days. The letter is sent to you at this time, as it seemed important to record our opinion while the bill was pending on the floor. We trust that you will find this expression of sufficient importance for introduction into the CONGRESSIONAL RECORD.

Sincerely,

COLSTON E. WARNE,
Professor of Economics, Amherst College.

The statement reads:

To the PRESIDENT OF THE UNITED STATES SENATE AND THE CHAIRMAN OF THE COMMITTEE ON EDUCATION AND LABOR:

The undersigned economists, political scientists, and other educators join in support of the bill establishing machinery for mediation and voluntary arbitration of industrial disputes, which the Senate Committee on Education and Labor has favorably reported. We believe that this bill reflects a sound approach to labor relations in that it establishes a Federal Mediation Board of five which will centralize Federal conciliation efforts and encourage the widespread use of mediation and voluntary arbitration. This Federal Mediation Act would not impair the work of the National Labor Relations Board or set aside the Norris-LaGuardia Act. Instead, it offers in its present form a distinct improvement in procedures for handling labor disputes.

We feel equally strongly that the Case bill (H. R. 4908), passed by the House of Representatives on February 7, 1946, and rejected in its entirety by the Senate Committee on Education and Labor, should not receive favorable consideration. The Case bill was a substitute measure passed by the House without hearings and during a wave of strikes which created an atmosphere which was not conducive to sound judgment. This bill seems designed to impose punitive measures upon organized labor rather than to foster the adjustment of industrial disputes.

It was perhaps inevitable that sharp disagreement would follow a wartime era, an era of strict controls of wage movements. The subsequent period of readjustment would almost certainly involve some labor-management conflict, some clash of interests requiring resolution and readjustment. It is not a new development in America that Americans reserve the right to disagree. It is a tradition inherent in the fabric of our institutions. By the same token, it is not a new development in American history that when a group of employees feel that they have reasonable grounds for dissatisfaction with their wages or working conditions, they have the right to refuse to work under those conditions, and acting in protection of their respective rights, to withhold from their employer their labor until mutually satisfactory conditions can be worked out across the collective-bargaining table.

The postwar months have brought a sharp rise in strikes. Labor and industry have disagreed as to the essential readjustments. Freed of the demands of all-out war, the workers have exercised their constitutional right to engage in a joint refusal to accept the employers' conditions and to bring their grievances to the American public. Voluntary arbitration of these disputes has been typically rejected, not by the unions but by the employers.

The time-honored procedures of give and take across the collective bargaining table, assisted by voluntarily accepted mediation by Government or other disinterested parties and by voluntary arbitration, have already served to bring the parties together and to secure agreement in very large sectors of American industry. This process has already developed a pattern of higher wage standards which employers in other industries still on strike may be expected to find it increasingly difficult to resist.

While this process has been going on, however, efforts have been made to rush legislation to restrain the activities of organized labor. The Case bill is an example of such legislation. The almost universal assumption of those Members of Congress who have participated in the rush to introduce restrictive legislation has been the very expressly stated assumption that legislative action is essential to outlaw strikes.

The bills have varied. The impact has been consistent.

Some bills have been blunt and direct in their attempt to outlaw strike action for greater or lesser periods. Some have been directed against internal policies of the labor unions. Some have been directed to the limitation of the political activities of labor unions. Some have offered new restrictions on picketing, on boycotts, and on other activities of labor organizations in the economic struggle.

All of these measures have, in one form or another, pointed the accusing finger in the direction of labor and have assumed that the prevention of strikes entails not the amelioration of the conditions which create dissatisfaction or the improvement of mediation machinery, but the repression of the organizations through which the employees seek rectification of those conditions.

We do not urge that the accusing finger be turned in the direction of the employer or indeed in the direction of any party or group.

We do urge that the situation is one which cannot be corrected by a vindictive attitude toward organized labor. Too many of those in Congress who have used the circumstances of today as an excuse for seeking repressive legislation are those who have used the circumstances of every period in our recent history as a pretext for efforts to repeal or modify the enlightened policy of the Na-

tional Labor Relations Act and to seek repression of organized labor.

We urge that the Members of the Senate, in considering the measures now before them, accept the Federal mediation bill and reject the ill-considered and dangerous notion that strikes can be eliminated from our economy by legislative fiat.

We urge that free collective bargaining is the ultimate basis upon which sound labor relations must be built. Government facilitation of that process can best be advanced by the expansion and strengthening of our conciliation and mediation machinery to meet the difficult problems of the months ahead. Government intervention can destroy the process of free collective bargaining if it takes the form of a declaration to American workers that they are not free to take strike action, even if the prohibition is ostensibly for a limited period of time.

Those who contend that the decision to engage in a strike is normally one which is taken precipitately or irresponsibly fail to understand the American labor movement. Great as may be the inconvenience to the American public in any given strike, far greater is its direct impact on the union workers who by their voluntary action cut off their earnings in a joint effort to improve their working conditions. American workers do not take such action lightly, and they may not be expected to take lightly a declaration that governmental machinery will decide for them when they may or may not take such action.

Mr. President, this statement is signed, as I stated, by 114 economists and political scientists. The letter indicates that others will sign later. I ask that all the names attached to the statement be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

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

(Names of institutions are for identification only)

Mabel A. Magee, Wells College; Dr. Alice Hamilton, Harvard; Vera Reynolds Kilduff, New York State Department of Commerce; Alice E. Belcher, Milwaukee-Downer College; A. D. Beittel, Talladega College; Dr. Eric A. Walker, Penn State; Michael Kraus, City College; Mabel A. Elliott, University of Kansas; Paul S. Pierce, Oberlin; Fred Eastman, Chicago Theological Seminary; Carroll W. Ford, Babson Institute of Business Administration; W. Rolland Maddox, University of Kansas; Dr. Mary A. Eaton, University of North Carolina; Harold W. Guest, Baker University; Charles Cogen, Bronx High School of Science; Foster Rhea Fuller, Ohio State; W. Bayard Taylor, University of Wisconsin; Laurence S. Knappen, Rutgers University; C. Herman Pritchett, University of Chicago; George Hand, Fairmont State College; Davis W. Board, Northwestern College; Frank J. Bruno, Washington University; J. H. Coleman, Miami University; Meyer Kimkoff, Bucknell University; Elizabeth F. Baker, Barnard College, Columbia University.

William J. Wilkinson, Colby College; Abraham Kaufman, Board of Education, New York City; W. Brooke Graves, Bryn Mawr; Calvin S. Hall, Western Reserve University; Clarence A. Berdahl, University of Illinois; Horace B. English, Ohio State University; Howard White, Miami University; S. R. McGowan, Kenyon College; H. Gordon Hayes, Ohio State University; Paul E. Davies, McCormick Theological Seminary; Lee M. Brooks, University of North Carolina; Willystine Goodself, Columbia University; Esther Lucile Brown, Russell Sage Foundation; William D. Max, S. J. Tilden High School; Rev. Wilfred Parsons, Catholic University; Frank C. Pierson, Swarthmore; Robert D. Patton, Ohio State University; George W. Briggs, Drew University; R. Hadly Waters, Pennsylvania State College; John Hope II, Fisk University; Giles A. Hubert, Fisk University; E. Douglass Burdick, University of Pennsylvania; Emily C. Brown, Vassar; Willard H. Froehlich, Catholic University; Walter N. Breckenridge, Colby College; Eleanor H. Grady, Hunter College; D. O. Kinsman, the American University; Alva W. Taylor, Southern Conference for Human Welfare.

Marion Hathway, University of Pittsburgh; Dr. Theresa Wolfson, Brooklyn College; Edwin L. Clark, Rollins College; M. K. McKay, University of Pittsburgh; James E. Pate, William and Mary; Charles F. Marsh, William and Mary; Russell H. Mack, Temple University; Otto Nathan, New York University; Josephine Gleason, Vassar; Robert Rockafellow, Rhode Island State; Harry L. Lurie, Council of Jewish Federations; Harry M. Fife, Middlebury College; Charles C. Griffin, Vassar; T. W. Van Metre, Columbia University; Henry P. Jordan, New York University; Marjorie Dilley, Connecticut College; Ralph D. Fleming, Guidance Bureau, New York State Education Department; C. G. Gaum, Rutgers University; Julian Park, University of Buffalo; Theo. Lentz, Washington University; William Melcher, Rollins College; Ray Billington, Northwestern University; Selig Perlman, University of Wisconsin; Vell B. Chamberlin, Illinois Institute of Technology; William S. Schlauch, New York University; Gardner Murphy, City College, New York City; Harold Brenholtz, North Texas State Teachers College.

George B. L. Arner, United States Department of Agriculture; Harley F. MacNair, University of Chicago; J. Van der Lee, State University of Iowa; Henry S. Miller, Queens College; Bernard F. Riess, Hunter College; E. B. McNatt, University of Illinois; Hedley S. Dimock, George Williams College; Leland J. Gordon, Denison University; Ralph B. Tower, University of West Virginia; Warren B. Catlin, Bowdoin College; Morris Friedberg, Simmons College; Harry J. Carman, Columbia University; Albert S. Keister, University of North Carolina; Grace L. Coyle, Western Reserve University; Arnold J. Lien, Washington University; Nathaniel Cantor, University of Buffalo; Emily Brown, Vassar; Frank Carlton, Case School; Hartley W. Cross, Connecticut College; Dorothy Douglas, Smith College; George H. Groat, University of Vermont; Malcolm Keir, Dartmouth College; Gladys Palmer, University of Pennsylvania; Albion G. Taylor, College of William and Mary; Melvin J. Segal, Michigan State College; Roscoe Lewis Ashley, Pasadena Junior College; Eugene M. Kayden, University of the South; M. N. Chatterjee, Antioch College; Merle Curti, University of Wisconsin; Richard Landry, Beloit College; Bruno Lasker, Yonkers, N. Y.; Helen Herrmann, Freehold, N. J.; Colston E. Warne, Amherst College, secretary for the initiators of the letter.

Mr. TUNNELL. Mr. President, before I pass on to the amendment, I wish to mention the testimony of Mr. CASE, of North Dakota, which appears on page 8 of the hearings before the Subcommittee of the Committee on Education and Labor of the Senate. Being asked a question as to procedure, Mr. CASE of North Dakota said:

Mr. CASE. That is true, but attention should be called to the sentence which appears at the end of subparagraph (a) of section 8, which says:

"No order of the chairman or process of any court under this act shall require an individual employee to render labor or services without his consent nor shall any provision of such order or process be construed to make the refusal to work of an individual employee a violation of such order or process or otherwise an illegal act."

I think one-half of the letters sent out would not be sent if the senders knew that that was a part of the testimony of Representative CASE of South Dakota as it appears in the printed record. The language appears on page 10 of the original bill, between lines 11 and 16, and also on page 13 of the same bill we find, beginning with line 13, and ending with line 20, the following language:

Provided, said courts shall not issue an injunction against the right to strike, peaceful assembly, or peaceful picketing. Any individual who violates any of the provisions of this section shall on and after such violation cease to have, and cease to be entitled to, the status of an employee for the purposes of sections 7, 8, and 9 of the National Labor Relations Act, or the status of a representative for the purposes of such act.

I do not know when I ever knew of the Republican Party being in such a strategic position as it is in now. It has John L. Lewis as one of its most devoted workers. He represented the mine workers in the great attempt to elect Wendell Willkie, and in the wonderful attempt made to elect Dewey, and, so far as I know, he is still loyal to that party, and, so far as I know, he is working with it now. I have heard of no breach existing in the relationship between the party and Mr. Lewis. Not only that, but the Republican Party has the distinction of having three Senators on this floor who have had printed the amendments by which they are going to cure the ills of labor—and evidently destroy labor.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a statement made by Douglas Hall, general counsel of the Minnesota CIO.

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

NEED FOR A MINNESOTA MEDIATION ACT

The present Minnesota law in actual operation discourages real collective bargaining and effective mediation in labor disputes.

In the first place, the same law attempts to combine the selection of bargaining representatives, conciliation of disputes, and the definition of unfair labor practices into one system. This is contrary to the Federal structure of handling these matters in industrial disputes. The National Labor Relations Board conducts elections to determine bargaining representatives and also decides unfair labor practice cases. An entirely separate agency, the United States Conciliation Service has the responsibility for trying to secure agreements from the parties to a dispute. By being completely separate from the NLRB, the Conciliation Service has been able to keep free of resentment which arises between unions and unions and employers in representation cases. The Minnesota conciliator handles both conciliation cases and representation cases. As far as the CIO is concerned, the handling of certain representation cases by the conciliator discourages our unions from placing much trust in his handling of conciliation matters.

New York, New Jersey, Pennsylvania, and other States have separate mediation acts, while other aspects of labor relations are covered in other statutes.

Secondly, the present law requires the filing of a strike notice before the conciliator can take jurisdiction over a dispute and attempt to conciliate it. Once a union is forced to file a strike notice, which is voted on by the members, a factor harmful to real conciliation has already entered the picture.

Once the atmosphere of a strike is created by the filing of a strike notice, conciliation becomes more difficult. Actually, a union has to threaten to do just what conciliation is designed to avoid, before it can even get conciliation. It is not much of an improvement to provide that the conciliator can be called in without the filing of a strike notice. Both parties know that nothing much will happen until the strike notice is filed and the 40 days have passed. As long as those features remain in the law, voluntary conciliation is ineffective.

Thirdly, since conciliation cannot be secured without a strike notice and a 40-day period must then elapse before a strike can be called, both parties feel there isn't much point to serious negotiations unless the notice is filed. Because of this the requirement of a notice and the 40-day waiting period operate to discourage collective bargaining. The National Labor Relations Board which conducts strike rates under the Smith-Connally law, which contains a 30-day waiting period, reports that the law has actually encouraged the filing of strike notices.

Both the Minnesota law and this Federal act were based on the erroneous assumption that unless the law forces them to, parties to a labor dispute will not really negotiate, but will resort to strike or lock-out first and then talk about it. This assumption is based on ignorance. Before the war CIO unions had to comply with the strike-notice requirement before they could get conciliation aid from the State. In many important situations the whole State procedure was exhausted without a settlement being reached. But even after the 40-day period our unions did not strike. We went to the United States Conciliation Service and settlements were reached with the aid of that agency. Our resort to that agency was purely voluntary, but we did it in the effort to find a solution. The mandatory procedure of the State law failed completely to bring an agreement.

It would constitute a great contribution to labor peace if the legislature would create a voluntary mediation agency, separate and apart from all other agencies connected with labor problems. It should be the function of this agency to take all proper steps to bring about a settlement of labor disputes referred to it. The board should have the power, on consent of the parties, to set up arbitration procedure as a means for settling disputes.

The board should consist of several members, three or five. Competent and fair persons should be secured, so that the board will have the confidence of labor, management, and the public. One great weakness of the Minnesota conciliator's office is that the governors have always appointed an official from one of the labor organizations, the AFL. This practice would be equally as unsound if only CIO men were appointed.

DOUGLAS HALL,
General Counsel, Minnesota CIO.

Mr. TUNNELL. Mr. President, for a few minutes I should like to discuss the Byrd amendment. Of course, there have been different versions of the Byrd amendment, and I do not know, when I take up a Byrd amendment, whether it is the right one or not. I do not think many Senators do.

The PRESIDING OFFICER (Mr. HATCH in the chair). The Chair will advise the Senator from Delaware that the latest Byrd amendment is dated May 20.

Mr. TUNNELL. And what is today?

The PRESIDING OFFICER. Today is the 22d.

Mr. TUNNELL. Is the Presiding Officer sure that there has not been another amendment started?

The PRESIDING OFFICER. The Chair is sure that another one has not been offered.

Mr. TUNNELL. I understand there is another one hatching.

Mr. President, I am very much disappointed that the Senator from Virginia is not present. I wanted to ask him something about the amendment. In all its forms it is the most peculiar amendment I have ever seen. I speak not only of the last one, which seems to have been lately born, but also in its very first version. The very first provision is:

SEC. 8. (a) It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

Usually when there is a prohibition of spending there is some reason for it. For instance, there may be a prohibition against buying votes at an election. Such a thing is prohibited by law. A Senator suggests that it is usually obeyed, too. There might be other prohibitions. But the prohibition must be based either upon the objective being a wrong one or on the inability of the person sought to be protected to look after his own interests. If the employer is conceived to be insane, and the purpose is to protect him, than I can understand why such an amendment as this should be offered. But the provision in question is to protect a person from giving money. Therefore, the language must be framed on the theory that the person is insane or incompetent in some way to bargain, to give away his own money. I wanted to ask the Senator from Virginia on what legal theory the amendment was written. Who is the Senator trying to protect? Is he trying to protect the laborer? Is he trying to protect the employer? Or is he trying to protect the public?

A great deal has been said in this debate about the trust fund and the protection of it after it is set up. But why should there be such protection? Here the Senator is proposing to appoint a trustee for an employer who has sense enough to make profits. I have never seen anything so assinine in my observation of bills and of laws. I was attorney for the house of representatives during four sessions of the Delaware legislature, and I saw some queer bills, but I never saw anything like this.

In this amendment it is set forth that it shall be unlawful for an employer to pay or to deliver. His wife can do so, his son can do so, his daughter can do so, but the employer himself cannot. It is sought to protect him against spending his own money in his own way. Yet we are told, "Oh, it is terrible that the Federal Government should be encroaching so much on the rights of the individuals." This is the worst encroachment I have ever heard of. I do not know whether it is proposed to let the individual spend his money when he goes on the streetcar, on the theory that the conductor might be an agent or a representative of an employee of his. I do not know whether it is proposed to let him pay his money into a church fund, because we do not know about the one who accepts that money; perhaps he is trying to get the employer in jail, and this is quite a dangerous sort of thing to do, because if one violates this provision of the law he is subject to punishment. It is all right for the wife to pay or deliver. But if the employer gives it he is subject to this punishment:

Any person who willfully violates any of the provisions of this section shall upon conviction thereof be subject to a fine of not more than $10,000 or to imprisonment for not more than 6 months, or both.

I am sorry the Senator from Virginia is not present. I should like to have some one tell me what is the purpose of that prohibition: "It shall be unlawful for any employer to pay or deliver" money under those conditions.

Mr. President, I have listened to the discussions as much as I could, and have heard no one come forward with any suggestion as to why that language should be put in a measure pending in the United States Senate, and I cannot understand why it is placed in the amendment, unless it be on the theory that the person involved is incompetent, or that the purpose of the gift is in violation of public morals. I do not know of any possible excuse for such language, and I have heard none advanced during the discussion of the subject. Here we have a prohibition against an individual giving his own money away for a legitimate purpose. There may be thousands of legitimate purposes, but this language would prohibit the giving away of money for such purposes.

When we start to dig up antilabor legislation, or antisomething else we run into difficulties. It we were to start to write antiemployment legislation, for example, we would write some silly things. That is what has been done in this amendment, as I see it. A person is prohibited from giving away his own money; and yet it is said that the Federal Government has been encroaching on individual rights.

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

Mr. TUNNELL. I yield.

Mr. HATCH. I merely wish to ask the Senator if he is familiar with the various Federal statutes which make prohibitions against contributions of many kinds.

Mr. TUNNELL. I have never found one that prohibited contributions to charities, religious institutions or for other well-known beneficent objects, except for the purpose of protecting incompetents.

Mr. HATCH. The Senator is familiar with the provisions of the Wagner Act against contributions, is he not?

Mr. TUNNELL. That purpose is very clear. It is to prevent the employer from controlling the union, as against the employees. There is a sensible explanation for such a prohibition.

Mr. HATCH. Might there not be a similar purpose in the restrictions placed in this amendment?

Mr. TUNNELL. I do not think so. Why should there be exceptions? If the

purpose is good, why should there be any prohibition at all?

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

Mr. TUNNELL. Yes; I should like to have some explanation.

Mr. HATCH. Would the Senator advocate permitting employers to make contributions generally to representatives of unions, without any restriction whatsoever? Does he think that would be good policy?

Mr. TUNNELL. The National Labor Relations Act prohibits that for a good reason. But there is no purpose in this prohibition, as far as I have heard, either from the Senator or anyone else. If the Senator from New Mexico has a suggestion as to how such a prohibition as this would be beneficial, I should like to hear his explanation.

Mr. HATCH. The Senator from New Mexico will make his own explanation at the proper time. But I will say to the Senator from Delaware that I think the very instances which have been inquired about point out very clearly that there is a need for restrictions, a need which has been recognized many times by Congress in various situations.

Mr. TUNNELL. Can the Senator name one?

Mr. HATCH. Would the Senator say that this is not a trust fund which is being set up? If it is a trust fund, should not every possible safeguard be placed around it?

Mr. TUNNELL. Against the person contributing to it?

Mr. HATCH. Yes.

Mr. TUNNELL. No; I should say there should not be.

Mr. HATCH. Then the Senator thinks that employers should be able to set up a trust fund and use it for political purposes, or for any purposes they desire, and receive contributions from the employees, also?

Mr. TUNNELL. This amendment says nothing about that.

Mr. HATCH. It applies to both employers and employees.

Mr. TUNNELL. I had laid aside my copy of the amendment, because I did not know the Senator was going to wake up.

Mr. HATCH. I can tell the Senator that it refers both to employers and employees.

Mr. TUNNELL. This is what the amendment provides:

> It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

Mr. HATCH. The Senator is quite correct. If he will read the next clause, he will see that the same prohibition is placed against employees.

Mr. TUNNELL. It reads as follows:

> It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to receive or accept, or to agree to receive or accept, from the employer of such employees any money or other thing of value.

What does the Senator have to say to that?

Mr. HATCH. I say that it is a continuation of the foregoing clause.

Mr. TUNNELL. But it does not say what the Senator has just told us it says. If it does, I cannot see it.

Mr. HATCH. I believe that if the Senator will continue reading the amendment he will find that language.

Mr. TUNNELL. That is the end of it.

Mr. HATCH. It is not the end of it.

Mr. TUNNELL. It is the end of subsection (b). It reads as follows:

> It shall be unlawful for any representative of any employees who are engaged in commerce or in the production of goods for commerce to receive or accept, or to agree to receive or accept—

Not from the employee, but from the employer—

> from the employer of such employees any money or other thing of value.

