

H. R. 1887. An act for the relief of Mrs. Leroy A. Robbins;

H. R. 3210. An act for the relief of Clyde O. Payne;

H. R. 3855. An act for the relief of Martin A. Tucker and Emma M. Tucker;

H. R. 4827. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Pan American Petroleum & Transport Co. against the United States;

H. R. 4860. An act for the relief of Materials Handling Machinery Co., Inc.;

H. R. 4924. An act for the relief of Joseph A. Brown;

H. R. 5031. An act for the relief of Ernest C. Heine and Harriet W. Heine;

H. R. 5050. An act for the relief of Minnie P. Shorey;

H. R. 5125. An act to establish the Castle Clinton National Monument, in the city of New York, and for other purposes;

H. R. 5134. An act for the relief of Clarence W. Ohm;

H. R. 5166. An act for the relief of Raphael Elder;

H. R. 5287. An act for the relief of Mrs. Cecile W. McAfee, the legal guardian of Sarah McAfee, a minor, and Haven H. McAfee;

H. R. 5288. An act for the relief of Warren M. Miller;

H. R. 5463. An act for the relief of Hiram H. Wilson;

H. R. 5469. An act for the relief of Bertha Lillian Robbins and Charles Robbins;

H. R. 5603. An act for the relief of Wilford B. Brown;

H. R. 5848. An act for the relief of Mrs. Millicent Moore;

H. R. 5849. An act for the relief of Mrs. Grace A. Phillips;

H. R. 5851. An act for the relief of Second Lt. Francis W. Anderson;

H. R. 6012. An act for the relief of Lippert Bros.;

H. R. 6161. An act for the relief of the legal guardian of Samuel Roscoe Thompson, a minor;

H. R. 6215. An act for the relief of the Yellow Cab Transit Co., of Oklahoma City;

H. R. 6255. An act for the relief of Thomas A. Beddingfield and his wife, Opal May Beddingfield;

H. R. 6376. An act for the relief of Mrs. Fuku Kurokawa Thurn;

H. R. 6381. An act for the relief of Thomas L. Brett;

H. R. 6399. An act for the relief of Caesar Henry;

H. R. 6423. An act for the relief of Mrs. Ivan B. Hofman;

H. R. 6890. An act to amend the First War Powers Act, 1941;

H. R. 7030. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Allegheny River, between a point in or near the borough of Tarentum, in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrell Township in Westmoreland County in the Commonwealth of Pennsylvania; and

H. R. 7038. An act to provide for the sale of certain public lands in the States for the use and benefit of the State public educational institutions.

HOUSE BILLS REFERRED OR PLACED ON CALENDAR

The following bills were severally read twice by their titles and referred, as indicated:

H. R. 957. An act for the relief of Margaret Dunn;

H. R. 1004. An act for the relief of the legal guardian of Robert Olsen, a minor;

H. R. 1633. An act for the relief of Raymond Crosby;

H. R. 1887. An act for the relief of Mrs. Leroy A. Robbins;

H. R. 3210. An act for the relief of Clyde O. Payne;

H. R. 3855. An act for the relief of Martin A. Tucker and Emma M. Tucker;

H. R. 4827. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Pan American Petroleum & Transport Co. against the United States;

H. R. 4860. An act for the relief of Materials Handling Machinery Co., Inc.;

H. R. 4924. An act for the relief of Joseph A. Brown;

H. R. 5031. An act for the relief of Ernest C. Heine and Harriet W. Heine;

H. R. 5050. An act for the relief of Minnie P. Shorey;

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H. R. 5463. An act for the relief of Hiram H. Wilson;

H. R. 5469. An act for the relief of Bertha Lillian Robbins and Charles Robbins;

H. R. 5603. An act for the relief of Wilford B. Brown;

H. R. 5848. An act for the relief of Mrs. Millicent Moore;

H. R. 5849. An act for the relief of Mrs. Grace A. Phillips;

H. R. 5851. An act for the relief of Second Lt. Francis W. Anderson;

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H. R. 6215. An act for the relief of the Yellow Cab Transit Co., of Oklahoma City;

H. R. 6255. An act for the relief of Thomas A. Beddingfield and his wife, Opal May Beddingfield;

H. R. 6381. An act for the relief of Thomas L. Brett;

H. R. 6399. An act for the relief of Caesar Henry; and

H. R. 6423. An act for the relief of Mrs. Ivan B. Hofman; to the Committee on Claims.

H. R. 976. An act for the relief of Chet Walker; to the Committee on Military Affairs.

H. R. 5125. An act to establish the Castle Clinton National Monument, in the city of New York, and for other purposes; and

H. R. 7038. An act to provide for the sale of certain public lands in the States for the use and benefit of the State public educational institutions; to the Committee on Public Lands and Surveys.