Mr. HATCH. That is correct.

Mr. TUNNELL. Where is the prohibition against the employee contributing?

Mr. HATCH. If I said that there was a prohibition against the employee giving, I was in error.

Mr. TUNNELL. That is what the whole argument is about.

Mr. HATCH. I thought the Senator was talking about the employer.

Mr. TUNNELL. I was; but the Senator said that the amendment applied to both the employer and the employee. I say that I do not see it, and I asked the Senator to find it. I have not heard him answer that question.

Mr. HATCH. Whether there is a prohibition against the employee or not, I refer to the original question: Does the Senator believe that this is a trust fund when it is created?

Mr. TUNNELL. The Senator is trying to get over to the last part of the amendment, which I am not discussing. I do not say that that is particularly wrong. But why in heaven's name should there be a prohibition against a man who happens to be an employer, giving something for a laudable purpose? I have heard no one attempt to explain it.

Mr. HATCH. Again we come back to the original proposition about which I asked the Senator. Does the Senator favor letting down all the present bars and restrictions against contributions by employers, and letting them make any contribution they desire to make, either to the union directly or to representatives of the union—company union or any other kind? Does the Senator favor that, or does he favor restrictions?

Mr. TUNNELL. I do not intend to let the Senator shift the argument to something as to which there is no prohibition.

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

The PRESIDING OFFICER (Mr. DOWNEY in the chair). Does the Senator from Delaware yield to the Senator from Vermont?

Mr. TUNNELL. I yield.

Mr. AIKEN. Does not the Senator believe that this would simplify the Christmas shopping problem for some of the employers? Does not this provision absolutely prohibit the employer from giving a present to any of his employees for the benefit of the employee's family?

Mr. HATCH. There is nothing in the amendment that would prevent that. The prohibition is against contributions to the representative of employees.

Mr. AIKEN. Then why does not the amendment so provide? It provides that—

> It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

It also provides that it shall be unlawful for them to accept it. The employer could not make any gift of any kind.

Mr. HATCH. "To any representative." The Senator himself read those words.

Mr. AIKEN. I will ask the Senator from New Mexico if a father employed by his employer is not a representative of his children?

Mr. HATCH. Not at all in the relationship of master and servant.

Mr. AIKEN. Is not the employee's wife or child the representative of the father? An employer could not even give them anything for the family.

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

Mr. TUNNELL. I yield.

Mr. BALL. The family are not employees, and they would not be covered by the bill.

Mr. AIKEN. No; but if the gift were for the benefit of the family, it would be something of value.

Mr. TUNNELL. Mr. President, I return to the point which I was making. This is the first time I have ever seen an attempt to prohibit an employer from contributing for a laudable purpose money which is his own, in his own bank account, or in his own pocket, when there is no contention that it is being given for an improper purpose. I have heard no one but the Senator from New Mexico attempt to explain it.

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

Mr. TUNNELL. I will yield if the Senator has an explanation.

Mr. BALL. If the Senator will take the time to read my remarks in the RECORD of yesterday he will find exactly why I think it would be to the very great detriment of the employees to permit the employer to make such contributions.

Mr. TUNNELL. I do not know that I have time to read the Senator's remarks. If there is any explanation, why does not the Senator make it now?

Mr. BALL. Very briefly, if the employer is to pay all of this fund, and if it is to be administered solely by the union officials——

Mr. TUNNELL. Will the Senator stick to the giving?

Mr. BALL. I am talking about the giving.

Mr. TUNNELL. No; the Senator is discussing the use.

Mr. BALL. No; I am talking about the giving.

Mr. TUNNELL. I will hear the Senator.

Mr. BALL. When the money is contributed by the employer to be expended by the officials of the union in their sole discretion, for welfare——

Mr. TUNNELL. That is not what is prohibited.

Mr. BALL. That is what is prohibited by the Byrd amendment.

Mr. TUNNELL. No; that is not what is prohibited. That is what we are talking about.

Mr. BALL. Then the Senator is not reading the Byrd amendment as I read it. That is what it prohibits. It prohibits the turning over by the employer of a certain percentage of sales, or a royalty on the product, to be used as a slush fund, to be expended for welfare in the sole discretion of the officials of the union. It would corrupt any union.

Mr. TUNNELL. I decline to yield further. The Senator does not seem to have read the amendment.

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

Mr. TUNNELL. I yield.

Mr. HATCH. I think there is really great confusion about what this amendment does and what it does not do. I invite the Senator's attention again to what the employer is prohibited from doing. He is prohibited from contributing to a representative of the employees.

Mr. TUNNELL. It does not say "contributing." Why put in language that is not there?

Mr. HATCH. If the Senator will allow me to finish——

Mr. TUNNELL. I do not want the Senator to change the language of the amendment.

Mr. HATCH. Let me read it exactly:

> It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

My question is this: Does the Senator actually believe that it would be a good policy to permit employers to make contributions or payments of money, or other things of value, to persons who are supposed to be representing the employees?

Mr. TUNNELL. I do not see anything wrong with it.

Mr. HATCH. Then there is no use in continuing the discussion.

Mr. TUNNELL. Not at all.

Mr. HATCH. If the Senator cannot see anything wrong with a practice of that kind——

Mr. TUNNELL. I do not think the Senator can explain why there is anything wrong with it.

Mr. HATCH. I certainly will not endeavor to explain it to the Senator if he cannot see the vice and the evil which could and would arise under such circumstances. I say that without any reflection upon the Senator, because he does have a keen and able mind, and I am completely surprised that he would advocate that the employer be allowed to contribute vast sums of money to the men who are supposed to be representing the employees. The Senator as a lawyer knows full well that he, representing a client, would not take a gift from the opposition. Yet that is what he advocates in this discussion.

Mr. TUNNELL. I am not advocating anything of the kind, and have not at any time suggested it. I have listened for perhaps 15 minutes to the Senator from New Mexico, and I have heard no explanation of why he takes that position. I suppose he intends to explain it later. He has said that he would. I shall listen.

Mr. HATCH. I can explain it to the Senator now. I will vote for any bill at any time to prohibit employers from making contributions to representatives of employees, because it is a vicious practice which would result in corruption of the worst kind, to the detriment of the employees.

Mr. TUNNELL. I have no doubt that is the Senator's position.

Mr. BARKLEY. Mr. President, I ask the Senator from Delaware to yield to me long enough to permit me to say that, in view of the fact that no other Senators have indicated a desire to address the Senate on the pending legislation today, I hope the Senate will remain in session later than usual this evening, in order that we may make progress.

Mr. TUNNELL. Mr. President, again I wish to read the provision to which I take exception.

> It shall be unlawful for any employer to pay or deliver—

That provision is without any condition, it is general—

> or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

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

Mr. TUNNELL. I yield.

Mr. AIKEN. I still would like to know whether under this bill an employer could give Christmas turkeys to his employees. They would be things of value, and the giving of a turkey is not covered by any of the exceptions listed on page 2.

Mr. TUNNELL. No; everything is prohibited, I say to the Senator, except what is contained in subsection (c) (1), (2), and (3). So undoubtedly what the Senator has referred to would be prohibited.

I think the provision probably would prohibit the giving of a contribution to a church. That shows how loosely the whole measure is drawn. The authors were willing to include anything, just so long as they could obtain something which would be antilabor.

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

Mr. TUNNELL. I yield.

Mr. TAFT. I do not understand the basis of the Senator's assertion that a contribution could not be made to a church.

Mr. TUNNELL. The Senator from Ohio came into the Chamber too late to hear it. I ask him to read the amendment.

Mr. TAFT. As a matter of fact, Mr. President, I worked on it very carefully. It is very carefully drawn, and there is nothing in it which in any way prohibits the making of a contribution to a church.

Mr. TUNNELL. No, there is nothing in it; it prohibits everything except what I mentioned as exceptions.

Mr. TAFT. It prohibits contributions to unions. It prohibits taking money that the men themselves have earned——

Mr. TUNNELL. That is what the Senator from Ohio wants it to say, but it does not say so.

Mr. TAFT. Oh, yes; it does.

Mr. TUNNELL. No; it does not.

Mr. TAFT. It prohibits taking money that has been earned by the employees themselves and paying it to a union, with certain exceptions.

Mr. TUNNELL. It does not say so at all. That is what I am talking about. It says:

> It shall be unlawful for any employer to pay or deliver, or to agree to pay or deliver, any money or other thing of value to any representative of any of his employees who are engaged in commerce or in the production of goods for commerce.

That is what it says:

Mr. TAFT. The Senator might also read the definition of "representative."

Mr. TUNNELL. I have read that, too. But still the measure does not bring out the real point.

I repeat that the amendment is sloppily drawn and does not express any logical or sensible purpose, unless the employer is insane. Then he would be protected.

NATIONAL MARITIME DAY—ST. LAWRENCE SEAWAY

Mr. MEAD. Mr. President, this is National Maritime Day. Ever since 1933, when President Roosevelt first proclaimed National Maritime Day, this annual observance honoring the American merchant marine has become more widespread. The Nation's interest in its merchant marine has grown steadily. It reached its peak during the war when the tremendous transportation achievements of the American merchant marine contributed so much toward victory.

The merchant marine's war job is completed but there still remains another transportation task of great proportions. In the countries where we fought and beat the enemies of democracy there has arisen the terrible foe of famine. It stalks every war-torn country and claims more victims than bombs and shell fire.

It is not America's intention to permit the destitute peoples of the world to starve. Relief and rehabilitation programs of great size can only be carried out if there is transportation of the needed goods. The American merchant marine will not fail in doing its part in this great humanitarian effort.

Many of these relief cargoes will move through the matchless port of New York, whose facilities are the finest in the world. The port of New York is equipped to expedite the moving of these cargoes because over the years it has maintained and developed facilities that promote the easy flow of cargoes of all types.

But the facilities which are now proving so useful for world rehabilitation and which during the war years performed record-breaking achievements

in the transportation of fighting men and their supplies are seriously endangered. I refer now to the proposed construction of the St. Lawrence seaway which can only have disastrous effects on the port of New York, on the commerce that passes through it, and the millions of people in this area who earn a livelihood in businesses affiliated directly or indirectly with the maritime and commerce trades of New York.

Even the proponents of the St. Lawrence seaway can see that the seaport that would suffer most from the construction of this project would be New York. Half the export and import tonnage which is estimated to flow through the St. Lawrence seaway would constitute a diversion of trade from the port of New York. It has been estimated that New York would lose about 3,000,000 cargo tons a year, or about one-sixth of the prewar foreign trade of the port. It has also been estimated by the Port of New York Authority that approximately 200,000 people in the New York area would be adversely affected by such a diversion in trade.

In addition to having their livelihood adversely affected, these 200,000 citizens of our State would be among the taxpayers, who would be called upon to pay for at least 25 percent of the cost of this project. As Maritime Day is an ideal time to consider the future of the American merchant marine, it might be well to dwell for a moment on whether the seaway would be of any help to American shipping. One would imagine that if this country were to construct a seaway, at least it would be useful to ships flying the American flag. But oddly enough, the construction of such a seaway with a 27-foot channel would automatically bar almost 92 percent of the American merchant fleet that we now have. The American Merchant Marine Institute, which has long opposed the seaway, advises that the project, instead of being a benefit to the American merchant marine, constitutes actual discrimination against the Nation's existing fleet. As designed, the seaway would decidedly favor foreign-flag shipping. Seventy-two percent of the tonnage that could ply the seaway, it is conservatively estimated, would be foreign-flag owned. The shallow draft of the seaway would mean that the fine, big ships that America now has would be unable to navigate this waterway.

We hold that the St. Lawrence seaway would be contrary to the position taken by Congress in the past which has repeatedly supported a policy of fostering an American merchant marine. American shipping, which already has such competitive disadvantages as higher wages, higher construction, and maintains higher costs, and higher standards of living and working conditions on its vessels should not be given another handicap in the form of the seaway.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point in my remarks a statement which I issued today on the subject of National Maritime Day.

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

Senator JAMES M. MEAD, of New York, revealed today that the largest sale of ships in American history is now under way, with a total of 2,888 surplus ships, totaling 32,141,635 dead-weight tons, already available, with the possibility of 1,364 additional vessels, now under lend-lease and military commitments, being listed for sale in the near future.

Senator MEAD stated that information from the Maritime Commission indicated that as of May 15, 1946, 9 American operators have filed applications to buy 36 vessels including 16 Liberty ships, totaling 403,600 tons. In addition, 10 foreign operators are bidding for 33 ships, including 23 Liberty ships, for a total of 323,797 tons. One American operator has filed for six Liberty ships for charter. The Maritime Commission emphasized, Senator MEAD said, that foreign operators can only obtain such surplus vessels upon approval by the Secretary of the Navy, whose judgment will be guided by requirements of the Joint Chiefs of Staff for possible future emergency needs. Moreover, American citizens are granted a 90-day preference period (until August 1, 1946) during which time no ships can be sold to foreign operators.

The Maritime Commission pointed out, Senator MEAD concluded, that if the surplus ships are not sold to applicants, they will either be scrapped or retained in stand-by condition.

MEDIATION OF LABOR DISPUTES

The Senate resumed consideration of the bill (H. R. 4908) to provide additional facilities for the mediation of labor disputes, and for other purposes.

Mr. HOEY. Mr. President, during all of last week and much of this week I have listened with a great deal of interest to the discussion on the pending measure and on the amendments relating thereto.

I cannot follow many of the Senators who say they do not think it is necessary to have any legislation beyond the measure reported by the committee. I think the committee has had this bill for a long time. It has held a number of hearings. It has reported a bill which I do not consider at all adequate or one that meets the needs of the situation.

I yield to no Member of this Chamber in my interest in workers. I myself am a worker. I have always been a worker. It was my privilege to begin working at an early age, and I do not regret and have not regretted a single hour or a single day dedicated to work, manual labor.

If I may be permitted a personal reference, let me say that 26 years ago I was a Member of the House of Representatives, and at that time I stood for the right of collective bargaining, although it was then a very unpopular side of the issue. But I believed in the right of laboring people to bargain collectively so that they might be equal with employers in respect to the assertion and maintenance of their rights.

I may say, however, that while I believe in collective bargaining, through the years since then I think the Congress has gone very far afield in the enactment of legislation which, in my judgment, is unfair and is so prejudiced that it does not do justice to the people of the United States. I think the Congress certainly would not have been willing to have passed the Wagner National Labor Relations Act if it could have foreseen the sort of interpretations which have been given to that act by the courts and if it could have foreseen the sort of administration which the act was to receive by the National Labor Relations Board. If we read that act, we find that in the beginning its purpose is said to be to undertake to settle labor disputes and to provide some sort of solution of the problem. In my judgment that act has been productive of labor disputes; it has accentuated them, rather than settled them.

I have heard a great many Senators boast of their interest in the freedom of the citizens and in the rights of labor and in the rights of men generally. Yet when we review that act, all the way through it we find that it takes away the rights and the liberties of those who do not belong to unions. In other words, we who boast of the freedom of speech can turn to that act and can see that it deliberately deprives employers in the United States of any right of free speech. I do not believe that sort of an act should have been passed. I do not believe the Congress would have passed it with that kind of provisions in it if it had understood the extent to which the courts would go in interpreting it.

What sort of justification is there for saying that an employer cannot express his opinion? Certainly, the only basis for the inclusion of such a provision in the Wagner Labor Relations Act is that there might be some intimidation of an employee on the part of an employer or that the employee might be prevented from joining a union or affiliating with a union, and therefore the employer is deemed to be guilty of engaging in an unfair labor practice if he even expresses an opinion about anything connected with a labor union or its organization.

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

Mr. HOEY. I yield.

Mr. HATCH. Under the argument just made by the Senator from Delaware, the employer, while not being permitted to express opinions, could make gifts of huge sums of money to men representing unions.

Mr. HOEY. Absolutely so, and by that means the effectiveness of the men who were supposed to represent the employees would be destroyed.

Mr. President, as I started to say, I cannot see the justification for a law such as that. I believe laws should be fair, I believe they should be just, to every laboring man, whether he belongs to a union or whether he does not; because, after all, in this country there are more working people who do not belong to unions than there are working people who belong to unions. Yet a man who does not belong to a union has scant consideration either from the Congress or the courts or any of the other organizations of government.

The men who do not belong to unions should receive some consideration. There are more of them than there are union men. But the unions are more vocal, and therefore they are asserting themselves

and they are doing what Senators have been talking about, namely, putting on pressure by means of organized propaganda.

A few moments ago I said that I believe in dealing fairly with all men, no matter who they are. I am in favor of dealing fairly even with an employer, although the Wagner Act and its administration by the National Labor Relations Board have breathed the spirit of antagonism toward all employers in the United States and have pursued a positive course against employers as if they were a detriment to our social order.

Mr. President, what is the justification for permitting persons to blackguard employers and say anything they wish to say about employers and make any sort of false statements about them, and yet providing that if the employer attempts to reply or make any sort of response the National Labor Relations Board can hold him guilty of engaging in an unfair labor practice?

In my State that development even went to the following extent: There was a business organization which had existed for a number of years and had had a very fine career and a splendid record of relations with its employees. It never had had any trouble at all. That organization issued a pamphlet merely reciting the history of the company, and the pamphlet told how many employees the company had when it began, and mentioned the increases in the size of the plant and the increases in wages which had been made from time to time, and spoke of all the increases which had been made over a period of some 20 years in which it had been in existence. The company mailed copies of that report to its employees. The National Labor Relations Board cited the company to show cause why it should not be held guilty of an unfair labor practice because it mailed to its own employees a report giving them a statement of the increases in wages which had occurred over a period of years. The Board said, "If you do that, it will tend to show that you are granting increases in the absence of a union, and therefore it might deter persons from organizing unions."

Mr. President, have we reached such a point that persons have no right of free speech, or the rights to discuss matters, or to express their viewpoints? Have we reached the time when, because a man happens to be an employer he is to be regarded as a malefactor, and must have taken away from him his constitutional right of free speech?

I believe that many of the labor disputes which take place today may be traced to an unfairness in the enactment of, and the interpretation and the administration of the National Labor Relations Act. That is one reason why many amendments have been offered to the pending bill. Some of them would amend various provisions of the act, and they should be amended. I believe that in order to have good labor relations there must be a sense of fairness on the part of everyone concerned. I believe that unions and workers everywhere, including management, should be treated fairly and justly.

I do not subscribe to the theory that we cannot help the present situation by proper legislation. It seems to me that an effort has been made, through the passage of measures such as those to which I have referred, to give aid and comfort to one branch of our citizenship, namely, the members of unions, while at the same time make it difficult for the proper authorities to do anything about it. Some Senators say that we should not enact antilabor legislation. I am not asking that any shall be enacted. I would be opposed to it if an effort were made to enact legislation of that nature. But, Mr. President, I believe that we should enact some propublic legislation. I am in favor of taking away exemptions which already exist and which do not bring unions under the operation of the law. I am in favor of the law being applied equally to all, and I see no reason for the exercise of discrimination or unfairness in the administration of the law.

Mr. President, I shall not take time to discuss the Wagner National Labor Relations Act, but one reason why several amendments have been offered to the pending bill is that the bill does not adequately meet the present situation. It does not provide for any means by which the American people can safeguard themselves against devastating strikes in essential industries. I am one of those who believe that something can be done about it and that something should be done about it. I am not alone in that belief, because, as shown by a statement made by the late Woodrow Wilson, he also believed that there should be no threat of strikes which would affect the country in the way strikes are now threatening the rights and privileges of the American people. The statement to which I refer was made following World War I, and while Mr. Wilson was President of the United States. Certainly, no man did more in his time for labor, organized or unorganized, than did Woodrow Wilson. Yet when the Nation was threatened with a coal strike he thought that something could be done about it, and this is what he said:

> From whatever angle the subject may be viewed, it is apparent that such a strike in such circumstances would be the most far-reaching plan ever presented in this country to limit the facilities of production and distribution of a necessity of life and thus indirectly to restrict the production and distribution of all necessities of life. A strike under these conditions and circumstances is not only unjustifiable; it is unlawful * * *. I cannot believe that any right of any American worker needs for its protection the taking of this extraordinary step, and I am convinced that when the time and manner are considered, it constitutes a fundamental attack, which is wrong both morally and legally, upon the rights of society and upon the welfare of our country.

Mr. President, in some quarters today it would be considered almost treason for a man to say anything like that. We have gone along for years and have not dared to question what unions do, and some have contended for the rights of unions not only to strike, but to interfere with the administration of the law. The average man does not believe that way. He believes that the situation can and should be remedied. Certainly, I believe, joining with such persons, that it is time for the Congress to take definite action. For that reason I am supporting some of the amendments which have been offered to the pending bill.

I think the existing law should be amended. I think it can be improved, and that the present time is when we should do it. When we consider the matter of unions I do not believe that any measures should be enacted in anger or in malice, or even in resentment or in righteous indignation; but, rather, I think the matter should be considered calmly and dispassionately, and that we should seek to do justice to the rights of the American people. We have not been in a hurry about this matter. The pending bill has been before Congress for a long time. It has been debated in the Senate for more than 10 days. Would anyone say that we are hurrying matters and disposing of the bill without giving adequate consideration to it? I do not believe so. I do believe, however, that some of the amendments which have been offered would, if adopted, go a long way toward correcting injustices and unfairness in connection with the present law. I believe the amendments to be essential if we are to let the responsibility rest upon those who should exercise it.

Mr. President, what does the pending bill do and what do the amendments do? What are their purposes? I think it is very clear that if we are to maintain intact our industries, if we are to prevent unjustifiable strikes in essential industry, we must apply some sort of sensible regulations, and we must bring to bear upon persons, even though they may be organized into a union, the same legal restraints as those which would apply to them if they were not organized into a union.

The pending bill contains a provision which, it seems to me, the committee should have been unwilling to subscribe to. I refer to section 6, which reads as follows:

> Whoever by violence or threat of violence, or by any other form of intimidation or coercion, obstructs, impedes, or affects commerce by preventing or seeking to prevent the transportation or delivery of perishable farm products, by a farmer or his employees, to market or to processing plants, or to a carrier for transportation or delivery to market, or to processing plants, or by extorting or attempting to extort any payment to a labor organization or any other form of tribute from a farmer or his employees in connection with such transportation or delivery, shall be guilty of a misdemeanor—

And so forth. Mr. President, why should the language of this section be limited merely to the transportation of farm products? Does the Congress wish to assert that, because persons belong to a union they may interfere on the highway with any transportation facilities, and allow highjacking methods to take place providing that the products being transported are not perishable farm products? Punishment is provided only in the case of interfering with the transportation of perishable products. Why

not have the language apply to the transportation of products of any nature?

Has the time come when we will grant the right to any person or group of persons to levy a tribute on others who are attempting to transport their products to market, and make such a practice a crime only in the case of the transportation of farm products? I realize that the Supreme Court has said that when unions interrupt the trnsportation of cargo, those engaged in such acts are guilty of no crime. The pending bill provides that if the products be farm products, the parties engaged in the act of interfering with their transportation shall be guilty of a crime. I do not believe that the honest working people of America subscribe to such a discrimination as that. I believe they realize that discrimination is being practiced to their disadvantage, and it is certainly manifest that the sentiment which has been aroused against unions in this country will develop further unless there be a fair and just administration of the laws, and guilty persons are made amenable to the law. Highwaymen should not be acquitted because they belong to a union.

Mr. President, what I am thinking of is this: When the time comes to vote upon these amendments, I believe that it would be in the interest of all the people of the country for us to consider the effect of providing equal responsibility on the part of management and labor, and remove exemptions which now give to unions unfair advantages. I do not believe that to do so would be against labor. I think it would be in the public interest. After all, the public interest should be paramount.

A great many members of unions believe the same as I believe. The other day I rode in a taxi. The person driving it happened to say to me, "I am a member of a union. It looks to me as though Congress should do something to protect some of us who are members of unions." He said, "A strike was once declared in Washington. I did not want to strike as I had a wife and four children. However I had to strike because if I had not done so violence would have been committed against me. I attended the meeting and merely because some persons there questioned the right or wisdom of strikes, they were threatened with violence." He said, "We are afraid not to go along. Our cabs would be destroyed if we did not go along."

Mr. President, have we reached the time in America when persons may not be free, or may not work when they wish to work?

I have read in a newspaper only recently, as other Senators did, no doubt, that while a man in Detroit was engaged in painting his own house, the union came to him and told him he would have to stop, and they picketed him because he was painting his own house, and did not belong to the union.

Mr. President, where is this to stop? How far can we go in maintaining personal liberty and the independence of the citizen?

I am in favor of protecting unions in all their legitimate rights, but I am not in favor of disregarding the rights of people who do not belong to the unions. That is not unfair to the unions, and is not a discrimination against them; it is merely a statement of my view that we should follow the same practice in dealing with people in all walks of life, and give all the same consideration, without regard to the organizations to which they may happen to belong.

I wish to call attention to just two propositions mentioned in an editorial from the Winston, N. C., Journal. It reads:

> The conditions created by this coal strike should make two things quite obvious to Congress. One is that the coal mines of the country constitute a vital public utility upon the regular and uninterrupted operation of which the health, safety, and welfare of the people closely depend. The other, as the Louisville Courier-Journal points out, is that John L. Lewis has a monopoly on coal production that is every bit as dangerous, if not more dangerous, than any monopoly Congress has ever dealt with in the past.

Is there any special justification for the Congress enacting laws to regulate monopolies and have antitrust laws to apply to everything in the world except labor unions?

I was interested in the remarks of the Senator from Pennsylvania [Mr. GUFFEY] today in which he was discussing how Congress had favored corporations by repealing the excess profits taxes, and other things of that kind. One would have judged from his remarks that there was some sort of discrimination against working people and against unions, and especially against labor unions.

He did not tell the Senate in the course of his speech that not one single cent of income tax is levied against the millions of dollars paid into the labor unions in this country. Practically every other organization, certainly, except charitable and religious organizations, has to pay income tax. The labor unions receive millions on millions of dollars, but they are exempt, they do not pay a single cent of income tax to the Government. Every man who is a member of a labor union has a right to deduct—and it is allowed in his income tax, and properly so—all the dues which he pays to the union.

When we come to the matter of corporations, even with the repeal of the excess profits tax, the Government still levies up to 38 percent on the incomes of all corporations. That is the maximum. In addition to that, every person who owns stock and gets a dividend has to pay income tax upon that dividend. I am not complaining of that, I think it is proper, but there should not be any sort of suggestion that the corporations of this country have been relieved from taxation, and that there is some sort of discrimination against the labor unions, when they pay no income tax at all, and when their members are granted specific exemptions in the way of deductions from what they pay in the way of dues.

Now let me say another thing with reference to whether anything can be done about this problem. The Christian Science Monitor approaches the discussion of this question in a very sane and sensible sort of way. In an editorial it says:

> The American people are told that they can do nothing about the coal strike. They are asked to regard it as a "natural phenomenon," such as an earthquake or hurricane, whose devastation they are powerless to check. The report on its effects issued by the White House on Saturday describes it as "this national disaster."
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> Disaster it surely is. It has already caused losses comparable with the worst the United States has suffered. Already it is estimated that several million workers have been thrown out of their jobs by the curtailment of railway and utility services and the closing of factories dependent on them. Output has been sharply cut in steel, chemical and food plants, and textile mills. The loss is less spectacular than that from earthquake or hurricane, but similar in proportions.
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> It is a disaster, but Americans can do something about it. It is true that hot words hurled at John L. Lewis won't stop the strike. It is true that Government seizure of the mines will not start the coal rolling. It is true that the Constitution's provisions against "involuntary servitude" would bar a law to make the miners work.
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> But the "sacred right to strike" is not an absolute right, to be enforced regardless of its effect on the Nation. Certainly, the right not to work is no more sacred than the right to work. And it is not the right to strike that is tying the Nation in knots; it is the special privileges and protections bestowed on unions within recent years which make it possible for strikers to disregard the rights of others.

In this connection, Mr. President, if I may make a personal reference, I was the Governor of North Carolina when the sit-down strikes started over the Nation in 1937. The Secretary of Labor at that time suggested that she did not know whether it was against the law to indulge in sit-down strikes. I went on the radio in my State, as governor, and I said, "Whatever may be true in other States, it is against the law in North Carolina to have sit-down strikes, and we are not going to tolerate them in this State." I said then that no organization and no group of individuals would be permitted to take charge of the property of another person or corporation against his or its will, and that so long as the sovereign power of North Carolina could exist, we were going to see to it that every citizen in that State had the right to work, regardless of strikes, if he wanted to work, and that he would be protected in that right.

He would have a right to strike if he wanted to, and another citizen would have the right to work if he wanted to. That is the inalienable right of a citizen. Yet we know that right is absolutely disregarded throughout the length and breadth of this Nation today.

Recently we had the spectacle, in one of our sister States, of strikers saying to the management of a business, "You, the owners of this concern, may come out of the building but you cannot go back in." There was another case in which a man had his son doing some carpenter work in his store, and the union picketed the store because he was having his own son

work for him in his own place of business, and his son was not a member of the union.

Mr. President, has it come to the point where everyone has to be subservient to a union, and has to let the union dictate? Is it possible that individual rights no longer remain to the citizen? I am in favor of guaranteeing to the unions every single right they should have, but I am not in favor of conferring upon them, as the law has already done, rights far beyond those given to other individuals, and I favor some of the amendments which would take away some of the exemptions which have been given to the unions and which they have used, but certainly not in the public interest.

Some things the unions have which other people do not have. For instance, they have immunity from lawsuits. They have financial irresponsibility. They have exemption from injunction, from antitrust laws, from antiracketeering laws, and from charges of monopoly. They have the privilege of coercing union members, and of immunity from the Corrupt Practices Act.

Why should any group be granted these immunities? The amendment offered by the Senator from Virginia [Mr. BYRD] goes to the question of halting the demand made by Lewis that employers should make contributions to a fund and give him charge of its administration. Is there anything wrong with that? The amendment is very clear. I do not see anything very mystical about it. My distinguished friend from Delaware said it was so mysterious that no one could understand it. It is very plain. It merely says that the employer shall not make contributions of money or other thing of value to the representative—not to the individual employee, but to the representative—of employees. In other words, it is saying, in effect, that John L. Lewis cannot demand of the coal operators that they must contribute money to be utilized by him or expended by his union without any supervision or any control from anybody. That is the practical effect of it.

I do not feel that everything is right with the coal mines. I think coal miners are entitled to consideration. I believe that a great many things should be done for their relief and their health. But I stand for the right of the individual citizen, and of a corporation, if need be, or anybody else, to be protected from the hijacking methods which have been adopted by the unions.

I think this country should proceed upon the basis of freedom and liberty for everybody and justice for all concerned. I think the miners are going to lose some of their rights and some of the sympathy they had on account of the very methods which have been employed in undertaking to exploit them in this sort of proceeding.

I would certainly be in favor of a proper investigation of the mines and proper measures for health and security and safety of all the miners, and for the improvement of working conditions. I have no doubt in the world they need to be improved. But there is a right way to do it and a wrong way, and if we are to abdicate in America, and permit Lewis or any other labor dictator to take charge of the country and tell everybody what must be done, then there is no freedom left for the individual citizen or our free institutions.

Mr. President, this is a more serious matter than appears on the face of it. I received a letter day before yesterday from a very distinguished North Carolina lawyer who now lives in Chicago. He is one of the leading lawyers of our State, who comes from a leading family and has always been a great liberal. He has always believed in the rights of the unions, but in writing about the present situation he said:

> John L. Lewis and his cohorts have by combination and conspiracy paralyzed the normal life of the Nation. They are defying all government. The laws being what they are, Mr. Lewis is in the position of saying to the United States Government, "I shall have my way and you can do nothing about it. Congress, having granted to labor a special privilege to do what it would be unlawful for others to do has tied the hands of the Government, and the executive and the judiciary can do nothing about it."
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> There is just ground for righteous indignation. No society entitled to be classed as organized government should endure such a situation. But I quite realize that this is no time for passion and intemperate denunciation. Only candor and an appeal to fairness and reason have any hope for success.
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> Personally I have reached the conclusion that the only adequate measure is to deal with the matter fundamentally and at this juncture simply to withdraw from labor the exemption or privilege which it has so grievously abused.
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> The point to be clearly recognized and never forgotten is that the subject of debate is not discriminatory legislation against labor, as a class, but an exemption to labor from the operation of a general law. By standing on that exemption, labor is in the indefensible position of saying, "We have been granted the privilege of violating the Sherman Act, and we insist on using that privilege not merely to restrain commerce but to paralyze it." The unfairness and unwisdom of any such exemption would appear to be clear when we consider the philosophy of the Sherman Act and the mischief which it is intended to prevent.
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> The purpose of the Sherman Act is to prevent the use of that power which inheres in "combination" and in "conspiracy." As the courts have so frequently said, "That which is lawful when done by one is made unlawful (by the Sherman Act) when done by many acting in combination or conspiracy.
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> To be sure, the individual miner has the natural right to stop work whenever he pleases, but is there any just reason why he, any more than anybody else, should have the license to combine and conspire with thousands of others to stop work in concert, and thereby paralyze the Nation's commerce? He not only stops work in concert with all fellow conspirators but together they coerce and prevent those who want to work.

Mr. President, I believe we have come down to the fundamental proposition in this country as to whether or not men are going to be permitted to work if they want to, and I think we have come down also to the question as to whether or not men can gather together a group of men and say, "Now unless certain demands we make are granted we will paralyze the whole industry of the country, and wreck the whole national economy." I believe that this is the time when the public good rises above the demands and should rise above the consideration of any particular group. I would say that if management was acting in the some sort of fashion we ought to deal with them in the same way. I would make no discrimination. I do not believe in unfair, discriminatory laws. I think the same sort of law that applies to unions ought to apply to management, and vice versa.

We require management, for instance, to have collective bargaining, and we make it an unfair labor practice if they refuse to bargain collectively, and yet we make no such inhibition or prohibition of that kind as against a labor union. A labor union can bargain collectively or not, as it pleases, and nothing can be done about it. Certainly, if we require the employer to bargain collectively we ought to require the employees to bargain collectively. Therefore, Lewis, instead of making demands concerning foreign matters, ought to be required to deal with the question of hours and wages and the proposition which is the subject of collective bargaining.

I believe that the present law can be remedied. I think it ought to be. I think some of these amendments are good. Personally, I shall support the amendment of the Senator from Illinois [Mr. LUCAS]. I likewise shall support the amendment of the Senator from Virginia [Mr. BYRD]. I think the amendment offered by the Senator from Minnesota on behalf of himself, the Senator from Ohio, and other Senators contains many very admirable provisions, and I shall expect to vote for the entire amendment.

Mr. President, I think the time has come when we must take definite action. I speak not in opposition to labor, I speak not in criticism of it, because I do not believe that the great body of laboring people of this country go along with their leaders on this subject, but they have no recourse, they have no protection. They have got to stay in or they lose their jobs. They cannot afford to buck the union. They have no freedom of choice.

Senators talk about laborers maintaining their freedom. It has been taken away from them. The average man belonging to a labor union in this country has no choice with respect to what is going to happen to him.

Mr. President, 175,000 men quit their employment in the General Motors strike. Only about 22,000 of those men had a chance to vote on whether to strike. Yet 175,000 men were out of employment for 113 days, at a loss of more than $100,000,000 in salaries and wages. For what purpose? Over a question of 3½ cents an hour. They were offered 15 cents an hour, and the union ordered them to go out on strike. They went out. They were out 113 days, and lost all that time of work and all that money which they would have received as wages, and also used up much of their savings. Then they finally got the 3½ cents an hour increase. Employees of some other companies received the increase without

striking. The General Motors employees also could have received the increase in all probability. The Allis-Chalmers employees and the Ford employees received 18½ cents an hour increase without striking.

Mr. President, I am not saying that the workers ought not to be permitted to strike, but I say that the man who does receive good wages and who does not want to strike ought not to be forced out on a strike.

Take the coal strike which John L. Lewis called last winter. He kept the men out for several weeks. It was a strike in violation of his union's contract. The same thing happened in respect to the transit strike here in the city of Washington last year. They had a contract which was renewed in July, to run to July of this year, a contract which provided that in the event the men were dissatisfied about wages they should make complaint, and then they would negotiate. Then if they could not settle by negotiation, both sides would agree to arbitration. What happened? The men gave notice. Negotiation was had. They could not agree. The men struck and refused to submit to arbitration. After the Government had to take over the transit lines, then the men finally agreed to arbitration.

Mr. President, is it not fair, is it not just, is it not right that some provision should be made by which the union could be held to their contract and made responsible for it? Should they be permitted simply to violate their contract with impunity? What is the use of having a contract if it is only to be binding on one side?

The Government makes the employer negotiate, and when he executes the contract with the union makes him live up to it. The same sort of law ought to apply to the union. I myself am tired of seeing laws that are one-sided. Such laws make not only for injustice among people, but for dissatisfaction with the Government, and bring about a feeling that the Government is not fair to all its citizens. I think the Government ought to be fair to every man, to every woman, to every corporation in this land. I do not believe we ought to discriminate in favor of or against any of them. We ought to maintain the conditions of liberty and of freedom. The individual ought to have a chance, and ought to be fully protected in all his rights. But no individual should be permitted to combine and form a conspiracy with a lot of other individuals to wreck the whole economic system of this country and to bring devastation not alone to the industries but to the health and the well-being of our people.

Mr. President, I have spoken longer than I intended to. I wanted to express these views because I feel deeply about this matter. I do not know of any time when I have been more deeply concerned about America and her future. I am concerned because I do not want to see this country lose the elemental things which have made it great. I do not want to see us pass out of the years, out of the times when we believed in the individual rights of men and women and the opportunities that should come to the citizen, and when the citizen could look to his Government to maintain those rights and to maintain fairness for him whether he was high or low, rich or poor, organized or unorganized. We are fast getting away from those things. We are coming to the time when men are forming into groups of organizations, and one cannot turn around one way or the other without someone telling him what to do. I think we ought to have a recurrence to the sort of liberty and freedom we have heretofore known in our country. I am surprised to find so many men crying out now about the taking away of liberties and rights, when all that is proposed to be done is to take away exceptions from the law—not to take away privileges, but merely to take away exemptions which ought never to have been granted in the first place—and to place everyone on the same footing.

What have our boys fought for if they are to come back to a country dominated by men like Lewis and other labor dictators? What sort of a country are we to have if men in unions are to be allowed to combine so they may take away the livelihood of men who want to work, who do not want to be subject to the necessities and obligations of union membership. Ought not a man to have the right to work in this country, whether he belongs to a union or does not belong to a union, and ought he not be protected in that right? If he wants to work, is he not entitled to protection just the same as a man who wants to strike?

Mr. President, ours is a great country. We have great resources. There is no other country comparable to it, and none will ever compare with it if we can only have a fresh baptism of the spirit of our fathers and a fresh devotion to the idea of individual liberty and freedom of our citizens, and a fresh conception of the rights of men not to be trampled underfoot by organizations which may seek to reap vengeance against the citizen if he dares to controvert their will or defy their authority.

I believe that the Government of the United States ought to be supreme. I think it ought to protect its citizens. I do not believe the Congress is insolvent. I do not believe the Executive is bankrupt. I do not think the Government has exhausted its power and authority, and I am in favor of the assertion of that authority and the exercise of that power for the ultimate protection of all the people of America.

Mr. CAPEHART obtained the floor.

Mr. SALTONSTALL. Mr. President, will the Senator yield to me so I may offer an amendment?

Mr. CAPEHART. I yield.

Mr. SALTONSTALL. I offer an amendment to the so-called Byrd amendment, the last Byrd amendment, which I send to the desk and ask to have printed.

The PRESIDING OFFICER. The amendment will be received, printed, and will lie on the table.

Mr. AIKEN. Mr. President, I expect to offer an amendment to one of the Byrd amendments. I wonder if there is any way by which the Byrd amendments can be identified so that we will know which one of the amendments other amendments are to be offered to.

The PRESIDING OFFICER. The Chair is informed that there is only one Byrd amendment pending.

Mr. AIKEN. One is pending now. I understand the amendment of the Senator from Massachusetts is offered to the Byrd amendment which is not the pending amendment. Is that correct?

Mr. SALTONSTALL. I have offered my amendment to the Byrd amendment which was offered on May 20 (legislative day, March 5), 1946, further modified and ordered to be printed.

Mr. AIKEN. Is that the pending business?

Mr. SALTONSTALL. I so understand.

The PRESIDING OFFICER. The Chair desires to clarify the present parliamentary situation——

Mr. SALTONSTALL. Mr. President, I ask that the amendment which I have offered and sent to the desk be read.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHERRY. Will the Presiding Officer please state for the RECORD what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. PEPPER], as a substitute for the so-called Byrd amendment, as modified. As the Chair understands, the Senator from Massachusetts [Mr. SALTONSTALL], now offers and asks to have considered a perfecting amendment to the Byrd amendment, which will take precedence over the Pepper amendment.

Mr. SALTONSTALL. That is as I understand the situation.

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts to the so-called Byrd amendment will be stated.

The CHIEF CLERK. On page 3, line 13, in the Byrd amendment, after the word "office" it is proposed to insert a comma and the following: "and shall also contain provisions for an annual audit of the trust fund, a statement of the results of which shall be available for inspection by interested persons at the principal office of the trust fund and at such other places as may be designated in such written agreement."

Mr. BYRD. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Virginia?

Mr. CAPEHART. For what purpose?

Mr. BYRD. To accept the amendment offered by the Senator from Massachusetts as a modification of my amendment.

Mr. CAPEHART. I yield for that purpose.

Mr. BYRD. I am very much in favor of the amendment offered by the Senator from Massachusetts and accept it as a modification of my amendment.

The PRESIDING OFFICER. The Senator has a right to accept the perfecting amendment, and if it is satisfactory to him, it will be made a part of his amendment.

Mr. BYRD. I ask that my amendment, as further modified, be printed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CAPEHART. Mr. President, I rise to counsel the expedient in labor legislation—not to debate the justness of what is proposed. In this moment of national emergency the country has a right to look to the Senate of the United States for action—not words.

Further disruption of our delicate economic equilibrium threatens results which will be disastrous—not merely economically, but socially, morally, and politically.

Consequently, I find myself proposing stop-gap expedience to terminate the civil war between American labor and American industry which now confronts us.

The long-range solution can and should be considered in a more deliberate fashion than is now possible.

I am reminded of an experience in my own home community a few years ago. Following extensive rains, the raging waters of the White River threatened to engulf thousands of acres of Indiana farmlands, including my own farm. The rising flood waters had reached the top of the protecting levee, and the levee walls were beginning to crumble.

Immediate action was imperative if ruin was to be averted. Such action was taken. The Army was called in and armed with thousands of sand bags, and the attack was made. The gaps were stopped, the flood was held back, and the farm lands were saved.

When the angry waters had receded, the farmers of that valley did not sit idly by and wait for the next flood. Just as soon as the ground became dry they first planned, and then acted, to prevent such a future hazard. With the aid of modern engineering methods, the levees were raised, strengthened, and made adequate for the future. As a consequence, although the floods have come again and again, the levees have stood. The problem was solved in dry weather. In rainy weather—when the flood was at its crest—we could only stop the gaps.

In the field of industry-labor relations it is time to stop the flood. In doing so we must not foolishly think that we have solved anything. We must solve the problem when the flood has receded and our feet are firmly planted on dry ground.

The immediate question is, Can the Senate of the United States continue, by inaction, to permit strikes to strangle our national and international economy? To this question there can be but one answer, and that is "No." I shall, therefore, cast my vote for that expedient legislation which will put the most prompt and effective end to this flood of strikes which is now nibbling at the top of our economic levees.