H. R. 6376. An act for the relief of Mrs. Fuku Kurokawa Thurn; to the Committee on Immigration.

H. R. 6890. An act to amend the First War Powers Act, 1941; ordered to be placed on the calendar.

H. R. 7030. An act granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a toll bridge across the Allegheny River, between a point in or near the borough of Tarentum, in the county of Allegheny, and a point near the boundary of the city of New Kensington and Lower Burrell Township in Westmoreland County in the Commonwealth of Pennsylvania; to the Committee on Commerce.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 45 minutes p. m.), the Senate took a recess until tomorrow, Saturday, July 27, 1946, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, JULY 26, 1946

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, offered the following prayer:

Almighty God, our Father, whose hearing transcends all our asking and whose amazing goodness surpasses all our thought, humbly and confidently we are lifting our hearts in prayer, for of no one else can we ask so much and none other is so willing and able to supply our many needs.

May we now yield ourselves unreservedly to the promptings and persuasions of Thy spirit, whose interpreting light and sustaining presence we so sorely need as we face the perplexing problems of each succeeding day. Help us to sense the sanctity of even the most commonplace duty. Give us the faith that dispels our fears, the hope that is invincible, and the love that fathoms the deep things of God.

We pray that the members of the human family may be blessed with a finer feeling of appreciation and understanding, a more heartfelt and healing sympathy, and a nobler skill in ministering to the welfare of all who are finding the struggle of life so difficult. May it be the goal of all our aspirations to attain unto the likeness and spirit of our blessed Lord, who went about doing good.

Hear us in His name. Amen.

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

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on July 25, 1946, the President approved and signed a joint resolution of the House of the following title:

H. J. Res. 371. Joint resolution extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill and a concurrent resolution of the House of the following titles:

H. R. 6528. An act to authorize the coinage of 50-cent pieces to commemorate the life and perpetuate the ideals and teachings of Booker T. Washington; and

H. Con. Res. 160. Concurrent resolution authorizing the printing of the handbook entitled "Laws Relating to the Physically Handicapped" as a House document, and providing for additional copies thereof.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 2359. An act to close the Office of the Recorder of Deeds on Saturdays.

The message also announced that the Senate agrees to the amendments of the

House to a bill of the Senate of the following title:

S. 1477. An act to authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war.

ELIMINATION AND RETIREMENT OF OFFICERS

Mr. SIKES. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7063) to provide for the selection for elimination and retirement of officers of the Regular Army, for the equalization of retirement benefits for members of the Army of the United States, and for other purposes, and further ask that 20 minutes may be allowed, to be equally divided between the gentleman from Iowa [Mr. MARTIN] and myself, for an explanation of the bill.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I am not going to object to this request, but I want it distinctly understood that hereafter there will be very few such consent requests granted. Legislation has been pouring onto the floor of the House in vast quantities. Committees are reporting out bills without giving hearings and very little consideration, and expecting them to be brought up under unanimous consent. This is unfair to the taxpayers and the people of the country. Some of these bills involve millions of dollars and others vitally affect our industrial life. If they are going to be taken up, they should be given decent consideration. Therefore, for my part, I am going to insist that any measure of any large importance be considered either by suspension or at least under a procedure giving full opportunity for debate. They are not going to be taken up by unanimous consent. I have no objection to the pending request.

Mr. RICH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RICH. How can the Members of the House know what is coming before the House in the way of unanimous-consent requests?

The SPEAKER. The majority leader made an announcement yesterday about these matters, also about the various bills as to which the Chair intends to recognize Members to move to suspend the rules.

Mr. RICH. Then nothing else will come before the House under unanimous consent except what has been stated by the majority leader?

The SPEAKER. The Chair is not going to recognize anybody to ask unanimous consent to call up any bill that has not been cleared with both the majority and the minority leaders and with the Speaker. The Chair does not do that anyhow.

Mr. RICH. How are the Members going to know?