However, in casting that vote I believe I owe it not merely to my friends on the side of labor and my friends on the side of industry but to all citizens of my native State and of my Nation, whether they be Republicans or Democrats, to explain that I do not believe any pending legislation before either House of Congress, including that for which I vote, affords a permanent solution of our problem. It fails adequately to protect the interests of labor, industry, or the public. We must not wait for another flood. It may then be too late for stop-gap legislation. Sand bags may not save the day.

It is characteristic of good government to keep its house in order. Our Government has finally set its house in order so far as industry is concerned. It has either eliminated, or is in the course of eliminating, industrial monopolies, combinations, restraints of trade, and unfair trade practices. As a Member of the United States Senate, I am proud of the contribution which it has made to that accomplishment. As an American citizen, I am proud of the strides made by our Government toward that end.

The problem of setting our house in order, so far as labor is concerned, is centuries old. Since the days of Rome, law and the State have had difficulty in finding a legitimate place for associations.

For instance, the Roman law once forbade certain trade guilds and certain charitable organizations. Even in a day before the industrial revolution, jealous governments forbade the formation of associations which might challenge the authority or the very existence of the state. The problem of Rome, however, was simple as compared to the complexity arising as a result of our industrial revolution.

If we look at the legislative records of France, England, and the United States since their great industrial development, we find three graveyards in which lie entombed parallel series of laws which were the result of economic force rather than well-considered statesmanship.

In France, the pendulum swung violently between enactment outlawing labor unions and strikes on the one hand, and on the other, enactments exempting unions from liability for breach of contract, for civil torts, or for public crime.

It will be recalled that on one of these swings of the pendulum the Senate and House of Deputies of France created the crime of syndicalism. All right of combination on the part of labor, no matter how fair or how necessary, was banned. The details of industrial strife in France are history for all those who care to read it. We have seen the effect of this strife in the final demoralization of France.

In England, the interest in the social equilibrium was forgotten, and a similar series of violent fluxations of law, first legalizing and then outlawing unbridled union activity, was passed. Such statutes are a part of history.

Are we able to see in England a repetition of the demoralization which followed labor industrial strife in France?

In our own country, unfortunately, law and legislation have followed a similar pattern. Here, too, the pendulum has swung between the two extremes.

The present trend of the pendulum in our country has liberated labor from any obligation to keep its contracts, and from any liability arising out of contract, as well as from liability for civil tort or public crime.

The first step in that trend was the enactment of section 6 of the Clayton Act which provided:

> The labor of a human being is not a commodity or article of commerce.

That act proceeded to exempt labor unions and their members from restrictions of law which apply to all other citizens; namely, monopolies, combinations, restraints of trade, and unfair trade practices.

We must all admit that such restrictions should be applicable to all peoples. That fact, if I am correctly advised, was amply illustrated by the decision of the Supreme Court of the United States in the recent case of American Medical Association against United States of America, which held the antitrust laws applicable to the medical profession.

The most important step in that trend has been the enactment and subsequent interpretation of the Wagner Act. If we look at the Wagner Labor Act, we find that it is labeled by it own language as pure class legislaton.

As proof, let me read the second and third paragraphs of section I of that act, entitled "Findings and Policy":

> The inequality of bargaining power between employees who do not possess full freedom of association or actual liberty of contract, and employers who are organized in the corporate or other forms of ownership association substantially burdens and affects the flow of commerce—

Note this—

> and tends to aggravate recurrent business depressions, by depressing wage rates and the purchasing power of wage earners in industry and by preventing the stabilization of competitive wage rates and working conditions within and between industries.
>
> Experience has proved that protection by law of the right of employees to organize and bargain collectively safeguards commerce from injury, impairment, or interruption, and promotes the flow of commerce by removing certain recognized sources of industrial strife and unrest, by encouraging practices fundamental to the friendly adjustment of industrial disputes arising out of differences as to wages, hours, or other working conditions, and by restoring equality of bargaining power between employers and employees.

I pause again to ask whether the public interest, or the furtherance of a group interest, was uppermost in the minds of the men who drafted the Wagner Act?

It suffices to say that the administration of that act, and of subsequent acts and regulations affecting the labor-industrial relationship, in my opinion, loosed labor from proper observance of its contracts, and of civil and criminal law.

When, therefore, I cast my vote on the legislation being considered today, it will be solely for the purpose of stopping the dangerous swing of the pendulum.

If it be sought only to reverse the swing of the pendulum—and such appears to be the motivating force of the action which now seems inevitable—we must not forget that it will swing far before it loses its momentum. That must follow as certain as the night follows the day, unless emotion and selfishness are to be replaced by reason and justice, with a resultant balancing of conflicting interests under definite prin-

ciples of law. History points an inevitable and unwavering finger to that conclusion.

Mr. President, it may be that I shall be censured by reason of these remarks. Be that as it may, I know that my purpose is to promote the common good of all.

Let me make one thought crystal clear. As the pendulum swings back, I fear not so much for industry, but rather for labor—and for our country. Above the interests of any group or groups stands the common good of all. Those who live only for the present, selfishly or carelessly, refuse to build for a future in which the continuance of the American way of life is assured.

The legislation before us seeks only to meet the needs of the moment. I cannot conceive that it provides either a permanent or a statesmanlike solution.

As I stand here today in this assemblage, I ask whether it will be given the Senate of the United States to develop, by legislation, a solution which will, first, enumerate all the interests; second, analyze all the interests; third, evaluate all the interests; and fourth, protect all the interests, which are involved in legislation affecting our labor-industrial relationship.

Mr. President, I have a vision which I should like to see become a reality. I am frank to admit that I doubt whether it can be accomplished; but if we unite as a body upon a program which reverently considers all the interests in our complex economy, at all times, it may be possible for us to accomplish much.

My vision springs from a lifetime of study and research of the first scholar of America, Dean Roscoe Pound, of the Harvard Law School. The philosophy of that great student and teacher appeals to me as a foundation upon which we may build. While I make no pretense of comprehending its many angles or exploring its depths, I do believe that any lasting solution of our labor-industry problem must embrace the major portions of that philosophy.

Accordingly, I would recommend that we seriously consider in any labor legislation the three fundamental classes of interests so ably expressed by Dean Pound as follows:

First. The individual interests.

Second. The public interests.

Third. The social interests.

The first named—the individual interests—have been ignored too frequently as they apply to citizens who are not members of labor unions. Under the present administration of the Wagner Act, the interests of nonunion members have been neither recognized nor enforced.

One of the important subdivisions of interests to be considered under the heading of individual interests are the interests of personality, which would include the physical person, honor, reputation, privacy and sensibilities, and belief of opinion.

Another subdivision of individual interests is that of domestic relations. It is needless to say that this is diversified and far-reaching.

Again, there is the subdivision of substance, which includes rights in property, freedom of industry and contract, promised advantages, and advantageous relations with others in a contractual, social, business, official, or domestic sense.

The second great class of interests—the public interests—may be divided into:

First. The interests of the state as a juristic person; and

Second. The interests of the state as a guardian of social interests.

The third great class of interests—and that is the one in which the pendulum of legislation has swung consistently from one extreme to the other—may be broken down into six subdivisions. They are:

First. The social interest in the general security, which would include safety, health, peace and order, security of transactions, and security of acquisitions.

Second. The social interest in the security of social institutions, including domestic, religious, political, and economic.

Third. The social interest in general morals.

Fourth. The social interest in the conservation of social resources, which would include use and conservation of natural resources, protection and education of dependents and defectives, reformation of delinquents, and protection of the economically dependent.

Fifth. The social interest in general progress, including economic progress, political progress, and cultural progress. Under the former may be mentioned freedom of property from restrictions on sale or use, free trade, free industry, and encouragement of invention. Free criticism and free opinion are essentials of political progress. Cultural progress is dependent upon free science, free letters, encouragement of arts and letters, and encouragement of higher education.

Sixth. The social interest in the individual.

The administrators of the Wagner Act have almost entirely ignored the individual. They have been more interested in groups.

Mr. President, the true functions of law and the administration of law are to provide subsistence, to produce abundance, to guarantee equality, and to maintain security.

Having mentioned the interests to be considered in attempting a lasting solution of the labor-industrial relationship, I would now ask the Senate to consider the technique by which this great philosopher would balance these three diverse groups of interest in applying them to the facts and circumstances of an individual case.

Permit me to emphasize these salient facts:

Balance is the basis of social and economic equilibrium.

Balance is the basis of the fair administrative mind.

Balance must be our pathway if we are to be the first legislative body of the world to solve labor-industrial strife.

Therefore, I envision a law which enumerates the three classes of interests involved, as well as their many subdivisions, and then places upon the administrative body set up to administer the law the sacred obligation of balancing these interests in the solution of the many problems assigned to it.

Such a law will result in an enacted statement of principles of procedure for the solution of individual cases, rather than the enunciation of inflexible rules by which the good must hang with the bad.

If such an act be passed, the public interest, the interest of our Nation as a whole in its integrity, stability, and eternity, can and will be preserved.

Such a measure, I hope, in due time, will be offered for the consideration of this body. It will take much time, but I have faith to believe that with careful study, and active cooperation on the part of those with whom I am associated, it can be done.

Unfortunately, the existing national emergency will not permit the time to interpret and enact such legislation. The national emergency, as I have said, demands action, not words. It demands immediate legislation, not vicious attacks on sincere Members of this body, or vicious attacks on labor or its leaders.

My course of action today, and in this hour, is actuated by the soundness of much of the philosophy expressed in an editorial appearing in the New York Times on May 14, 1946, entitled "Revising Our Labor Laws." It reads in part as follows:

> One possible step the Senate might take is to pass the identical measure amending the Wagner Act that the House passed by more than a two-thirds majority in June of 1940, and that was subsequently buried in committee and never allowed to come before the Senate. This measure was far from perfect, but it would make the Wagner Act considerably less one-sided than it is, and it has the great advantage of having received careful committee study after hearings. If the Senate were to pass this, either as a substitute for the House Case bill or as an addition to it, it would be advisable to give both the new legislation and the Wagner Act as thus amended a life of not more than 1 year. In this period study by a joint congressional commission could provide for a permanent, rounded program of labor legislation. Putting a terminus on the Wagner Act as well as on the new legislation would prevent a continuance of the merely obstructive tactics that the all-out supporters of that act have hitherto followed and enable Congress to consider afresh a rounded labor program. In this way Congress could secure immediate reform and yet provide for the careful study that a permanent labor program ought to have.

Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks the entire editorial from the New York Times of May 14, 1946.

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

REVISING OUR LABOR LAWS

Stung into action by the crisis to which the country has been brought by the coal strike and the threatened railroad and maritime strikes, the Senate at last is considering labor legislation on the basis of the Case bill. That bill as redrafted by the Senate Committee on Education and Labor is a pointless measure not worth passing.

The measure as it passed the House had several important merits. It would make all collective bargaining contracts binding and enforceable against either party. It would make unlawful the use of force or violence to prevent anyone from quitting or continuing in the employment of, or from accepting or refusing employment by, any employer. Anyone who violated this provision would lose his status as an employee or representative under the Wagner Act. Any union that engaged in a secondary boycott would lose its status for 90 days to 6 months under the Wagner Act.

Other provisions of the House Case bill, however, are more dubious. If the Senate decides to pass the Case bill more or less in the form in which it passed the House, it would seem desirable to give it a lease of life of not more than a year, during which a more careful study could be made of permanent legislation.

While the Case bill when it passed the House was widely denounced by labor unions and administration spokesmen as "extreme," it is doubtful whether it goes far enough in certain directions to deal effectively with the present crisis. That is why there are any number of proposals in the Senate to do things that the House Case bill does not attempt to do—to illegalize the payment of a royalty on coal, or to amend more basically the one-sided Wagner Act, which has done more than any other measure to build up the power of individual labor unions to the point where they can cripple the national economy.

It is the very administration leaders who have hitherto prevented the Senate from considering the most moderate corrective labor legislation that now denounce the Senate for "trying to correct everything by legislation in a moment" and "trying to write a bill on the floor." It is precisely these leaders who have put their colleagues in this dilemma. But there is enough point in their criticism to suggest the advisability of a cautious approach.

One possible step the Senate might take is to pass the identical measure amending the Wagner Act that the House passed by more than a two-thirds majority in June of 1940 and that was subsequently buried in committee and never allowed to come before the Senate. This measure was far from perfect, but it would make the Wagner Act considerably less one-sided than it is, and it has the great advantage of having received careful committee study after hearings. If the Senate were to pass this, either as a substitute for the House Case bill or as an addition to it, it would be advisable to give both the new legislation and the Wagner Act as thus amended a life of not more than 1 year. In this period study by a joint congressional commission could provide for a permanent, rounded program of labor legislation. Putting a terminus on the Wagner Act as well as on the new legislation would prevent a continuance of the merely obstructive tactics that the all-out supporters of that act have hitherto followed and enable Congress to consider afresh a rounded labor program. In this way Congress could secure immediate reform and yet provide for the careful study that a permanent labor program ought to have.

Mr. CAPEHART. Mr. President, Adam Smith, in his "Wealth of Nations," one of the immortal books of the world, published in 1776, coincident with the birth of our country, said that a nation stands guard over its economy with two swords; over its exterior economy with the sword of war, and over its interior economy with the sword of sound administration.

He urged England to keep those two swords bright and shiny.

We, in America, have returned the first of those swords, the sword of war, flashing and untarnished, to its scabbard.

The second of our swords, the sword of sound administration, lies dusty through disuse and rusty through erosion in the hands of those who would deny the Congress of the United States the right to pass legislation protecting all the people in an hour of emergency.

I, for one, should like to see the Senate of the United States as a body, by unanimous action, serve warning on all pressure groups, from wherever they may come, that we intend to uphold our oath of office by protecting the rights of minorities as well as majorities, and the organized as well as the unorganized.

I, for one, ask Senators to join in the preliminary stroke which I recommend, on the sole condition that having once restored government to its proper place, we will proceed forthwith to prepare, sponsor, and enact legislation which will protect the individual, social, and public interests of all.

If we do otherwise, we must admit either our incompetence or our unwillingness to safeguard the collective interests of those whom we here represent.

Mr. AIKEN. Mr. President, the hysteria which has been sweeping the country has affected many editors throughout the Nation. It is refreshing to find that there are some editors, however, who have not been afflicted. A few days ago I asked and obtained consent to have printed in the RECORD an editorial by Robert W. Mitchell, editor of the Rutland (Vt.) Herald, which shows that he had a very good understanding of the situation. I now ask to have printed in the RECORD at this point as a part of my remarks an editorial written by John S. Hooper, coeditor of the Brattleboro Daily Reformer. Mr. Hooper shows that he has a good grasp of the situation, and recognizes that the pending bill is not directed at one man or two men, nor at one corporation or another corporation. The concluding part of his editorial reads as follows:

> What we are faced with today is not a war against any individuals, but a struggle with ourselves to recover our ability in self-government.

I ask unanimous consent that the entire editorial be printed in the RECORD at this point as a part of my remarks.

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

OUR NATIONAL CURSE

It is easy to vent our emotions by heaping curses on the heads of the mine and railroad union leaders. It is easy to condemn the individual members of their unions for going along with strikes that inflict such hardship on their fellow countrymen. We are all too prone to take the easy, age-old way of reacting to an emergency the emotional way. And that is part of the over-all trouble that plagues us as a nation.

We are falling down in self-government because we are too concerned with reducing our dilemma to terms of other people and their motives. We are trying to solve our national problems by looking into the mirror and seeing the worst part of ourselves peering forth in the form of miners and railroad operators, or whatever group appears at the moment to be antisocial.

Somehow we must learn to understand that it is not people who have broken down, but the machinery of government; that it is not people who have changed for the worse, but the laws that were mistakenly enacted in favor of minorities against the majority; that it is not people who suddenly threaten dictatorships, but the legal environment that makes it possible for the traditional power seekers to break loose.

When we have reached the stage where laws are enacted to curb individual power-seekers, such as the anti-Petrillo law and a possible anti-Lewis law, the weakness of our governmental machinery is certainly out in the open where everybody can see it. It is defensive law rather than constructive law, and as such it is not only indefensible in itself but is a dangerous tangent from such a traditionally American pattern as that which evolved the Sherman Antitrust Act.

On the highest level, men are fighting other men by law rather than enacting legislation which is rooted in desire to protect and preserve a Nation of freemen through respect for the rights of each other. On the common level the cry is for individual heads through hasty legislation rather than for a return to fairness and justice in laws which hit all of us equally.

As long as we let the same emotions influence us that wrapped the war up into the neat package of war against Hitler and Tojo, we probably will continue to label our present problems as the "war against Lewis and Petrillo."

What we are faced with today is not a war against any individuals, but a struggle with ourselves to recover our ability in self-government. J. S. H.

Mr. AIKEN. Mr. President, I send to the desk an amendment in behalf of myself and the distinguished junior Senator from Oregon [Mr. MORSE]. This is an amendment to the so-called second Byrd amendment which deals with the registration of labor unions, their incorporation, and the requirement that they make annual reports of their financial affairs to the SEC. The amendment would also require trade organizations of businessmen and other organizations to make similar reports so that there may be some equity in the Byrd amendment if and when it is finally agreed to. The amendment also changes the penalty to be assessed with reference to all organizations. They would be punishable by a fine not exceeding $10,000, and not merely penalized by the members of a union having their rights taken away from them.

The PRESIDING OFFICER. The amendment will be received and printed and will lie on the table.

Mr. AIKEN. Mr. President, I understand that the Senate is to remain in session for some time yet, and I understand further that the junior Senator from Oregon [Mr. MORSE] desires to speak. So far as I know, he is the only Member of this body who has had actual experience in sitting on a labor board. I think he should have the attention of a respectable number of Senators.

Mr. MORSE. Mr. President, if the Senator will yield, I can assure him that I have no desire to speak tonight.

Mr. AIKEN. I see only seven Members of the Senate now present. If the Senate

is to continue to remain in session, I intend to suggest the absence of a quorum, because I believe that if the Senator from Oregon is to be required to speak tonight, in order that he may have the opportunity to speak before a vote is taken, he should be entitled to have present more than seven Members.

Mr. MORSE. Mr. President, I wonder if the Senator will withhold his request for a moment. I have no desire to speak tonight. I shall speak on the amendment at some time before a vote is taken. I do not think we will have a vote tonight. Three times today I addressed the Chair—not the present occupant of the chair—far in advance of any other Senator requesting the floor. However, I was not able to obtain the floor, and subsequently I discovered why. We have returned to the old practice of maintaining a speakers' list at the Presiding Officer's desk. It is a practice which I understood, under the rules, had been eliminated some weeks ago from the procedure of the Senate. I was much more in a mood to speak earlier in the day than I am tonight. Hence it is not my pleasure to speak again at this time.

The PRESIDING OFFICER. Of course, the Chair has control of the disposition of the time of the Senate. Unless the Senator from Vermont suggests the absence of a quorum, the only thing which the Chair can do is to put the pending question.

Mr. AIKEN. If the Senator from Oregon does not intend to speak tonight, and the Chair intends to put the pending question, I certainly believe that a quorum should be present before the question is put. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	George	Murray
Austin	Green	Overton
Ball	Hart	Pepper
Barkley	Hatch	Revercomb
Buck	Hill	Robertson
Capehart	Hoey	Russell
Capper	Knowland	Saltonstall
Cordon	La Follette	Smith
Donnell	Langer	Stanfill
Downey	McClellan	White
Ferguson	Morse	Young

The PRESIDING OFFICER. Thirty-three Senators having answered to their names, there is not a quorum present. The clerk will call the names of the absent Senators.

The Chief Clerk called the names of the absent Senators, and Mr. LUCAS, Mr. MCMAHON, Mr. MITCHELL, Mr. MURDOCK, Mr. STEWART, and Mr. TAFT answered to their names when called.

The PRESIDING OFFICER (Mr. HATCH in the chair). Thirty-nine Senators having answered to their names, there is not a quorum present.

Mr. BARKLEY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. BYRD, Mr. MILLIKIN, Mr. MYERS, Mr. JOHNSON of Colorado, Mr. HAWKES, Mr. JOHNSTON of South Carolina, Mr. TAYLOR, Mr. TOBEY, Mr. HICKENLOOPER, Mr. FULBRIGHT, Mr. KILGORE, Mr. MCFARLAND, and Mr. TUNNELL entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. STEWART in the chair). Fifty-two Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, earlier in the afternoon I asked Members of the Senate to remain here later than usual. I did not fix any time at which we would seek to recess. However, for the past 2 or 3 days many Members on both sides of the aisle have been urging me to arrange for evening sessions; and yet some of those who have been urging that I arrange for evening sessions are not present when we begin the first one. I make no complaint of that, because probably I was a little late in advising the Senate, about 4 o'clock, that we would try to have a session this evening. I was under the impression that certain Senators wished to make speeches, including the Senator from North Carolina [Mr. HOEY], the Senator from Indiana [Mr. CAPEHART], the Senator from Kansas [Mr. REED], and the Senator from Oregon [Mr. MORSE].

My experience has been that when we have a quorum call late in the afternoon or at night we have a larger attendance than we have at almost any other time of the day. The Senator from Oregon [Mr. MORSE] has announced that he does not wish to speak this evening. I have no control over that, and I have no desire to urge him to do so; but he would have as large an audience tonight as he would have tomorrow, in my judgment. However, that is for him to decide.

I do not know whether any other Senator wishes to speak this evening, or whether we are ready to vote on some of the amendments. We must begin to vote on the amendments. We have been debating the bill now for 10 days, and we have not yet voted on anything. Obviously we must begin to vote on some of the numerous amendments.

I wish to announce now—so that all Senators may understand it and there cannot be any possible misunderstanding—that, so far as I can control the situation, we shall have evening sessions for the rest of this week, including Saturday if necessary, in order to make progress on this legislation. It is my intention to move that the Senate meet at 11 o'clock tomorrow when we finish the day's business. If any Senator wishes to speak for the next hour or so——

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida [Mr. PEPPER] offered on behalf of himself and other Senators as a substitute for the modified amendment of the Senator from Virginia [Mr. BYRD] to the committee amendment on page 28, line 6.

Mr. PEPPER, Mr. RUSSELL, and other Senators asked for the yeas and nays.