The SPEAKER. The Chair does not know, other than that a Member can get

in touch with the majority or the minority leader or the Speaker and find out if any such request is going to be submitted.

Mr. RICH. If they do not tell the Members of the House, is there not some way in which there could be published a day ahead what bills are coming up? Would not that be sound business?

The SPEAKER. It might not be sound business for the Chair to be bound in that way.

Mr. RICH. It might be sound business for the Members of the House to know that. I think we ought to know that. I think the Speaker of the House and the majority and minority leaders ought to give notice at least 24 hours ahead of what is coming up.

Mr. MARTIN of Massachusetts. Further reserving the right to object, Mr. Speaker, I want it thoroughly understood that my remarks are no reflection on either the Speaker or the majority leader. I simply want it understood that committees cannot bring bills in here without hearings and any consideration and expect to have them considered by unanimous consent. Polling of a few committee members is not the way to legislate on bills of Nation-wide importance. The House should have the opportunity to have thorough knowledge of the legislation to be considered.

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

Mr. CHURCH. Mr. Speaker, reserving the right to object, I cannot get a copy of the bill. What is the number of the bill, at least?

Mr. SIKES. The number is H. R. 7063.

Mr. CHURCH. Can we have the bill read?

The SPEAKER. The bill, of course, cannot be read unless the House grants unanimous consent for its consideration.

Mr. CHURCH. Mr. Speaker, I am going to object until I see a copy of the bill. I am going to object temporarily. I think I have an amendment and I want to see the bill.

The SPEAKER. Objection is heard.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—INTERNATIONAL LABOR CONFERENCE

The SPEAKER laid before the House the following message from the President of the United States which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

The Twenty-seventh Conference of the International Labor Organization was held in Paris, France, from October 15 to November 5, 1945. Representatives of governments, employers, and workers participated in its deliberations. The United States was one of the 48 member nations represented at the Conference.

The Conference adopted, on November 5, 1945, recommendation (No. 74) concerning minimum standards of social policy in dependent territories (supplementary provisions). One hundred votes were cast in favor of adoption, and none were recorded in opposition.

This recommendation sets forth minimum standards found desirable by the Conference for application in dependent territories to supplement the standards contained in recommendation (No. 70) concerning minimum standards of social policy in dependent territories, which was adopted on May 12, 1944, by the Twenty-sixth Conference held in Philadelphia and which was transmitted to the Congress of the United States on August 22, 1944.

In accordance with the constitution of the International Labor Organization which provides that recommendations adopted by the Conference shall be brought before the competent authority or authorities for the enactment of legislation or other action, I herewith transmit to the Congress the authentic text of this recommendation (No. 74). I believe that the Congress will find the provisions of this recommendation helpful in its consideration of problems of social policy in those Territories and possessions of the United States to which it may be applicable.

I am also bringing this recommendation to the attention of the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior in order that they may transmit it for suitable action by the appropriate authority or authorities in those Territories and possessions of the United States for which they respectively are administratively responsible.

HARRY S. TRUMAN.

THE WHITE HOUSE, July 26, 1946.

ADDITIONAL COPIES OF PEARL HARBOR INVESTIGATION REPORT

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution 74.

The Clerk read the resolution, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 8,000 additional copies of Senate Document No. 244, being the report of the Joint Committee on the Investigation of the Pearl Harbor Attack pursuant to Senate Concurrent Resolution 27, a concurrent resolution to investigate the attack on Pearl Harbor on December 7, 1941, and events and circumstances relating thereto, including the additional views of Mr. KEEFE and the minority views of Mr. FERGUSON and Mr. BREWSTER, of which 6,000 copies shall be for the use of the said joint committee, 1,000 copies for the use of the Senate document room and 1,000 copies for the use of the House document room.

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

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PART IV OF HEARINGS ON AID TO PHYSICALLY HANDICAPPED

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 741.

The Clerk read the resolution, as follows:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, ap-

proved March 1, 1907, the House Committee on Labor Subcommittee to Investigate Aid to the Physically Handicapped be, and is hereby, authorized and empowered to have printed for its use 500 copies of part 4 of the hearings held before said subcommittee during the second session, Seventy-eighth Congress, relative to aid to the physically handicapped.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PART V OF HEARINGS RELATIVE TO AID TO THE PHYSICALLY HANDICAPPED

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 742.