The yeas and nays were ordered.

Mr. PEPPER. Mr. President, I should like to ask the able leader, if there is to be a vote on this amendment this evening, whether he would care to continue the session further, or let the matter go over until tomorrow.

Mr. BARKLEY. I think it would be helpful to obtain a vote on anything, so as to get started. The psychology is always good when we begin voting on amendments. We might vote on other amendments. If Senators in charge of the bill feel that after a vote on the pending amendment they would like to take a recess until tomorrow, I have no objection.

Mr. PEPPER. I should like to make such a suggestion. So far as I am concerned, I have no objection to voting at the present time on the pending amendment which has just been stated. However, if that much progress is made, we should like to ask the majority leader if he would object to a recess until whatever hour he wishes tomorrow.

Mr. BARKLEY. I have no objection to that suggestion; but I will not modify my announcement that I will attempt to have the Senate take a recess until 11 o'clock tomorrow instead of 12.

Mr. PEPPER. We have no objection to that.

Mr. BARKLEY. Then let us vote.

Mr. WHITE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WHITE. Does the vote come on what is known as the Pepper substitute?

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. PEPPER] on behalf of himself and other Senators, as a substitute for the modified amendment of the Senator from Virginia [Mr. BYRD] to the committee amendment on page 28, line 6.

Mr. MORSE. Mr. President, may we have the amendment read?

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

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. —. (a) It is hereby declared to be the policy of Congress to encourage and facilitate the establishment and maintenance of approved plans within industry for providing hospital, medical, and home nursing care and services, insurance, vocational rehabilitation, and other benefits for employees in activities affecting commerce and for their families and dependents, and to encourage the support of such plans by employers, whether such plans are administered by employers and employees jointly or solely by employers or solely by employees or otherwise. No provision of this or any other act shall be deemed to prohibit such plans or to prohibit employers from contributing to the support of such plans, except in any case where such support constitutes an unfair labor practice under the National Labor Relations Act. The failure or refusal of an employer in an activity affecting commerce to bargain collectively concerning the establishment or maintenance of such a plan shall be deemed to be an unfair labor practice for the purposes of the National Labor Relations Act.

(b) As used in this section, the term "approved plan" means a plan which has been approved, or which is to take effect only upon its approval, by the Surgeon General of the

United States insofar as such plan provides for hospital, medical, and home nursing care and services and by the Secretary of Labor insofar as such plan provides other benefits. The Surgeon General and the Secretary of Labor shall approve any plan submitted to them for the purposes of this section if they find that such plan is a bona fide plan for providing benefits for employees and that a fair and equitable method of administering such plan is provided.

The PRESIDING OFFICER (Mr. MYERS in the chair). The question is on agreeing to the amendment offered by the Senator from Florida [Mr. PEPPER] on behalf of himself and other Senators to the modified amendment of the Senator from Virginia [Mr. BYRD] to the committee amendment on page 28, line 6. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. I announce that the senior Senator from Maryland [Mr. TYDINGS] has been called from the floor of the Senate on important business, being under the definite impression that a vote would not be taken this afternoon. On this question the Senator from Maryland is paired with the Senator from Pennsylvania [Mr. GUFFEY]. If present and voting, the Senator from Maryland would vote "nay," and the Senator from Pennsylvania would vote "yea."

I also announce that the Senator from North Carolina [Mr. BAILEY], the Senator from Virginia [Mr. GLASS], and the Senator from Tennessee [Mr. MCKELLAR] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Nevada [Mr. CARVILLE], and the Senator from Idaho [Mr. GOSSETT] are absent by leave of the Senate.

The Senator from South Carolina [Mr. MAYBANK] is absent by leave of the Senate because of illness in his family.

The Senator from Florida [Mr. ANDREWS], the Senator from Alabama [Mr. BANKHEAD], the Senators from Texas [Mr. CONNALLY and Mr. O'DANIEL], the Senator from Mississippi [Mr. EASTLAND], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senators from Rhode Island [Mr. GERRY and Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Arizona [Mr. HAYDEN], the Senator from Nevada [Mr. MCCARRAN], the Senators from New York [Mr. MEAD and Mr. WAGNER], the Senators from Utah [Mr. MURDOCK and Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Maryland [Mr. RADCLIFFE], and the Senator from Montana [Mr. WHEELER] are unavoidably detained.

The Senator from Missouri [Mr. BRIGGS], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Ohio [Mr. HUFFMAN] are absent on public business.

I further announce the following general pairs:

The Senator from Alabama [Mr. BANKHEAD] with the Senator from Nebraska [Mr. BUTLER];

The Senator from Utah [Mr. THOMAS] with the Senator from New Hampshire [Mr. BRIDGES]; and

The Senator from New York [Mr. WAGNER] with the Senator from Kansas [Mr. REED].

I also announce that on this question the Senator from Utah [Mr. MURDOCK] is paired with the Senator from Mississippi [Mr. EASTLAND]. If present and voting, the Senator from Utah would vote "yea," and the Senator from Mississippi would vote "nay."

I announce further that on this question the Senator from New York [Mr. MEAD] is paired with the Senator from South Carolina [Mr. MAYBANK]. If present and voting, the Senator from New York would vote "yea," and the Senator from South Carolina would vote "nay."

I also wish to announce that the Senator from Montana [Mr. WHEELER] is paired on this question with the Senator from Texas [Mr. CONNALLY]. If present and voting, the Senator from Montana would vote "yea," and the Senator from Texas would vote "nay."

I announce further that if present and voting, the Senator from Florida [Mr. ANDREWS], the Senator from Rhode Island [Mr. GERRY], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON] would vote "nay."

If present the Senator from New York [Mr. WAGNER] would vote "yea."

Mr. WHITE. I announce the following general pairs:

The Senator from New Hampshire [Mr. BRIDGES] with the Senator from Utah [Mr. THOMAS];

The Senator from Nebraska [Mr. BUTLER] with the Senator from Alabama [Mr. BANKHEAD]; and

The Senator from Kansas [Mr. REED] with the Senator from New York [Mr. WAGNER].

The Senator from Maine [Mr. BREWSTER], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from South Dakota [Mr. GURNEY], the Senator from Oklahoma [Mr. MOORE], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Iowa [Mr. WILSON] are unavoidably detained.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Nebraska [Mr. WHERRY] is detained on official business. If present he would vote "nay."

The Senator from Indiana [Mr. WILLIS] is necessarily absent.

The Senator from Minnesota [Mr. SHIPSTEAD] is absent by leave of the Senate.

The Senator from Nebraska [Mr. BUTLER] is absent by leave of the Senate.

The Senator from Illinois [Mr. BROOKS] is absent by leave of the Senate.

The result was announced—yeas 12, nays 40, as follows:

YEAS—12

Barkley	Magnuson	Pepper
Downey	Mitchell	Taylor
Kilgore	Murray	Tunnell
McFarland	Myers	Walsh

NAYS—40

Aiken	Capper	Hart
Austin	Cordon	Hatch
Ball	Donnell	Hawkes
Buck	Ferguson	Hickenlooper
Byrd	Fulbright	Hill
Capehart	George	Hoey
Johnson, Colo.	Millikin	Stewart
Johnston, S. C.	Morse	Taft
Knowland	Revercomb	Thomas, Okla.
La Follette	Robertson	Tobey
Langer	Russell	White
Lucas	Saltonstall	Young
McClellan	Smith	
McMahon	Stanfill	

NOT VOTING—44

Andrews	Gerry	O'Mahoney
Bailey	Glass	Overton
Bankhead	Gossett	Radcliffe
Bilbo	Green	Reed
Brewster	Guffey	Shipstead
Bridges	Gurney	Thomas, Utah
Briggs	Hayden	Tydings
Brooks	Huffman	Vandenberg
Bushfield	McCarran	Wagner
Butler	McKellar	Wheeler
Carville	Maybank	Wherry
Chavez	Mead	Wiley
Connally	Moore	Willis
Eastland	Murdock	Wilson
Ellender	O'Daniel	

So Mr. PEPPER's amendment in the nature of a substitute for Mr. BYRD's modified amendment was rejected.

Mr. BARKLEY obtained the floor.

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

Mr. BARKLEY. I yield.

Mr. MORSE. Is the junior Senator from Oregon correct in his understanding that, tomorrow, debate on the floor of the Senate will be conducted under the rule, and that the ability of a Senator to obtain the floor will not be dependent upon whether his name appears upon a list which is at the desk of the Presiding Officer?

Mr. BARKLEY. Mr. President, I have no control over whom the Chair will recognize. But I have always protested against the creation of a list of preferred Senators who go to the desk and have their names put down. That is a practice which was indulged in for years; and then we abandoned it, and properly so, I think, because the rule provides that the Chair shall recognize the first Senator who is on his feet and addresses the Chair, and that rule cannot be observed if there are to be private understandings between Senators and the Chair that they will be recognized immediately upon the conclusion of some speech. I shall continue to insist upon observance of the rule.

Mr. MORSE. I was sure that would be the position of the majority leader.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, with the understanding which was had before the roll call, it is my purpose to move momentarily that the Senate take a recess until 11 o'clock tomorrow.

In the meantime, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. MYERS in the chair) laid before the Senate messages from the President of the United States submitting several 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. OVERTON, from the Committee on Commerce:

Vice Adm. William Ward Smith, of New Jersey, to be a member of the United States Maritime Commission for the unexpired term of 6 years from April 16, 1943.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Charles Fahy, of New Mexico, to be legal adviser of the Department of State;

Charles Ulrick Bay, of New York, to be Ambassador Extraordinary and Plenipotentiary to Norway;

Norris S. Haselton, of New Jersey, now a foreign-service officer of class 5 and a secretary in the diplomatic service, to be also a consul; and

Arthur B. Emmons 3d, of Massachusetts, now a foreign-service officer of class 7 and a secretary in the diplomatic service, to be also a consul.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations upon the calendar.

CIVIL AERONAUTICS BOARD

The legislative clerk read the nomination of James M. Landis, of Massachusetts, to be a member of the Civil Aeronautics Board for the remainder of the term expiring December 31, 1947.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PHILIPPINE WAR DAMAGE COMMISSION

The legislative clerk read the nomination of Francisco A. Delgado, of the Philippine Islands, to be a member of the Philippine War Damage Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Frank A. Waring, of California, to be a member of the Philippine War Damage Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John S. Young, of New York, to be a member of the Philippine War Damage Commission.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

REGISTERS OF LAND OFFICES

The legislative clerk read the nomination of Lloyd T. Morgan, of Pueblo, Colo., to be a register of the land office.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Paul A. Roach, of Las Cruces, N. Mex., to be a register of the land office.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Loraine Rollins, of Evanston, Wyo., to be a register of the land office.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

That completes the calendar.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the President be immediately notified in all cases of confirmations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 6 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Thursday, May 23, 1946, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate May 22 (legislative day of March 5), 1946:

SECURITIES AND EXCHANGE COMMISSION

Robert E. Healy, of Vermont, to be a member of the Securities and Exchange Commission for the term expiring June 5, 1951. (Reappointment.)

HOUSING EXPEDITER

Wilson W. Wyatt, of Kentucky, to be Housing Expediter.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 22 (legislative day of March 5), 1946:

CIVIL AERONAUTICS BOARD

James M. Landis to be a member of the Civil Aeronautics Board for the remainder of the term expiring December 31, 1947.

PHILIPPINE WAR DAMAGE COMMISSION

TO BE MEMBERS OF THE PHILIPPINE WAR DAMAGE COMMISSION

Francisco A. Delgado
Frank A. Waring
John S. Young

REGISTERS OF LAND OFFICES

Lloyd T. Morgan to be register of the land office at Pueblo, Colo.

Paul A. Roach to be register of the land office at Las Cruces, N. Mex.

Loraine Rollins to be register of the land office at Evanston, Wyo.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 22, 1946

The House met at 12 o'clock noon.

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

Most patient and loving Father, we wait in Thy holy presence, conscious of our weakness and imperfections. Though we see through a glass darkly, yet righteousness and truth are the habitations of Thy throne; Thy being is one of purity, truth, and power.

As we ponder the critical issues which confront the very life of our country, clothe us with fidelity of purpose and consideration, and in the spirit of thorough understanding. Deliver us from snares and doubts, from complacency and sheer contentment, and from those who shut themselves away from this world in which conditions are so tragic and needs are so great. If sacrifice be our portion and self-denial be our cup, if truth seems dead or lost, O may we keep the faith which is eternal and everlasting. In the name of Him whose face is light, whose heart is love, and whose strength is gentleness, O teach us our duty to God and man, and speak over the world the blessed words of peace and pardon. Amen.

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

THE CROSSER BILL (H. R. 1362) AND THE COMMITTEE SUBSTITUTE

Mr. BULWINKLE. 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 North Carolina?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, a parliamentary inquiry. Will that vitiate the call of the calendar on Calendar Wednesday, if the Speaker recognizes Members for 1-minute speeches?

The SPEAKER. The Chair is going to recognize Members to proceed for a minute and to extend their remarks and then will recognize the gentleman from Virginia [Mr. BLAND], who has an hour for Maritime Day.

Mr. MARCANTONIO. I understand that after that the call of the Calendar of Committees under the Calendar Wednesday rule will be in order.

The SPEAKER. Then the Chair will announce the call of the Calendar of Committees.

The gentleman from North Carolina is recognized.

Mr. BULWINKLE. Mr. Speaker, recently the Committee on Interstate and Foreign Commerce reported H. R. 1362, known as the Crosser bill, to the House of Representatives with an amendment. In order that every Member may understand the main differences between the original bill and the committee amendments, I am asking to insert in the RECORD, in the Appendix, a statement which I, together with Mr. Perley, of the Legislative Counsel's office, prepared showing these differences.

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

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ROMULO. 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 Resident Commissioner of the Philippines?

There was no objection.

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

Mr. HOOK. 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 Michigan?

There was no objection.

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

CUMULATIVE SUPPLEMENT NO. 5 TO THE 1940 UNITED STATES CODE

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to proceed for 30 seconds.

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

There was no objection.

Mr. KEOGH. Mr. Speaker, on behalf of the Committee on Revision of the Laws, I wish to announce that Cumulative Supplement No. 5 to the 1940 edition of the United States Code has been completed by the Government Printing Office and will be placed in the folding room to the credit of Members in a few days. You will receive notice shortly.

This supplement contains all the laws that were enacted up to January 13, 1946.

The committee wishes to take this opportunity to express its appreciation to the Government Printing Office for the cooperation it has given us in the necessarily detailed work of printing the prepared copy, especially in view of the tremendous work load with which that Office is faced. The preparation of a cumulative supplement to the code is one that requires painstaking care in the preparation of copy, the setting of the type, and the proofreading. We are also indebted to the committee staff for cooperation in this work.

EXTENSION OF REMARKS

Mr. MARCANTONIO asked and was given permission to extend his remarks in the RECORD and include therein a letter he addressed to the President and delivered to the President personally this morning.

Mr. LYNCH asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address by the gentleman from Texas [Mr. PATMAN].

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an editorial from the Democrat-Times, of Greenville, Miss., dated August 27, 1945, written by Maj. Hoddin Carter, editor. He was recently awarded the 1945 Pulitzer prize on said editorial for editorial writing on religious and racial tolerance as exemplified in said editorial.

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

There was no objection.

Mrs. DOUGLAS of Illinois asked and was given permission to extend her remarks in the RECORD.

Mrs. WOODHOUSE asked and was given permission to extend her remarks in the RECORD and include a statement on the subject United States Navy Underwater Sound Laboratory.

Mr. TRAYNOR asked and was given permission to extend his remarks in the RECORD in two instances, to include in each newspaper articles.

Mr. ROBERTSON of Virginia asked and was given permission to extend his remarks in the RECORD on the subject of the British loan and to include a letter from Assistant Secretary of State W. L. Clayton.

Mr. SIMPSON of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include a statement by Franklin H. Lichtenwalter and Robert P. Wray before the Ways and Means Committee on the subject of social-security amendments.

Mr. GATHINGS asked and was given permission to extend his remarks in the RECORD and include an editorial from the Washington Daily News.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include an editorial from the New York Times.

Mr. H. CARL ANDERSEN asked and was given permission to extend his remarks in the RECORD and include two letters indicating the reaction of the people of the Midwest against the present policies of the OPA.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD in two instances, in each to include an editorial.

Mr. McGREGOR asked and was given permission to extend his remarks in the RECORD and include some newspaper statements.

JOHN L. LEWIS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. HÉBERT. Mr. Speaker, now that the Government has taken over the coal mines I suggest to the President that the generosity and cooperation of John L. Lewis with the American people be fully recognized and that the President give every consideration to appointing Mr. Lewis as Ambassador to Russia where his desire for cooperation and his eagerness to assist humanity might better be done to the interest of his own country rather than following the philosophy, "If you do not play with my marbles, we do not play at all."

PRICE OF SILVER

Mr. CELLER. 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 New York?

There was no objection.

Mr. CELLER. Mr. Speaker, the Banking Committee of the other body yesterday without public hearings, without notice to the industry or the public, interrupted deliberation of OPA and only after a brief consideration, approved a bill to boost the price of silver from 71 cents to 90 cents per fine ounce and after 2 years to $1.29 per fine ounce.

Of course, I cannot under the rules, offer condign criticism with reference to what the other body did. The rules seal my lips. I wish I could say what is on my mind.

The real beneficiaries, if the proposal is finally adopted, will be concerns like the huge United States Smelting Co. and other smelters, particularly those who own mines in Mexico.

I make outcry against the silver interests that seek to make the public pay through the nose for silver. We passed a fair measure in this body accepting a proviso in the Treasury appropriation bill, which makes nonmonetary nonpledged silver available to industrial users at the prevailing price of 71.11 cents. I hope that provision will finally prevail and that the new Senate idea of $1.29 for an ounce of silver will die aborning.

The SPEAKER. The time of the gentleman from New York has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. SPRINGER. 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 Indiana?

There was no objection.

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

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include an editorial from the New York Times.

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

There was no objection.

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

Mr. ANDERSON of California. 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. ANDERSON of California addressed the House. His remarks appear in the Appendix.]

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

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

There was no objection.

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

OPA PROPAGANDA

Mr. TABER. 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 New York?

There was no objection.

Mr. TABER. Mr. Speaker, I hold in my hand a printed news letter sent out by the OPA, region No. 2, on April 29, 1946, from Paul A. Porter, Administrator of the OPA, which is very clearly propaganda in violation of the law. They urge for the continuance of the OPA with full power to promote inflation, as it has for the last year by restrictive orders limiting production and by a failure to promptly pass upon requests for price adjustments where they were needed so that production can continue. Their delays often extend to 8 or 9 months and they have stopped production on most of the cheaper lines of merchandise. They spend their money for propaganda and not to perform their duties.

Is it not about time that the Attorney General's office woke up and started prosecuting these violators of the law in the OPA?

VETERAN EDDIE AND THE OPA

Mr. MURRAY of Wisconsin. 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 Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, I would like to ask my colleagues what we are going to do for Veteran Eddie. Now, Eddie is a young veteran who lives in every county, probably, in the United States. This particular Eddie happens to be a returned veteran in my district that built himself a little slaughterhouse. The OPA came along a few days ago and told him he could kill but 10 head of cattle a month. Now, Eddie cannot understand how the big packer can kill a million head a month if he can get them, but Eddie can kill only 10. Eddie does not understand why it is that they accuse all the small slaughterers of being in the black market. He does not know why the small slaughterers are in the clutches of the OPA but leave the large slaughterers in the Department of Agriculture, where they will have more kindly consideration. Anyone who knows anything about this meat business knows that just because cattle are killed in a big slaughterhouse is no reason why that meat does not go into the black market after it leaves the larger slaughterer.

Eddie's letter is as follows:

WAUPACA, WIS., *May 6, 1946.*

Hon. REID F. MURRAY,
Member of Congress,
Washington, D. C.

DEAR REID: Since my release from the Army, I have gone into wholesaling meat business with my father. Our business has increased and I expected to slaughter 100 head per month during the summer as these are the business months for Waupaca. I have gone to considerable expense and built a slaughterhouse, and figured to have a small yard in time where truckers could bring their cattle the same as at Green Bay.

Now, the OPA says we can butcher 10 head per month and puts no limit on what the packers can do. I went to the OPA and asked for a quota increase and they told me that our quota was based on what my father did in 1942 and that our business shouldn't have increased.

I asked for a quota for myself as a veteran as I should have a right to be in business, and they said they would send me a form to fill out but to date I have received no form and cannot see where I am going to get it.

Let me ask why the large packing companies should be allowed to butcher all they want and the small operator be limited. It seems to me I should be entitled to be in business, and I need a quota of 100 head per month if I am going to supply the shops I have been serving during the winter.

Why should our people go without meat so we can ship it abroad to places like India where the people don't eat meat. As a veteran, I can say we don't need any Government help, but instead Government stopped restricting business so that we can again have production. After all, it was American production that won the war.

We can't buy clothes, butter, farm machinery, lumber, and cars all because of Government interference. I have covered a lot of ground in this letter and my sentiments may not be put on paper, but it seems to me when our Government lets all the foreign countries make suckers out of us and have things so muddled up at home, it is time for a complete change in our administration. If the people ever get a chance they will show their disapproval.

As you are in a position to help me and all of us back here, I am asking your assistance and I need it right pronto if I am going to stay in business.

Sincerely yours,

EDWIN R. POPE.

Mr. Speaker, this young deserving veteran should not be required to wait and wait for a chance to make a living.

If this administration is going to continue to tell people that first cattle cannot be slaughtered and second that they cannot have feed for them, I wish to ask that some administration spokesman tell the farmers of the Nation what they are to do with these cattle. If no one can kill them for food, nor have feed to keep them what is the "bright boy" answer?

EXTENSION OF REMARKS

Mr. ANDERSON of California and Mr. MATHEWS asked and were given permission to extend their remarks in the RECORD.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include an editorial from the Aberdeen American-News published in Aberdeen, S. Dak., entitled "Dakota Farmers Not Greedy."

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include an editorial from the Fargo Forum of Fargo, N. Dak.

Mr. HERTER asked and was given permission to extend his remarks in the RECORD and include an article by Prof. Sumner H. Slichter appearing in the Christian Science Monitor of May 20.

Mr. HAGEN asked and was given permission to extend his remarks in the RECORD in two instances, first on atomic bombing of ships, and second, on production, and include in one a letter and in the other an editorial from a newspaper.

THERE IS NO PLACE IN GOVERNMENT EMPLOYMENT FOR COMMUNISTS OR ANY OTHERS OF THEIR KIND

Mr. REES of Kansas. 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 Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I am glad to observe that the Civil Service Commission has finally taken a position with regard to employees in Government who have communistic views and that the Chairman, Mr. Mitchell, has advised the leadership of that group, described as the United Public Workers of America, that proof of membership in the Communist Party would bring dismissal.

I have had a resolution pending in the House for a considerable period of time that provides for investigation of communism in our Government and for the dismissal of employees with communistic views.

I am informed, through sources I deem reliable, that we have a good many people employed in our Government, some of whom occupy important positions, who are imbued with communistic views and tendencies. It is my hope the Civil Service Commission will make a complete and thorough investigation concerning such people and see that those who are teaching such practices are summarily dismissed.

Certainly, the Federal Government ought to be the last to employ or tolerate any group who supports communism or fascism, or any other "ism," not in accord with American representative government.

PERMISSION TO ADDRESS THE HOUSE

Mr. EATON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a brief speech I made when the Wagner Act was before Congress for passage in June 1935.

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

There was no objection.

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

REORGANIZATION PLANS 1, 2, AND 3, PURSUANT TO THE REORGANIZATION ACT OF 1945

Mr. PITTENGER. 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. PITTENGER. Mr. Speaker, I think some messages from the President the other day that have quite a little import probably did not attract the attention they deserve. Those are messages which I will call 1, 2, and 3, and which are known as Documents Nos. 594, 595, and 596. They deal with reorganization plans 1, 2, and 3. They were submitted to the House under date of May 16 and were issued pursuant to Public Law 263, which was passed by this Congress and approved December 20, 1945, and is known as the Reorganization Act.

Mr. Speaker, I supported the plan to reorganize Government agencies because all of us recognized that there were entirely too many Government bureaus, boards, and commissions, and in numerous cases those Government agencies were overlapping and one was doing the same kind of work as other existing agencies. We wanted to see those agencies consolidated, so that the number of employees on Government pay rolls would be reduced, and so that the taxpayers would get needed relief from burdens of Government.

It was not the intention of Congress in passing Public Law 263, Seventy-ninth Congress, approved December 20, 1945, to abolish any necessary Government agency unless there were some other existing Government agency which

could take over those duties and eliminate the particular agency as well as its officials and employees.

I believe that the law, if properly administered, will permit the President to do what I do not think Congress can do—namely, eliminate a lot of Government bureaus and other agencies that we do not need. I hope the President exercises his authority in this regard.

However, in checking over reorganization plan No. 2, I do not find these directives of Congress carried out. This plan abolishes, for example, the United States Employees' Compensation Commission. As I understand it, this Commission is bipartisan and, I think, properly so. It should be continued in that way. More important, however, this is a quasi-judicial body and its particular field of work is to handle the investigation of accidents to United States employees and to take care of the payment of their claims. The United States Employees' Compensation Commission occupies a field all its own and does work which is not duplicated by other agencies. There will be no money saved to the taxpayers by abolishing this Board or Commission, and transferring its functions to some other agency which is not now doing this kind of work. If the present employees of the Commission are released from service they will be replaced by new and inexperienced employees, and this procedure will contribute neither to efficiency in handling claims of Government employees who are injured nor will it reduce the number of Government employees now on the pay rolls.

I have not had a chance to carefully study any of these reorganization plans, but I am introducing a concurrent resolution, which is provided by law and which will make it possible for a committee of Congress to hear testimony, and if the facts I set forth are sustained, we will then have a chance to vote on the question of approving or disapproving Reorganization Plan No. 2.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances and include a radio address and a magazine article. I am informed by the Public Printer that the cost of printing exceeds the amount allowed under the rule by $150. Notwithstanding the cost, I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection the extension may be made.

There was no objection.

Mr. WELCH asked and was given permission to extend his remarks in the RECORD.

REPUBLICAN NOMINEE IN TWENTY-THIRD CONGRESSIONAL DISTRICT, PENNSYLVANIA

Mr. SIMPSON of Pennsylvania. 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 Pennsylvania?

There was no objection.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, yesterday the primary elections were held in Pennsylvania. On the same day a special election was held in the Pennsylvania Twenty-third Congressional District, which is comprised of Somerset and Fayette Counties. This district has been long represented by a distinguished former Member of this body who was a member of the Democratic Party. The Republican nominee was Mr. Carl Hoffman, and I am very happy to advise this body of his election by a majority in excess of 2,000 votes.

EXTENSION OF REMARKS

Mr. ARNOLD (at the request of Mr. MARTIN of Massachusetts) was given permission to extend his remarks and include a newspaper article.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was given permission to extend her remarks in the RECORD in two instances and include newspaper clippings.

CALL OF THE HOUSE

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

The SPEAKER. Evidently no quorum is present.

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

A call of the House was ordered.

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

[Roll No. 126]

Adams	Fulton	McGehee
Allen, Ill.	Gallagher	Morgan
Baldwin, Md.	Gearhart	Morrison
Baldwin, N. Y.	Gerlach	Murphy
Barden	Gifford	Norton
Barrett, Pa.	Gillespie	O'Brien, Ill.
Barry	Gillette	O'Neal
Bates, Mass.	Gordon	O'Toole
Bell	Gorski	Patrick
Bennett, Mo.	Graham	Patterson
Bonner	Granahan	Pfeifer
Boren	Gross	Philbin
Bradley, Pa.	Hall, Edwin Arthur	Price, Ill.
Brumbaugh	Hall, Leonard W.	Rabaut
Buckley	Hancock	Rains
Bunker	Harness, Ind.	Randolph
Butler	Harris	Reece, Tenn.
Byrne, N. Y.	Hart	Rivers
Campbell	Hartley	Rodgers, Pa.
Canfield	Hébert	Roe, Md.
Carlson	Hinshaw	Roe, N. Y.
Clark	Hoffman	Rowan
Clason	Huber	Sabath
Clippinger	Jarman	Sasscer
Cochran	Johnson, Ind.	Shafer
Combs	Jones	Sheridan
Cooley	Kelley, Pa.	Short
Corbett	Kelly, Ill.	Smith, Ohio
Curley	Kerr	Somers, N. Y.
Dawson	King	Starkey
De Lacy	Kirwan	Stewart
d'Ewart	Knutson	Sumner, Ill.
Dingell	Kunkel	Talbot
Dirksen	LaFollette	Taylor
Durham	Lane	Thom
Dworshak	Lea	Thomas, N. J.
Eaton	LeCompte	Tolan
Elliott	LeFevre	Towe
Engle, Calif.	Lemke	Voorhis, Calif.
Fallon	Lesinski	Wadsworth
Fenton	Link	Weaver
Fernandez	Luce	White
Fisher	Ludlow	Winstead
Flood	McConnell	Wolfenden, Pa.
Folger		Wood
Fuller		

The SPEAKER. On this roll call, 295 Members have answered to their names, a quorum.

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

HOUR 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.

NAVY DEPARTMENT APPROPRIATION BILL, 1947

Mr. SABATH, from the Committee on Rules, reported the following privileged resolution (H. Res. 633, Rept. No. 2102), which was referred to the House Calendar and ordered to be printed:

Resolved, That during the consideration of the bill (H. R. 6496) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1947, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived.

THE LATE PATRICK H. MOYNIHAN

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

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

There was no objection.

Mr. SABATH. Mr. Speaker, I have just been informed of the passing of one of our former colleagues of this House, Patrick H. Moynihan, of Chicago, with whom I had the pleasure of serving during the Seventy-third Congress, when he was a United States Representative from the Second District. I had known Pat Moynihan for many years before he came to the House as an active political force in the city of Chicago. He was president of the Calumet Publishing Co. He also had other important interests and was recognized and known as an outstanding and able businessman and a good citizen. During his service here he became well known and made many friends. Notwithstanding his continuous activities, his many years on the city council of Chicago, and his many other important public positions, such as his membership on, and chairmanship of, the Illinois State Commerce Commission, he lived to a ripe old age.

He leaves behind him two sons and two daughters to whom I express my deep-felt sympathy, and I am sure I speak for the membership. He was a good husband and a good father. In his death the city of Chicago has lost an outstanding citizen and the Republican Party has lost one of its real stalwarts.

It might be permissible to say he was defeated by one of the ablest, strongest, and most resourceful Democrats at that time, Raymond S. McKeough, who only a few days ago was made Chairman of the Maritime Commission. I doubt very much that any other man would have had a chance of cutting Pat Moynihan's service as short.

Naturally, I regret that the gentleman representing Mr. Moynihan's district today is absent on official business in Chicago, and I know that if he were present he would join me in expressing his sympathy, as all do who served with him.

EXTENSION OF REMARKS

Mr. WOODRUFF asked and was given permission to extend his remarks in the RECORD and include an article by Gould Lincoln.

Mr. CELLER asked and was given permission to extend his remarks in the RECORD.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD.

Mr. NORBLAD asked and was given permission to extend his remarks in the RECORD.

Mr. HORAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HAGEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject Where Is American Justice Under OPA? I am informed by the Public Printer that this will exceed two pages of the RECORD and will cost $195, 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.

The SPEAKER. Under previous order of the House, the gentleman from Virginia [Mr. BLAND] is recognized for 1 hour.

NATIONAL MARITIME DAY

Mr. BLAND. Mr. Speaker, I yield 30 minutes of that time, or so much as he may desire, to the gentleman from Michigan [Mr. BRADLEY] to be yielded by him as he wishes.

Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD the proclamation of the President fixing today as National Maritime Day.

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

There was no objection.

The proclamation is as follows:

NATIONAL MARITIME DAY, 1946

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA, A PROCLAMATION

Whereas improvements in modes of ocean transportation during the last 150 years have opened possibilities, new in history, of mutually profitable intercourse and closer relations between peoples; and

Whereas a signal event in this technical progress was the first successful ocean passage by a steam-propelled vessel, the *Savannah*, which departed from Savannah, Ga., May 22, 1819; and

Whereas in World War II the seamen of the United States merchant marine displayed splendid heroism, under stress and under hazard in the waters of every ocean, in meeting the demands on them in the colossal task of supply which was so essential to our victory; and

Whereas in peace no less than in war the merchant marine makes a vital contribution to the welfare of the Nation; and

Whereas the Congress by a joint resolution approved May 20, 1933 (48 Stat. 73), designated May 22 of each year as National Maritime Day and requested the President to issue annually a proclamation calling upon the people of the United States to observe that day:

Now, therefore I, Harry S. Truman, President of the United States of America, do hereby call upon the people of the United States to observe May 22, 1946, as National Maritime Day by displaying the flag at their homes or other suitable places, and I direct that the flag be displayed on all Government buildings on that day.

In witness whereof I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington this 13th day of April, in the year of our Lord 1946, and of the Independence of the United States of America the one hundred and seventieth.

[SEAL] HARRY S. TRUMAN.

By the President:

JAMES F. BYRNES,
Secretary of State.

Mr. BLAND. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, a mighty American merchant marine is today the proud boast of our Nation. An adequate American merchant marine is one of our soundly established traditions. The United States of America must continue to maintain a merchant marine composed of the best equipped and most suitable types of vessels sufficient to carry the greater portion of our domestic and foreign commerce, and able to serve as a naval or military auxiliary should war again descend upon the world. Congress, in the Merchant Marine Act of 1936, declared it to be the policy of the United States to foster the development and encourage the maintenance of such a merchant marine.

Today, Maritime Day, we pause to pay tribute to our great American merchant marine, celebrating as we do the anniversary of the first North Atlantic crossing by the steam-sail vessel *Savannah*, which left Savannah, Ga., May 22, 1819, 127 years ago, and arrived in Liverpool on June 20, nearly a month later. History relates that she was stopped off the coast of Ireland by a British cutter, whose captain believed the *Savannah* was afire.

We are today, as the result of the magnificent efforts of all those engaged in the shipping industry, in and out of the Government, the greatest maritime power in the world. Our merchant marine was the first major transportation system to be mobilized during the war. Shipping will be the last to be honorably released from war service.

We were lifted to maritime greatness by the necessities of war through the genius of the shipping industry. Our Government must never allow this Nation to become second to any other maritime nation. We cannot permit a decline in the value or national importance of our merchant marine similar to that which occurred after World War I. America enjoys for the first time since the clipper days a merchant fleet equal, if not superior, to the modern and efficient vessels of our foreign competitors. We closed the war in possession of 60,000,000 dead-weight tons of ships as the result of our shipbuilding activities made possible through the vessel-modernization program mandated by the Merchant Marine Act of 1936.

We face the future with hope and confidence. Travel and passenger business will find approximately 400 modern vessels in our international merchant fleet, each the last word in ship design and equipped with war-proven electronic aids to navigation. Some of these vessels are still on the ways, others newly launched, others built immediately prior or during the war are now being reconverted from their war armor. America will also carry increased cargo. The world needs our exports. American products will be exported on American ships.

We face these travel and cargo prospects with bright hopes. Norway lost 50 percent of its fleet during the war; Greece, 75 percent; France, 2 tons out of every 3; while Denmark and Holland, one out of every two. America once carried 90 percent of the world shipping. Prior to World War II our American-flag vessels carried but 22 percent. The American shipping industry is confident that we can capture a fair share of the potential world business and build to a point where our merchant fleet will carry 50 percent of our foreign trade. Our Government must and will continue to take an active interest in our industrial shipping machine which played such a vital part in the winning of the war and which will continue to be a most important cog in winning the peace. America under a wise program for the development, operation, and promotion of our merchant fleet will maintain our present national supremacy on the high seas.

Today as we pay tribute to the genius and skill of the men who have made possible our great merchant marine, we are mindful that in a large measure the vision of our late beloved President, Franklin Delano Roosevelt, made possible our supremacy on the seas. Under his leadership the American shipbuilding industry was revivified; the conditions under which our merchant seamen were forced to labor were modernized and improved. He knew that a nation must have more than ships to be a great maritime power. He realized that a merchant marine is composed of ships and men.

The members of our merchant marine during World War II were great. Millions of boys and girls, members of our armed forces, were transported to every battle front on the face of the globe with miraculous safety on vessals flying the Stars and Stripes. Millions of tons of shipping were carried across the oceans as a result of the patriotic devotion of those civilians, healthy, able, and willing merchant mariners who manned our vessels and directed their course.

President Roosevelt, in speaking of merchant seamen, stated during the war:

> They are making an all-out effort and vital contribution to the preservation of our freedom. We—and all other liberty loving people of the world—are deeply indebted to them for their devotion and heriosm.

Our merchant seamen still have a job to do. Millions of our armed forces must be transported home and others from home to our armies of occupation. Millions of peoples throughout the world are starving and are dependent upon America for the necessaries of life. Only through a continuation of the high devotion to duty practiced by those engaged in shipping industry during the war, from the chief executive of every shipping company down to and including those serving in the most humble but

necessary capacity, can the economic stability of the world be maintained.

We are grateful also to our shipyard and production workers throughout the land who through long hours of hardship and toil labored in the production of our merchant fleet. We are grateful to the longshoremen who loaded nearly 100,000,000 long tons with skill and speed during the war and made possible the efficient results accomplished by our bridge of ships.

We are determined that our shipbuilding industry will be preserved. We are resolved on this maritime day that there shall be no lapse in our maritime policy which will allow a recurrence of the conditions which befell our merchant marine after the last war. The American people, appreciative of the valor, courage, and accomplishment of our merchant fleet during World War II, conscious of our responsibilities in the world of tomorrow, and realizing that those responsibilities can only be fulfilled through the maintenance of an adequate merchant fleet flying the American flag, are determined that world peace and prosperity will not be deterred through any failure on the part of this Nation to maintain our maritime supremacy in accordance with the highest ideals of our American merchant marine.

CALL OF THE HOUSE

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

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 127]

Adams	Fallon	Kirwan
Allen, Ill.	Fellows	Knutson
Andrews, N. Y.	Fenton	Kunkel
Baldwin, Md.	Fernandez	LaFollette
Baldwin, N. Y.	Fisher	Lane
Barden	Flood	Lea
Barrett, Pa.	Folger	LeCompte
Bell	Fuller	LeFevre
Bennett, Mo.	Fulton	Lesinski
Bonner	Gearhart	Link
Boren	Gerlach	Luce
Bradley, Pa.	Gifford	Ludlow
Brumbaugh	Gillespie	Lynch
Buckley	Gillette	McConnell
Bunker	Gordon	McGehee
Burch	Gorski	Mankin
Butler	Graham	Mansfield, Tex.
Campbell	Granahan	Morgan
Canfield	Granger	Morrison
Cannon, Fla.	Gross	Neeley
Carlson	Hall,	Norton
Clark	Edwin Arthur	O'Brien, Ill.
Clason	Hall,	O'Neal
Clippinger	Leonard W.	O'Toole
Cochran	Hancock	Patrick
Coffee	Harness, Ind.	Patterson
Cole, Kans.	Harris	Pfeifer
Cooley	Hart	Philbin
Corbett	Hartley	Price, Ill.
Crawford	Hébert	Rabaut
Cunningham	Hendricks,	Rains
Curley	Hinshaw	Randolph
Dawson	Hoffman	Reece, Tenn.
De Lacy	Huber	Reed, Ill.
d'Ewart	Jarman	Rivers
Dingell	Johnson, Ind.	Rodgers, Pa.
Dirksen	Jones	Roe, Md.
Drewry	Kefauver	Roe, N. Y.
Durham	Kelley, Pa.	Rowan
Dworshak	Kelly, Ill.	Sadowski
Elliott	Kerr	Sasscer
Engle, Calif.	King	Schwabe, Okla.
Shafer	Sumners, Tex.	Wadsworth
Sheridan	Talbot	Weaver
Short	Taylor	West
Smith, Ohio	Thom	White
Somers, N. Y.	Thomas, N. J.	Winstead
Starkey	Tolan	Wolfenden, Pa.
Stewart	Towe	Wood
Sumner, Ill.	Voorhis, Calif.	Zimmerman

The SPEAKER pro tempore (Mr. COOPER). On this roll call 282 Members have answered to their names, a quorum.

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

NATIONAL MARITIME DAY

Mr. BRADLEY of Michigan. Mr. Speaker, I yield myself 10 minutes and ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I assure you that I was not instrumental in causing the quorum call so that the membership might hear me personally. I am afraid that some of our friends fear that certain legislation may come up under the call of Calendar Wednesday that they are objecting to, and resorting to a roll call filibuster.

Mr. Speaker, on this Maritime Day I think it is fitting that we pay due tribute to the hundreds of thousands of young Americans who served in our merchant marine during the last war and performed such an admirable job of transporting millions of our youth overseas to the fighting fronts—I believe—without the loss of a single man or woman in military uniform, and in transporting millions of tons of armament, munitions, and war matériels all over the world. I think it is also fitting that we should pay our respects to those in the administrative departments of the Maritime Commission and in the War Shipping Administration who did such an admirable job in directing that program and especially those who were charged with the responsibility of building our tremendous bridge of ships, the greatest single achievement in vessel construction of all times.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and three Members are present, not a quorum.

Mr. GORE. 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. 128]

Adams	Buckley	Cooley
Allen, Ill.	Buffett	Corbett
Almond	Bunker	Curley
Andrews, N. Y.	Burch	Daughton, Va.
Baldwin, Md.	Butler	Dawson
Baldwin, N. Y.	Campbell	De Lacy
Barden	Canfield	D'Ewart
Barrett, Pa.	Cannon, Fla.	Dingell
Bell	Carlson	Dirksen
Bennett, Mo.	Clark	Domengeaux
Bonner	Clason	Drewry
Boren	Clippinger	Durham
Boykin	Cochran	Dworshak
Bradley, Pa.	Coffee	Elliott
Brumbaugh	Cole, Kans.	Elston
Engle, Calif.	Kee	Rains
Fallon	Kefauver	Randolph
Fenton	Kelley, Pa.	Reece, Tenn.
Fernandez	Kelly, Ill.	Reed, Ill.
Fisher	Kerr	Rivers
Flood	King	Rodgers, Pa.
Folger	Knutson	Roe, Md.
Fuller	Kunkel	Roe, N. Y.
Fulton	LaFollette	Rowan
Gathings	Lane	Sabath
Gearhart	Lea	Sadowski
Gerlach	LeCompte	Sasscer
Gifford	LeFevre	Schwabe, Okla.
Gillespie	Lemke	Shafer
Gillette	Lesinkski	Sheridan
Gordon	Link	Short
Gorski	Luce	Smith, Ohio
Graham	Ludlow	Somers, N. Y.
Granahan	Lyle	Sparkman
Gross	Lynch	Starkey
Hall,	McConnell	Stewart
Edwin Arthur	McGehee	Talbot
Hall,	McKenzie	Taylor
Leonard W.	Mankin	Thom
Halleck	Mansfield, Tex.	Thomas, N. J.
Hancock	Mills	Tolan
Harless, Ariz.	Morgan	Towe
Harness, Ind.	Morrison	Voorhis, Calif.
Harris	Norton	Wadsworth
Hart	O'Brien, Ill.	Weaver
Hartley	O'Neal	West
Hays	O'Toole	White
Hinshaw	Patrick	Winstead
Hoffman	Patterson	Wolfenden, Pa.
Huber	Pfeifer	Wood
Jarman	Philbin	Woodhouse
Jennings	Price, Ill.	
Johnson, Ind.	Rabaut	

The SPEAKER pro tempore (Mr. COOPER). On this roll call 274 Members have answered to their names, a quorum.

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

NATIONAL MARITIME DAY

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

The SPEAKER pro tempore. Does the gentleman from Michigan [Mr. BRADLEY] yield for a parliamentary inquiry?