The Clerk read the resolution, as follows:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Labor Subcommittee to Investigate Aid to the Physically Handicapped be, and is hereby, authorized and empowered to have printed for its use 500 copies of part 5 of the hearings held before said subcommittee during the second session, Seventy-eighth Congress, relative to aid to the physically handicapped.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PART VI OF HEARING ON AID TO PHYSICALLY HANDICAPPED

Mr. JARMAN. Mr. Speaker, I present a resolution (H. Res. 743) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Labor Subcommittee to Investigate Aid to the Physically Handicapped be, and is hereby, authorized and empowered to have printed for its use 500 additional copies of part 6 of the hearings held before said subcommittee during the second session, Seventy-eighth Congress, relative to aid to the physically handicapped.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMUNISM IN SOVIET UNION

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 720.

The Clerk read the resolution, as follows:

Resolved, That the manuscript of a documented study and analysis of communism in operation in the Soviet Union be printed as a House document.

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

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

MANUAL EXPLANATORY OF THE PRIVILEGES, RIGHTS, AND BENEFITS PROVIDED FOR ALL PERSONS WHO ARE, OR HAVE BEEN, MEMBERS OF THE ARMED FORCES

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 2672) a privileged concurrent resolution (H. Con. Res. 66), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the pamphlet entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for All Persons Who Are, or Have Been, Members of the Armed Forces of the United States and of Those Dependent Upon Them" be printed as a House document, and that 91,300 additional copies shall be printed, of which 66,300 copies shall be for the use of the House of Representatives, 20,000 for the use of the Senate, 2,000 for the use of the Committee on World War Veterans' Legislation of the House of Representatives, 2,000 for the House document room, and one thousand for the Senate document room.

The resolution was agreed to.

A motion to reconsider was laid on the table.

BIOGRAPHICAL DIRECTORY OF THE AMERICAN CONGRESS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 2673), a privileged concurrent resolution (H. Con. Res. 163), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be compiled and printed, with illustrations, as a House document, in such style and form as may be directed by the Joint Committee on Printing, a revised edition of the Biographical Directory of the American Congress up to and including the Eightieth Congress (1774-1948); and that 3,500 additional copies shall be printed, of which 2,300 copies shall be for the use of the House of Representatives, 800 copies for the use of the Senate, and 400 copies for the use of the Joint Committee on Printing.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELIMINATION AND RETIREMENT OF OFFICERS

Mr. SIKES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 7063) to provide for the selection for elimination and retirement of officers of the Regular Army, for the equalization of retirement benefits for members of the Army of the United States, and for other purposes, and I ask unanimous consent that 20 minutes be allocated for discussion of the bill, the time to be equally divided between the gentleman from Iowa and myself.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. SIKES]?

There was no objection.

The SPEAKER. The gentleman from Florida is recognized for 10 minutes.

Mr. SIKES. Mr. Speaker, I ask unanimous consent to revise and extend my

remarks and include an analysis of the bill.

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

There was no objection.

Mr. SIKES. Mr. Speaker, in asking for the present consideration of H. R. 7063, the Committee on Military Affairs, recognizes the lateness of the session and is prompted by the fact that General Eisenhower has classed this bill as one extremely valuable to the Nation's military program and to our national defense and security. I want to point out that it has the active support and endorsement of the National Guard Association and the Reserve Officers' Association. Consequently the committee feels that it is in order to ask for this special treatment of the bill at this time.

The bill contains two principal features: First, a retirement program for National Guard and Reserve officers. I think all of us recognize and appreciate the importance of national guardsmen and of the Reserve officers in World War II. They formed the backbone of the training staff. They made it possible for our people to train an army in the quickest possible time. More important, they helped to hold the lines on far-flung battle fronts until other officers and men could be trained and sent into the breach. Consequently it is extremely important—it is considered essential—that we provide an incentive for a strong National Guard and Reserve in the years ahead. A few men held on during the lean years between World Wars I and II because they loved the work and wanted to help their country's defense. But they were not many in number, and they were never given the full opportunity for training and experience which they needed. We are now seeking to avoid a repetition of that condition. We are seeking to encourage the participation of the best type of personnel in our National Guard and Reserve program. I should like to point out that in order to protect our commitments for the armed forces it is going to be necessary to keep in active service for a long time about 30,000 officers in addition to the 50,000 now authorized for the Regular Army. These men must come from AUS or from the Reserves. It is hard to attract good men from their careers unless some additional attractions for service are provided. The possibility of participating in a retirement program is a positive incentive.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. MILLER of Nebraska. I had a wire from the National Guard of Nebraska in which it was pointed out that the proposed bill would eliminate perhaps the older men who have been giving service for many years, that they no longer will be in the National Guard. Can the gentleman make any explanation of that?