Mr. BRADLEY of Michigan. Mr. Speaker, I yield.

Mr. KEEFE. Mr. Speaker, I would like to inquire whether or not there is anything in the rules of the House that would permit me at this time to give expression of the contempt I have for what is taking place in this House in now blocking and tying up the consideration of crucial business when the Nation is facing the most critical time in its history and when we ought to be doing something besides answering roll calls?

The SPEAKER pro tempore. That is not a parliamentary inquiry.

Mr. BRADLEY of Michigan. Mr. Speaker, I certainly thank the gentleman from Wisconsin for his very kindly and pertinent observation.

Mr. Speaker, before the last roll call I had just said we owe a debt of thanks, a debt of gratitude, to those in the administrative departments of the Maritime Commission and War Shipping Administration who built and operated the world's greatest bridge of ships so successfully during the past war. I think, too, at this time that we should pause in mute tribute in honor of those young men of our Nation who gave their lives in the maritime service through various accidents, torpedoings, bombings, and so forth.

We owe a great debt of gratitude, too, and certainly face a stern responsibility, in caring for those who have been permanently or even temporarily injured in the maritime services.

I am very glad to say on this Maritime Day that the Committee on the Merchant Marine and Fisheries yesterday reported to the House the so-called seamen's bill of rights which, if enacted into law before the end of this Congress, will go a long way toward repaying our undying debt to those who served in the merchant marine during the recent war.

The Committee on the Merchant Marine and Fisheries and the Congress itself are justly looking into the future of our merchant marine. Our committee recently passed the Ship Sales Act of 1946 to take care of the orderly and economically sound disposal of our vast merchant fleet and return it to private ownership at the earliest possible date. We are going further than that in a very wise move at the present time.

CALL OF THE HOUSE

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

Mr. BRADLEY of Michigan. I make the observation that it is obvious that a filibuster is going on because they are afraid the FEPC bill may be called up.

Mr. WHITTINGTON. Mr. Speaker, I make the point of order that the point of order of no quorum has been made.

The SPEAKER pro tempore. The gentleman from Florida makes the point of order that a quorum is not present. No business is in order until that is disposed of.

The Chair will count. [After counting.] One hundred and twenty-six Members are present, not a quorum.

Without objection, a call of the House is ordered.

There was no objection.

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

[Roll No. 129]

Adams	Fernandez	Knutson
Allen, Ill.	Fisher	Kunkel
Andrews, N. Y.	Flannagan	LaFollette
Baldwin, Md.	Flood	Lane
Baldwin, N. Y.	Folger	Lea
Barden	Fuller	LeCompte
Barrett, Pa.	Fulton	LeFevre
Bates, Ky.	Gallagher	Lemke
Bell	Gardner	Lesinski
Bennett, Mo.	Gathings	Link
Bloom	Gearhart	Luce
Bonner	Gerlach	Ludlow
Boren	Gibson	McConnell
Boykin	Gifford	McCormack
Bradley, Pa.	Gillespie	McGehee
Brumbaugh	Gillette	Mankin
Buckley	Gordon	Morgan
Buffett	Gorski	Morrison
Bunker	Graham	Norton
Butler	Granahan	O'Brien, Ill.
Campbell	Gross	O'Neal
Canfield	Hall,	O'Toole
Cannon, Fla.	Edwin Arthur	Patman
Carlson	Hall,	Patrick
Clark	Leonard W.	Patterson
Clason	Halleck	Peterson, Ga.
Clippinger	Harless, Ariz.	Pfeifer
Cochran	Harness, Ind.	Philbin
Cooley	Harris	Price, Ill.
Corbett	Hart	Rabaut
Cox	Hartley	Rains
Crawford	Hinshaw	Randolph
Curley	Hoffman	Reece, Tenn.
Dawson	Hope	Reed, Ill.
De Lacy	Huber	Rivers
D'Ewart	Jarman	Rizley
Dingell	Jennings	Robertson, Va.
Dirksen	Johnson, Ind.	Rodgers, Pa.
Doughton, N. C.	Johnson, Okla.	Roe, Md.
Drewry	Kee	Roe, N. Y.
Durham	Kefauver	Rowan
Dworshak	Kelley, Pa.	Russell
Elliott	Kelly, Ill.	Sadowski
Engle, Calif.	Kerr	Sasscer
Fallon	King	Schwabe, Okla.
Fenton	Kirwan	Shafer
Sheridan	Sumners, Tex.	Vorys, Ohio
Short	Talbot	Wadsworth
Simpson, Pa.	Taylor	Weaver
Smith, Ohio	Thom	White
Somers, N. Y.	Thomas, N. J.	Winstead
Sparkman	Tolan	Wolfenden, Pa.
Spence	Towe	Wood
Starkey	Vinson	
Stewart	Voorhis, Calif.	

The SPEAKER pro tempore (Mr. COOPER). On this roll call 267 Members have answered to their names, a quorum.

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

NATIONAL MARITIME DAY

The SPEAKER. The gentleman from Michigan [Mr. BRADLEY] is recognized.

Mr. BRADLEY of Michigan. Mr. Speaker, I regret very much these tactics this afternoon. I cannot but feel they are most unfortunate because they may be easily regarded as an insult to those who are presently serving in the merchant marine and certainly show a mark of disrespect for those who gave their lives to the merchant marine during the war. I hope that we may continue and complete without further interruption the Maritime Day remarks.

Mr. Speaker, I started to say that we are taking a very constructive and forward step in the training of our present and our future merchant marine. The Maritime Commission, through its training service, is retraining a great many of our merchant-marine seamen and enginemen on Sheepshead Bay, Long Island, and it is doing an excellent job. We have another branch of the training program that trains merchant seamen to become officers of the deck and of the engine room.

The young men who seek to qualify for these services are selected on the basis of a Nation-wide competitive examination, both mentally and physically. Of the several thousand who take these examinations approximately 1,000 are selected on the basis of their marks and their physical abilities for entrance into the Maritime Cadet School.

The two basic schools are at San Mateo, Calif., and at Pass Christian, Miss.

CALL OF THE HOUSE

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

Mr. HERTER. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HERTER. Mr. Speaker, the motion just made is a dilatory motion which should be ruled out under rule XVI.

The SPEAKER. The Chair may say, in reply to the gentleman from Massachusetts, that the question of whether a quorum is present or not is a constitutional one.

The Chair will count. [After counting.] One hundred and twenty-six Members are present, not a quorum.

Mr. COOPER. 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. 130]

Adams	Gardner	Morrison
Allen, Ill.	Gathings	Norton
Andresen,	Gearhart	O'Brien, Ill.
August H.	Gerlach	O'Neal
Baldwin, Md.	Gifford	O'Toole
Baldwin, N. Y.	Gillespie	Outland
Barden	Gillette	Pace
Barrett, Pa.	Gordon	Patrick
Bennett, Mo.	Gorski	Patterson
Bloom	Graham	Peterson, Ga.
Bonner	Granahan	Pfeifer
Boren	Granger	Philbin
Boykin	Gross	Plumley
Brumbaugh	Gwinn, N. Y.	Price, Ill.
Buckley	Hall,	Raubaut
Buffett	Edwin Arthur	Randolph
Bunker	Hall,	Reece, Tenn.
Burch	Leonard W.	Richards
Butler	Harless, Ariz.	Rivers
Byrne, N. Y.	Harness, Ind.	Robertson, Va.
Campbell	Harris	Rodgers, Pa.
Canfield	Hart	Roe, Md.
Cannon, Fla.	Hartley	Roe, N. Y.
Carlson	Hinshaw	Rogers, N. Y.
Case, S. Dak.	Hoffman	Rowan
Clark	Huber	Russell
Clason	Izac	Sasscer
Clippinger	Jarman	Schwabe, Okla.
Cochran	Johnson, Ind.	Shafer
Cooley	Judd	Sheridan
Corbett	Keefe	Short
Cox	Kefauver	Simpson, Pa.
Crawford	Kelley, Pa.	Smith, Ohio
Curley	Kelly, Ill.	Somers, N. Y.
Daughton, Va.	Kerr	Spence
Dawson	King	Starkey
De Lacy	Kirwan	Stewart
D'Ewart	Knutson	Sumner, Ill.
Dirksen	Kunkel	Sumners, Tex.
Dolliver	La Follette	Talbot
Doughton, N. C.	Lane	Taylor
Drewry	Latham	Thom
Durham	Lea	Thomas, N. J.
Dworshak	LeCompte	Thomason
Elliott	LeFevre	Tolan
Engle, Calif.	Link	Towe
Fallon	Luce	Vinson
Fenton	Ludlow	Wadsworth
Fernandez	McConnell	Weaver
Fisher	McCormack	White
Flood	McGehee	Whitten
Folger	McGlinchey	Winstead
Forand	Mahon	Wolfenden, Pa.
Fuller	Maloney	Wood
Fulton	Mankin	
Gallagher	Morgan	

The SPEAKER pro tempore (Mr. COOPER). Two hundred and sixty-five Members have answered to their names, a quorum.

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

NATIONAL MARITIME DAY

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BRADLEY] is recognized.

Mr. BRADLEY of Michigan. Mr. Speaker——

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. BRADLEY of Michigan. I yield.

Mr. MARTIN of Massachusetts. My parliamentary inquiry is this: There is a mass of vital public business to be transacted. Is there any way by which the House can proceed to do that business?

The SPEAKER pro tempore (Mr. COOPER). That falls within the control of the House.

Mr. MARTIN of Massachusetts. Mr. Speaker, is there any way we can work this out? I think the American people want us to go ahead with our business.

Mr. RANKIN. Mr. Speaker, a point of order. The gentleman is out of order.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BRADLEY] is recognized.

Mr. BRADLEY of Michigan. Mr. Speaker, I had started to discuss the

maritime training program and pointed out that the basic schools for the instruction of these men are located at San Mateo, Calif., and at Pass Christian, Miss. Thereafter the students are sworn into the maritime service. They are also sworn into the United States Naval Reserve.

The students down there are required to pay approximately $190 for their own uniforms, but receive board and lodging and are paid $60 per month.

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

Mr. BRADLEY of Michigan. Mr. Speaker, I yield myself five additional minutes.

This first year of cadet—or shall I say "boot"—training last 11 months following which the students are given a 30-day furlough with pay. Their second year they are sent out to sea on ships of our merchant marine. During this year they are paid $80 a month by the steamship companies who also furnish board and lodging in officers' quarters afloat. As a rule two cadets—one deck and one engine room—are assigned to each ship and they are subject to very strict discipline under direct orders of the master and the chief engineer. They put in 8 hours' work a day on the steamship company's time—two of which are to be spent in study. In addition to that, they are supposed to spend 3 hours of their own time on study. They are required to keep a very accurate notebook and to log each amount of time they spend on various duties and from time to time they are transferred from one ship to another in order to learn the various problems incident to different loading conditions, different trade routes as far as deck officers are concerned—and with respect to engine-room officers they learn the various types of propulsion equipment used in our merchant marine.

I want to particularly point out that in this second year they are given the most strenuous duty possible and are subject to the most rigid discipline because it is this year without question that the cadet decides definitely whether or not he likes the sea and will want to follow it as a profession. He must determine for himself whether or not he is asking Uncle Sam to give him a free education of the highest type in order to follow a profession for which he is suited and which he will enjoy in the future. If he decides otherwise and yet hangs on to his free training—his conscience must bother him because he is accepting free education for which he is not suited and is, in effect, practicing a fraud on the taxpayers of his country. At the same time, the officers on the ships to which he may be assigned have themselves a responsibility to grade this young man as to his aptitude aboard their vessel. Should they feel that he is not earning his salt they have the right to report him when, usually, he is transferred to another vessel and should he then again fail to make good in the eyes of the practical men of the sea in command of that vessel—he is summarily dismissed from the merchant marine training program or his resignation is requested.

At the completion of the cadets' year afloat their notebooks are submitted to a district supervisor of the Maritime Commission and each cadet is given a written examination on what he should have learned during the year afloat. If he fails, he is likewise dismissed but if he passes this gantlet of practical training, he then qualifies for admission as a midshipman to the Merchant Marine Academy at Kings Point, Long Island, N. Y.

At this point I want to give you part of the history of Kings Point which I had the privilege of visiting recently as a member of the Board of Visitors of the Merchant Marine Academy. Early in 1942 we had before our Merchant Marine and Fisheries Committee a bill to authorize the purchase of the Walter P. Chrysler estate at Kings Point. In the distance from that estate one can see the island of Manhatten, or New York City proper. It has been reliably estimated that Mr. Walter P. Chrysler had about $4,000,000 invested in this beautiful estate. His executors paid a tax on that estate amounting to $75,000, the year before we authorized its purchase at the extremely low sum of $100,000. We were in a war. The need for young officers was of the utmost and paramount necessity. Something had to be done quickly. The administrative personnel moved into the Chrysler estate and set up their offices and slept boys in the halls and in the bedrooms and in the bathrooms, and wherever they could find room. In addition to that a number of CCC camps were knocked down and moved in and set up on the estate in order that there might be no interruption in the training program. Today that has all been changed. The Merchant Marine Academy at Kings Point offers one of the most naturally beautiful campuses and most artistic and most modern and most sanitary set of dormitories, all interconnected together with large airy classrooms and laboratories that I have ever seen in any of the older and, therefore, more famous of our national military training schools such as at West Point, Annapolis, and the Coast Guard Academy at New London. They have the finest of facilities as far as they have been able to go to date. After the acquisition of the Chrysler estate it became necessary to purchase other property and buildings immediately surrounding the same. These have been converted into quarters for the superintendent, for the officers, and for an officer's club, a new modern hospital has been constructed, and so on. I repeat, the set-up at Kings Point today is not only economically beautiful, but truly remarkable. We are not through with it yet and we are going to be called upon here in Congress to give them an appreciable sum of money to complete two vitally needed projects—namely, a chapel for religious worship and, secondly, a library.

The only chapel available today is the Walter Chrysler private chapel in which they have an organ that cost almost as much as we paid for the entire estate but it is still far too small to take care of their usual complement of 1,200 midshipmen. Secondly, we must have an adequate library building. For one thing, we cannot qualify these midshipmen as yet after the completion of a 4-year course for a college degree—which must be approved by the Association of Universities. The necessary books are now being ordered to meet the requirements of the universities but when they are received a library of sufficient size to accommodate them and, at the same time, provide for student study therein is an absolute essential. Furthermore, I might add at this point before the midshipmen can receive an approved degree of bachelor of science in marine engineering the university group will require that more of the instructors themselves be college graduates. At this moment the course is still somewhat deficient in courses which will be required for such a degree but with the addition of those courses and the employment of service or civilian personnel who are, themselves, college graduates to be instructors, this obstacle can be easily overcome. It is confidently expected that perhaps within the next 2 years the presently revised 4-year course of study in the Merchant Marine Academy and Cadet School course will have been revised and it is to be hoped the Congress will provide the necessary appropriation to build the chapel and library so that by the time the class graduates in May of 1948 they will be able to receive this college degree and thus will be able—if they choose—to continue their study for a master or doctor degree in any of the American universities in postgraduate work or, indeed, possibly at the Merchant Marine Academy itself. When that day comes the Merchant Marine Academy will in all respects be on that same educational high plane of which we are all so proud in our American universities and, indeed, absolutely on a plane with the training the flower of our youth receive in the United States Military Academy at West Point, the United States Naval Academy at Annapolis, and the United States Coast Guard Academy at New London, Conn.

In conclusion, I want to make several observations. First, as of today, the Merchant Marine Academy at Kings Point need not yield anything to the fame of the other service schools I have mentioned as to the beauty of their campus nor of their facilities with the present exception of the two glaring deficiencies I have mentioned and it is up to us to provide for them if they are to be brought up on a par—as I think they should be. Secondly, they need yield nothing to any of the other three service schools in the quality of their administrative or teaching personnel or in the quality of the midshipmen themselves as red-blooded loyal American youth. And, incidentally, believe me, they can march and perfom all of the military maneuvers with the best of any of them. Third, in pursuing this program of educating the merchant-marine officers we are leaving no stone unturned to provide not only capable masters, not only capable men in the engine room—but men who, when they have completed this course are so trained in maritime economics, in international law, in labor relations which, incidentally—

because of pressure of the labor unions they call human relations—and in general deportment and demeanor to become not only officers of the deck and the engine room but to be ready and capable of taking their position on shore in any branch of the maritime industry which they may later be called upon to fulfill. And, lastly, may I say this. That whereas, in the initial selection of these young men by competitive examination, a quota system has been arrived at men are selected from each State based on a population quota for the State—nevertheless in a truly democratic fashion a great many young men are selected each year direct from the ranks of the decks and engine-room crews of the merchant marine afloat. Uncle Sam is offering to those who have come down to the sea in ships a most wonderful opportunity to become more highly educated at Government expense and to qualify as college-degree men who can rise to the heights in their chosen profession of maintaining for all time Old Glory predominant on the high seas of the world.

The mission of the Kings Point United States Merchant Marine Academy is aptly stated by them as follows:

To attract a high type of young American with a definite ambition to become an officer in the United States Merchant Marine;

To impart to him the necessary academic background and the fundamentals of a practical nautical education essential to a successful career at sea;

To develop in him a high sense of honor, uprightness, and loyalty;

To instill in him a pride in his profession, and a determination to uphold the traditions of the merchant marine; and

By effective teaching, training, and guidance, to send him forth to his calling with a deep respect and affection for the United States Merchant Marine Cadet Corps and its academy.

CALL OF THE HOUSE

Mr. GIBSON. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER pro tempore. The Chair will count. [After counting.] One hundred and twenty-nine Members are present, not a quorum.

Mr. GEELAN. Mr. Speaker, I move the Chair instruct the Sergeant at Arms to bring the Members in from the cloak rooms and halls.

Mr. WHITTINGTON. Mr. Speaker, I make the point of order that motion is not in order at this time.

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. 131]

Adams	Buckley	Cochran
Allen, Ill.	Buffett	Coffee
Andrews, N. Y.	Bunker	Cole, Kans.
Baldwin, Md.	Burch	Combs
Baldwin, N. Y.	Butler	Cooley
Barden	Byrne, N. Y.	Corbett
Barrett, Pa.	Campbell	Cox
Bates, Mass.	Canfield	Crawford
Bell	Cannon, Fla.	Curley
Bennett, Mo.	Carlson	Daughton, Va.
Bonner	Chapman	Dawson
Boren	Clark	De Lacy
Boykin	Clason	d'Ewart
Bradley, Pa.	Clements	Dirksen
Brumbaugh	Clippinger	Domengeaux
Drewry	Kelly, Ill.	Richards
Durham	Keogh	Rivers
Dworshak	Kerr	Robinson, Utah
Elliott	King	Rodgers, Pa.
Engle, Calif.	Kirwan	Roe, Md.
Fallon	Knutson	Roe, N. Y.
Fenton	Kunkel	Rogers, N Y.
Fernandez	LaFollette	Rowan
Fisher	Lane	Sasscer
Flood	Lanham	Schwabe, Okla.
Folger	Lea	Shafer
Forand	LeCompte	Sheridan
Fuller	LeFevre	Short
Fulton	Lewis	Simpson, Pa.
Gardner	Link	Slaughter
Gearhart	Luce	Smith, Ohio
Gerlach	Ludlow	Smith, Va.
Gifford	McConnell	Somers, N. Y.
Gillespie	McCormack	Spence
Gillette	McGehee	Starkey
Gordon	McGlinchey	Stewart
Gorski	McMillan, S. C.	Sumner, Ill.
Graham	Maloney	Sumners, Tex.
Granahan	Morgan	Talbot
Gross	Morrison	Taylor
Hall,	Murphy	Thom
Edwin Arthur	Norton	Thomas, N. J.
Hall,	O'Brien, Ill.	Tolan
Leonard W.	O'Neal	Towe
Harless, Ariz.	O'Toole	Vinson
Harness, Ind.	Outland	Vursell
Harris	Pace	Wadsworth
Hart	Patman	Wasielewski
Hartley	Patrick	Weaver
Hinshaw	Patterson	Weichel
Hoffman	Peterson, Ga.	Welch
Hope	Pfeifer	White
Huber	Philbin	Winstead
Jarman	Plumley	Wolfenden, Pa.
Johnson, Ill.	Price, Ill.	Wood
Johnson, Ind.	Rabaut	Woodhouse
Kean	Randolph	Woodruff
Keefe	Reece, Tenn.	Zimmerman
Kefauver	Rees, Kans.	
Kelley, Pa	Rich	

The SPEAKER pro tempore. Two hundred and forty-nine Members have answered to their names, a quorum.

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

NATIONAL MARITIME DAY

The SPEAKER pro tempore. The gentleman from Michigan [Mr. BRADLEY] is recognized.

Mr. BRADLEY of Michigan. Mr. Speaker, I yield to the gentleman from Virginia.

Mr. BLAND. Mr. Speaker, there are many Members here who wish to express themselves on National Maritime Day. This day has been set apart by the President for that celebration.

I ask unanimous consent that all Members of the House who desire to extend their remarks on that subject may do so at this point in the RECORD and include therein such quotations as they may desire.

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

There was no objection.

Mr. BLAND. Mr. Speaker, on April 13, 1946, President Truman issued his proclamation calling upon the people of the United States to observe May 22, 1946, as National Maritime Day. This was done pursuant to an act of Congress approved May 20, 1933, which designated May 22 of each year as National Maritime Day and requested the President to issue annually a proclamation calling upon the people of the United States to observe that day.

That proclamation has been inserted in my request.

The postwar problems of the American merchant marine are many and exceedingly difficult. Mr. Alman E. Roth, president of the National Federation of American Shipping, Inc., has aptly said that this year's observance of Maritime day gives all Americans, as well as the maritime industry, occasion to reflect clearly and objectively upon the future of our American merchant marine. He says:

It is not only misleading but dangerous for Americans to assume that the vast war-built tonnage which this nation now owns assures us of an adequate postwar American merchant marine.

The key to the future lies not in the existence of our colossal fleet, but in the possibility of its successful operation under highly competitive conditions.

The Government's chance to sell its vessels, labor's chance for employment, management's chance for successful operation, and the public's objective of maintaining an adequate merchant marine for purposes of defense and development of commerce, all hinge upon profitable operation.

The job ahead, therefore, calls for teamwork on the part of all four of these interested groups.

We must look to world trade, and our best minds must be directed towards those fields where that trade may be best found. I tried, when discussing the ship-sales bill to point out some of our difficulties. I said then:

When you realize the great number of ships that have been constructed you will realize the problem that is before us. We have to sell ships to foreigners or we will not dispose of the surplus. Our tonnage at the beginning of the war was about 11,500,000 deadweight tons. Our war-built tonnage amounted to 53,000,000 tons. The prewar world tonnage in 1939 was about 75,000,000. Our postwar tonnage is about 95,000,000. Estimating as large as possible a use in America, the postwar needs will be from 15,000,000 to 17,000,000 tons.

Where shall we turn for trade? In a recent article on foreign markets appearing in the April 1946 issue of World Ports the pertinent suggestion is made that we turn to Latin America where it is said we will find the picture bright by any contrast. It is said:

Here is a continent physically untouched by the war, but one which, until recently, maintained closer cultural and economic ties with Europe than with the United States. This pciture has been changed by the war, during which the United States made use of large quantities of materials from Latin America—tin, rubber, cinchona bark, vegetable oils, copper, nitrates, waxes, industrial diamonds, chrome ore, quartz, etc. were imported in unprecedented quantities—and became, in exchange, practically the only South American source for manufactured goods.

The net result is that Latin-American countries have accumulated substantial deposits in this country, variously estimated at from three to five billion dollars, every dollar of which will undoubtedly be used for the purchase of American goods. Over and above this sum, Latin Americans will purchase additional imports from the United States through the sheer lack of manufacturing facilities abroad. Tied in with increased United States imports from the area, prospects are good for a healthy balance of trade for years to come.

But not only in this direction but in many others we must look and seek to build up business throughout the world.

One of the most serious problems with which we have to contend is the right of American flag shipping companies to use

airplanes in their scheduled overseas operations.

The sea-air issue now before us in Washington may seriously affect the future of our merchant marine.

I refer to the right of American flag shipping companies to use the airplane in their scheduled overseas operations. The airplane was invented and developed by Americans. The first flight made by man was in a nearby State. We would not have thought that the time would come when one group of Americans would willfully seek to deny another group of Americans the right to use this distinctively American invention. No one would have thought it. That time has come.

Eight of our American shipping lines have applied to the Civil Aeronautics Board for certificates to use airplanes in scheduled service with their ships over the same sea routes that they have developed for many years. It is as natural that they should do this as it is to put a shipyard near the water. It is as natural as the progression from sail to steam.

"What is stopping them?" you ask. I answer: The Civil Aeronautics Board is stopping them. By a tortuous and arbitrary construction of the law, it contends that our American shipping lines cannot legally be permitted to use airplanes. As a member of the Merchant Marine Committee of the House of Representatives for many years I know that Congress, when it considered the Civil Aeronautics Act of 1938, never intended that American shipping lines should be barred. If it had, it would never have passed that law. We received the flat-footed assurance from the aviation interests at that time that our steamship lines would naturally be permitted to use the latest and fastest form of transportation. We accepted that assurance in good faith. It was a gentlemen's agreement. But it has been repudiated by an entrenched bureaucracy.

This violation of the principle of good faith was bad enough in itself, but very recently we have had startling evidence of how dangerous and destructive it is going to be.

Within the past few weeks the Civil Aeronautics Board, by means of a series of bilateral agreements arranged by our State Department with foreign governments, is handing out certificates to foreign air lines to fly into the United States. Some of these foreign air lines are backed by shipping capital. A total of more than 50 foreign nations have now acquired a legal right to engage in air commerce to and from and in some instances across the United States. In other words, the Civil Aeronautics Board is giving to foreigners the very rights that Americans are denied.

Let me read to you an article in last Sunday's New York Times, by George Horne, its marine editor, to show just what this means. I quote:

> Within 18 months or so, if projected increases are carried out, overseas air-line capacity will exceed 1,000 passengers a day, each way, a figure greater than the most optimistic air operators anticipate as the volume for 1950. Shipping men are moving with caution in committing their companies for future ocean-going tonnage in passenger categories. Prewar estimates of passenger tonnage needs may have to be scaled downward, and while American lines have plans either for their own account or through the Maritime Commission for 89 passenger and cargo ships, none is contracted for. When they do come along, there is a strong possibility that, unless the rosiest travel estimates are substantiated by future developments, the country will have more tonnage and more air-line passenger space than it can ever use.

That is the prediction of an able writer and an authority on the merchant marine. He is not conjuring up bugaboos. He is not "seeing things under the bed." He is realistic, and he is right.

But there is hope. At last the country is waking up to the fact that our own shipping lines are being discriminated against. The House Merchant Marine Committee long ago rang the alarm and has consistently fought for justice on this important issue. We intend to keep on fighting until an aroused public opinion demands that American shipping interests receive the same privileges as foreign shipping interests and foreign air lines. Before the present session of Congress adjourns, I plan, with some of my colleagues in the Senate, to urge legislation that will correct this threat to our overseas shipping lines who want the opportunity to fly.

Over a long period of years these American lines have devoted their efforts and their capital to the promotion of overseas passenger traffic. They have maintained agents and business establishments throughout the world since the days of the clipper ships. They have risked their money to build trade routes where none existed. They have developed new territory, thereby opening new fields to the American manufacturer and exporter. For their boldness and ingenuity they are entitled to every support we can give them. There is no reason on earth why they should not be able to combine aviation with their surface operations as the air age opens before us.

We must and shall continue our efforts to achieve a fair place for our shipping interests in this vital matter of securing for them the right to fly. Once aroused to the necessity for this relief and its importance to our merchant marine, I believe that appropriate legislation will be provided.

Mr. KEOGH. Mr. Speaker, today is National Maritime Day and marks the one hundred and seventeenth anniversary of the first successful ocean passage for a steam propelled vessel. In the period that has elapsed since then, the American merchant marine has played a significant part in the development of our great country. Its war record during the past few years and in World War I is one about which much has been said and written. The splendid achievements of the American Merchant Marine are well known to all of us. This great industry now enters upon a very important phase of its existence. We have adopted as a national policy that the United States must maintain an adequate merchant marine and should carry its fair share of the world trade. We have ships to carry out this policy but ships and ships alone do not make a merchant marine. We must have men—men to operate the ships—men to manage the operation and men in Government to integrate and coordinate our efforts. To carry out the national policy, all of these groups—labor, management, and Government must join as one in the maintenance of an adequate and superior American merchant marine. We of the Congress should determine to do our share in assuming the responsibilities that are ours and in assisting American flag operators whenever and wherever possible. We must continue our determination to be proud of our merchant fleet, and we should resolve that each maritime day will be a day upon which we can have justifiable pride in the high standards of our American merchant marine.

Mr. BUCK. Mr. Speaker, the district which I have the honor of representing in Congress is without question the maritime capital of America. Not only does the Sixteenth Congressional District embrace a large percentage of the head offices of the maritime unions and the shipping lines, the stevedores and the chandlers, the towboat companies and the shipyards, but also a large portion of the great North River piers and miles and miles of Staten Island waterfront inclusive of the shipyards themselves. As the American Merchant Marine prospers, so does the Sixteenth Congressional District.

It was therefore particularly gratifying to lower Manhattan and Staten Islands that one of the latter's citizens, Capt. Granville Conway, was recently named Administrator of the War Shipping Administration. Captain Conway's career symbolizes the opportunity that is the heritage of every American.

Born on the eastern shore of Maryland where things nautical are a part of every boy's life, it was but natural for Granville Conway to matriculate at the Government Navigation School at Baltimore and go to sea at the age of 18. Within 4 years thereafter, he became master of his first ship, steamship *Mojave*, giving him the distinction of being one of the youngest masters of the entire American merchant marine. Following the shipping slump which occurred after World War I, Captain Conway entered Government service as custodian in charge of the large laid-up merchant fleet in Kill Van Kull, Staten Island.

The characteristic excellence with which he performed those duties brought him to the attention of his superiors. He rose steadily in the Government service, and shortly after the United States entered World War II Captain Conway was named Director of the Atlantic Coast District of War Shipping Administration. Three months later he was appointed special expert and special assistant to the Maritime Commission, and on March 28, 1944, he was promoted to Deputy Administrator of the War Shipping Administration as first assistant to Admiral Emory S. Land.

Mere recitation of the important assignments laid on Granville Conway's capable shoulders during the war would require more time than is available to me this morning. I shall only mention that he was present at the Yalta Conference to advise President Roosevelt on shipping matters and that he originated the idea for building spar decks on tankers to carry thousands of tons of vital dry cargo,

inclusive of airplanes, to war zones throughout the world. In appreciation for this accomplishment the Army Air Forces awarded Captain Conway its certificate of meritorious service, this being the first time it had ever been given to a civilian.

Throughout the war and down to this day it has been Granville Conway's habit to reach his office at 6:30 each morning and stay on the job until long after closing hours. With him the job at hand is the all-important thing. Nothing else matters.

It was men like Granville Conway who brought glory to the American merchant marine in the past. With the deserved support of the American people and the Congress, it is men like he who will bring glory to the American merchant marine in the future.

Mr. HAVENNER. Mr. Speaker, last year, on the occasion of the annual observance of National Maritime Day, I paid tribute to the magnificent contribution which the American Merchant Marine had made to this country's successes in the World War, which was then still in progress.

Now that we are able to celebrate the final victory of our armed forces in that great conflict, I feel that it is proper and fitting that we should recognize and reward the heroic services of the men who manned our merchant ships on the hazardous waters of every part of the world. A great multitude of those men made the supreme sacrifice during the dark days when the enemy's rattlesnakes of the seas were sinking our cargo ships at such a terrifying rate that for years the question of victory hung trembling in the balance. The memory of those dead heroes alone should impel the Congress to do full justice to the survivors of that great host of seamen who carried the products of American industry to the far corners of the earth and enabled the genius of American production to bring final victory to our cause.

Mr. Speaker, the least the Congress should do is to enact an adequate seamen's bill of rights so that the members of our great wartime merchant marine may enjoy some of the postwar benefits which a grateful people have provided for the other members of our armed forces. I use the term "armed forces" advisedly, Mr. Speaker, because our merchant ships were of necessity armed to the utmost practical extent to enable them to resist the ever-lurking dangers which beset them from under the waters and from the skies overhead.

It is an unworthy thing to contend that our heroic seamen are not entitled to any of the benefits which the men of the Army and Navy receive merely because they enjoyed greater compensation for their services during the war than did the others. That decision was not made by the seamen, Mr. Speaker. It was made by the Congress for them. If the decision had been that the merchant marine should be a part of the Navy, these men would have been placed on a parity with the members of that gallant branch of the service. The mere fact that Congress determined otherwise does not justify discrimination against them in the postwar period. Increase in pay can never compensate a man for offering his life in his country's case. Certainly it did not compensate for the countless lives lost in the wartime maritime service. So, Mr. Speaker, I express the fervent hope that this Congress will not permit the seamen's bill of rights to be scuttled, but will provide adequate opportunities for these men to be educated and properly trained for a successful postwar life.

Recognition and protection should be given, also, Mr. Speaker, to that large group of men of alien citizenship who were in this country when the war broke out, and who responded to our Nation's call to man our merchant ships. They, too, performed heroic and invaluable service. They went into dangerous war zones with the supplies and munitions that defeated the enemy. Today many of them are ineligible to residence in this country and face deportation. Many have wives and families in this country. Deportation will mean cruel separation from their loved ones, and in numerous cases make their dependent wives and children public charges.

The service which these men rendered to America during the period of our national peril demands that they be given legal status in this country so that they may serve our Nation as loyally in time of peace as they did during the war.

Mr. PATTERSON. Mr. Speaker, before World War II, National Maritime Day was dedicated to the creation of a merchant marine adequate for our foreign and domestic commerce and capable of supporting our armed forces in war. During World War II, we naturally dedicated this day to the men who were manning and operating the ships which were delivering supplies needed to win the war.

This year it follows that our dedication must be to a group of veterans—and I use the word advisedly—whose service in the merchant marine and the United States Maritime Service played as large a part in our winning of the war as any other of the armed services. General MacArthur, speaking of these men, said:

> They have brought us our lifeblood and they have paid for it with some of their own.

It would have been a fitting tribute on this day if we could have brought out of the Congress a seamen's bill of rights commensurate with the needs and the just reward of these veterans. After months of attempting to frame such a bill—hindered in no small part by official and unofficial propaganda as to whether men of the merchant marine could rightly be called veterans—a seamen's bill of rights has been ruled out of the Merchant Marine and Fisheries Committee. Unfortunately, the bill fails to give to these veterans the unemployment insurance guaranties granted by the GI bill of rights and in other respects, too, it falls far short of the desired goal of giving merchant seamen veterans' benefits similar to those given under the GI bill of rights.

When this bill comes to the floor of the House, it is essential that its enactment into law will be a meaningful solution to the needs of these veterans. Tribute in the form of an empty gesture, full of many words signifying too little, is worse than no tribute at all to the war record of our merchant seamen. A good bill must be passed quickly, so that we may pay in the coin of true American democracy our debt of gratitude to the merchant marine and the Maritime Service.

I have received a petition signed by the delegates attending the National Convention of Maritime Unions, which took place in San Francisco this month. This convention represented approximately 200,000 maritime workers. Their delegates, recognizing the special problems of war-service seamen, are seeking from Congress early attention to the seamen's bill of rights. Their petition mentions such special problems of war service seamen as disability, rehabilitation, education, and unemployment. When this bill comes to the floor of the house, let us recognize all these problems and let us provide for them. The day we do this courageously and justly will become a truly meaningful National Maritime Day.

Mr. DE LACY. Mr. Speaker, under the leave granted me, I wish to call the attention of the House to our first peacetime National Maritime Day. It is well that we pause and commemorate the great contribution that the American merchant marine made toward victory. They were bombed, torpedoed, wounded, and killed, but they delivered the goods to every battlefront. In the words of Gen. Dwight D. Eisenhower, "When final victory is ours there is no organization that will share its credit more deservedly than the merchant marine."

Yet more than 10,000 of these men face deportation today. They were never citizens of the United States. But when manpower was urgently needed in the merchant marine these seamen, some of them from the countries that were seized by the Fascists, who had lost family and friends, made their contribution to victory in the United States merchant marine.

Many of these seamen have American wives and children who are dependent upon them. If they are deported it would mean separation of American families—a sad reward for their splendid contribution to victory.

Because of their service to our country during the war, special considerations should be given to alien seamen who served so heroically during the war, so that they may secure legal status in this country and become American citizens.

Senator CLAUDE PEPPER has introduced a bill, S. 1040, to grant legal entry to alien seamen with 1 year's wartime service in the American merchant marine. Senator GEORGE L. RADCLIFFE has introduced S. 659 and I have introduced H. R. 4956, both of which provide that alien seamen with 3 years' wartime service in the United States merchant marine should be granted American citizenship.

This is but a small reward that we can make to these seamen who risked their lives for us.

ADJOURNMENT

Mr. COLMER. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. BIEMILLER) there were—ayes 83, noes 81.

So the motion was agreed to. Thereupon, at 3 o'clock and 10 minutes p. m., the House, pursuant to its previous order, adjourned until tomorrow, Thursday, May 23, 1946, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

There will be a meeting of the Committee on World War Veterans' Legislation, in open session, on Thursday, May 23, 1946, at 11 a. m., in the committee room, 356 Old House Office Building, on H. R. 6340.

COMMITTEE ON THE JUDICIARY

The Special Subcommittee on Bankruptcy and Reorganization of the Committee on the Judiciary has scheduled a public hearing on the bill (H. R. 4307) to amend sections 81, 82, 83, and 84 of chapter IX of the act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, as amended. The hearing will be held in the Judiciary Committee room, 346 House Office Building, and will begin at 10 a. m. on Friday, May 24, 1946.

On Monday, May 27, 1946, Subcommittee No. 4 of the Committee on the Judiciary will start public hearings on the following pending measures with respect to the cessation of hostilities and termination of the war and emergencies: House Concurrent Resolution 85, House Concurrent Resolution 86, House Concurrent Resolution 91, House Concurrent Resolution 98, House Concurrent Resolution 132, House Concurrent Resolution 133, House Joint Resolution 245, House Joint Resolution 272, House Joint Resolution 287.

The hearings will be held in the Judiciary Committee room, 346 House Office Building, beginning at 10 a. m.

COMMITTEE ON PATENTS

The Committee on Patents will begin hearings Tuesday, June 4, 1946, at 10 a. m., in the Patents Committee room, 416 House Office Building, on the following bills:

H. R. 3694 (HARTLEY): A bill to declare the national policy regarding the test for determining invention.

H. R. 5841 (BOYKIN): A bill fixing the date of the termination of World War II, for special purposes.

H. R. 5940 (LANHAM): A bill to make Government-owned patents freely available for use by citizens of the United States, its Territories, and possessions.

These hearings will be continued on succeeding days until concluded or until this notice is superseded.

EXECUTIVE COMMUNICATIONS, ETC.

1323. Under clause 2 of rule XXIV, a letter from the Comptroller General of the United States, transmitting a draft of a proposed bill to provide a method for payment in certain Government establishments of overtime, leave, and holiday compensation on the basis of night rates pursuant to certain decisions of the Comptroller General, and for other purposes, was taken from the Speaker's table, referred to the Committee on Claims, and ordered to be printed.

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 Resolution 633. Resolution waiving points of order against H. R. 6496; without amendment (Rept. No. 2102). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of New York:

H. R. 6513. A bill to provide that the unexpended proceeds from the sale of 50-cent pieces coined in commemoration of the two hundred and fiftieth anniversary of the founding of the city of Albany, N. Y., may be paid into the general fund of such city; to the Committee on Coinage, Weights, and Measures.

By Mr. ENGEL of Michigan:

H. R. 6514. A bill to convey certain buildings situated in the city of Montague, Mich.; to the Committee on the Merchant Marine and Fisheries.

By Mr. JENSEN:

H. R. 6515. A bill to amend 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 Interstate and Foreign Commerce.

By Mr. McMILLAN of South Carolina:

H. R. 6516. A bill to increase the salaries of the Metropolitan Police, the United States Park Police, the White House Police, and the members of the Fire Department of the District of Columbia; to the Committee on the District of Columbia.

H. R. 6517. A bill to vest the commanding general of the District of Columbia Militia and the Commissioners of the District of Columbia with the control and jurisdiction of the Armory of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. PATMAN:

H. R. 6518. A bill to amend section 2 of the Emergency Price Control Act of 1942, as amended, with respect to regulations or orders affecting the distribution of women's hosiery, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROBERTSON of North Dakota:

H. R. 6519. A bill to provide for the establishment and operation of a research laboratory in the North Dakota lignite region for investigation of the mining, preparation, and utilization of lignite; for the development of new uses and markets; for improvement of health and safety in mining; and for a comprehensive study of the region to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period, and time of peace; to the Committee on Ways and Means.

By Mr. SPRINGER:

H. R. 6520. A bill to provide a temporary increase in the tax on gasoline sold in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LYNCH:

H. R. 6521. A bill to amend section 32 (a) of the Trading With the Enemy Act of October 6, 1917, as amended, to the Committee on Interstate and Foreign Commerce.

By Mr. SUMNERS of Texas:

H. R. 6522. A bill to amend the act providing for the appointment of court reporters; to the Committee on the Judiciary.

By Mr. COLE of New York:

H. Con. Res. 149. Concurrent resolution to create a joint congressional committee to attend the Philippine independence ceremonies on July 4, 1946; to the Committee on Rules.

H. Con. Res. 150. Concurrent resolution to provide for payment of the expenses of the joint congressional committee authorized by House Concurrent Resolution 149; to the Committee on Accounts.

By Mr. PATMAN:

H. Res. 634. Resolution authorizing that there be printed for the use of the Committee on Small Business of the House of Representatives additional copies of its first interim report, No. 1888, current session, submitted pursuant to the House Resolution 64, (79th Cong., 1st sess.), creating a select committee on small business of the House of Representatives and defining its powers and duties; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BALDWIN of Maryland:

H. R. 6523. A bill for the relief of Allied Aviation Corp. of Cockeysville, Md.; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 6524. A bill for the relief of Shokichi Washimi; to the Committee on Immigration and Naturalization.

By Mr. McMILLAN of South Carolina:

H. R. 6525. A bill for the relief of the Plymouth Manufacturing Co., Inc.; to the Committee on Claims.

By Mr. MARCANTONIO:

H. R. 6526. A bill for the relief of Paolo Pizzo, Maria Tornello Pizzo, and Anna Pizzo; to the Committee on Immigration and Naturalization.

By Mr. RIVERS:

H. R. 6527. A bill for the relief of James W. Adkins and Mary Clark Adkins; 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:

1902. By Mr. CANFIELD: Resolutions of the executive committee of the American Legion, Department of New Jersey, at Trenton, N. J., May 18, 1946, demanding immediate enactment of legislation continuing in force for a period of 1 year from July 1, 1946, the original Selective Service Act in its entirety with all provisions similar to those that have been in effect up to May 15, 1946; to the Committee on Military Affairs.

1903. By Mr. COLE of Missouri: Petition of O. L. Harper of St. Joseph, Mo., and 82 others, offering an amendment to House bill 1737 and protesting pension amendment, Senate bill 293 and House bill 1362; to the Committee on Interstate and Foreign Commerce.

1904. By Mr. HANCOCK: Petition of Mrs. S. L. Adcook and other residents of Onondaga County, N. Y., urging that Congress pass legislation authorizing the President and the Secretary of Agriculture to issue directives preventing the use of grain for the manufacture of alcoholic beverages; to the Committee on Agriculture.

1905. By the SPEAKER: Petitions of various Townsend Clubs in Michigan and Ohio, petitioning consideration of their resolution with reference to endorsement of House bills 2229 and 2230; to the Committee on Ways and Means.