Mr. SIKES. I cannot see that this bill will in any way eliminate the services of the older men.

It requires the continued participation in military activity of nearly all National Guard and Reserve officers, for it is the

purpose of the bill to keep these men up to the minute in training and tactics. But the bill does not in any way infer that those who have served faithfully in the past cannot continue to serve.

I should like to point out to the House that War Department officials estimate that we shall be about 20,000 officers short on August 1. Men are returning to their own careers. They are reluctant to continue to give time to active duty unless additional incentive is provided; something that gives them an opportunity to look forward to at least partial compensation in the way of a retirement program for continued active service.

It is not going to be easy to meet the requirements of this retirement program; its requirements are exhaustive. The completion of 20 years of active and inactive service is necessary. No one can participate before age 60. It is intended to keep officers on their toes, but to offer rewards for long and faithful service of the type that was so important to our prewar military institution. It holds out to officers the possibility of retirement in later years for service in the National Guard and in the Reserve.

Mrs. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mrs. BOLTON. Does this include Medical Corps officers?

Mr. SIKES. It includes all officers in the National Guard and Reserves. I should like to point out that the cost of this legislation is considered to be about \$2,000,000 a year for approximately the next 10 years. Beyond that it is rather difficult to say what the cost will be. It will increase as time goes on.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield.

Mr. JOHNSON of California. In World War I and in World War II over two-thirds of the Ground Forces and a large part of our officers came out of the National Guard organization and Reserves. Is not that a fact?

Mr. SIKES. I believe the gentleman is correct.

Mr. JOHNSON of California. And this bill just gives a slight consideration in a monetary way to those men who continue to work over a very prolonged period, and they cannot take advantage of its provisions until they have reached 60 years of age.

Mr. SIKES. That is correct; a man must be 60 years of age to draw any retirement benefit, and he must have had 20 years active and inactive service. It is not going to be easy to qualify for the benefits offered under this bill, but it does offer a real and substantial incentive for continued service in the National Guard and in the Reserves.

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

Mr. SIKES. I yield.

Mr. KEARNEY. Does this bill also give recognition to these National Guard men who in the past have carried the burden of this problem?

Mr. SIKES. It does.

Mr. KEARNEY. By going to their armories night after night? It is also an incentive for men to continue in the National Guard and Reserves.

Mr. SIKES. That is correct, and I may say for the benefit of the membership that no one in this House is better qualified than my distinguished friend to speak of the need for this legislation.

Mr. KEARNEY. I wish to compliment the gentleman and members of the subcommittee for the work they have put in on this bill to get it in shape where it could be reported out and has been.

Mr. SIKES. I thank the gentleman from New York.

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

Mr. SIKES. I yield.

Mr. ABERNETHY. I have a constituent who has had about 24 years of service, mostly in the Reserves, and about 4 years in active service, a little less than 4 years. Will he qualify under this bill?

Mr. SIKES. How long did he serve in the National Guard and Reserves?

Mr. ABERNETHY. His over-all service was about 24 years plus, but a little less than 4 years was active service on duty.

Mr. SIKES. If he has served less than 25 years in the National Guard or Reserves and has less than 4 years' active service, he will have to have another 6 months' active service to qualify under this program.

Mr. ABERNETHY. How much active service is required in all?

Mr. SIKES. For a man who has had over 25 years in the National Guard or in the Reserves, no additional active service is required. If he has had between 15 and 25 years, he will have to have another 6 months. A graduated program of requirements is set up as a reward for service already rendered and to insure the continuation of active participation in the future of guardsmen and reserves.

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

Mr. SIKES. I yield to the distinguished gentleman from Texas.

Mr. THOMASON. Is it not a fact this bill has the approval not only of the National Guard Officers' Association but likewise the Reserve Officers' Association, also the unanimous approval of the Committee on Military Affairs?

Mr. SIKES. That is correct. It has the very strong endorsement of the National Guard Officers' Association and the Reserve Officers' Association and comes to us with the unanimous report of the Committee on Military Affairs.

Mr. THOMASON. In view of the modesty of the gentleman who now has the floor, may I add that the gentleman from Louisiana [Mr. Brooks], who is not present today, the gentleman from Florida who is now speaking [Mr. SIKES], and the gentleman from Iowa [Mr. MARTIN] have given literally months of time in studying this question in collaboration with the War Department officials, and I understand it not only has the approval of the subcommittee and the full committee but also of the War Department as well.

Mr. SIKES. I want to subscribe to all the gentleman has said about the able leadership of the gentleman from Louisiana [Mr. Brooks], who has worked long and faithfully on this matter, as well as the gentleman from Iowa [Mr. MAR-

TIN], who has carried a large part of the load. At this point I hope I may list the members of the subcommittee which prepared the bill. It has required much work and they have given freely of their time to insure a sound and workable bill. They are Messrs. BROOKS, SPARKMAN, KILDAY, DURHAM, myself, PHILBIN, STEWART, WINSTEAD, ROE of New York, SHORT, ARENDT, CLASON, MARTIN of Iowa, ELSTON, HARNES of Indiana, and JOHNSON of California.

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

Mr. SIKES. I yield to the gentleman from New York.

Mr. KEARNEY. It also has been endorsed by the Adjutant General's Association?

Mr. SIKES. That is correct.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from New York.

Mr. COLE of New York. If I understand it correctly, this is the first time a Reserve officer of the Army is given the privilege of retirement?

Mr. SIKES. It is the first time a measure has been brought to the floor setting up a retirement program for Reserves.

Mr. COLE of New York. Does this bill affect only the Army or does it affect the Navy as well?

Mr. SIKES. This bill is written for the Army.

Mr. COLE of New York. Was any consideration given to the advisability of including the Navy?

Mr. SIKES. I think it is advisable to include Navy personnel in this program, but the committee, realizing the size and enormity of its task, confined its discussion to its applicability to the War Department.

Mr. COLE of New York. Was the position of the Navy Department on this question sought by the Military Committee?

Mr. SIKES. I am not able to answer that question. I do not know.

Mr. MILLER of Nebraska. Are we discussing 1972?

Mr. SIKES. We are discussing H. R. 7063.

Mr. MILLER of Nebraska. Is that the Brooks bill?

Mr. SIKES. That is the Brooks bill.

Mr. MILLER of Nebraska. "The information I tried to impart to the gentleman a few minutes ago was that the National Guard and Reserve Officers' Associations were opposed to section 203 of S. 1974 because it required 3 years of active military service and 2 years to be served in the future and only 1-year credit for prior service."

Mr. SIKES. There is a graduated scale which sets up the amount of active service required. It depends upon the active and inactive service a man has had in the past. We must set up standards which can be attained, but which are sufficiently exacting to insure a well-trained, spirited Reserve and National Guard. There will always have to be a dividing line, which some persons cannot quite attain.

It is going to be impossible to set up a program that will please everybody;

however, we are trying to set one up that will benefit the service to the greatest extent, and at the same time provide an incentive for officers to do the required work of first-class services. We want to build up the Reserve and the Guard and at the same time we want the personnel of both to have a chance to benefit financially by their work.

We do not want to eliminate those officers who have served faithfully and well in the past and they are included in this program.

Now Mr. Speaker, before my time expires, I want to touch on other features of the bill. The second main provision establishes a method for the elimination of unqualified Regular Army officers.

I think we all realize that the old program, which was in effect prior to 1941 is so cumbersome that it was almost impossible to eliminate an inefficient officer against his will. The war proviso now temporarily in effect for the elimination of inefficient officers does not provide sufficient protection for the rights of the individual officer. In setting up our peacetime forces, the War Department wants the best officers it can obtain, and this bill seeks to provide a sound, long-range program for the retention of able officers and the weeding out of undesirable ones. The bill provides for a selection board, whose findings are gone into thoroughly by a board of inquiry. Afterwards a board of review will confirm or reject previous findings. As a final step, the Secretary of War is empowered to pass on the findings of the various boards.

There are other features in the bill. One of them provides for retirement in the highest grade held during wartime. This is similar to a provision now enjoyed by Navy personnel, and it is included in this bill as a part of the program to place the services on an equal footing.

Another significant feature is the requirement for an annual physical examination of persons retired for physical disability except in cases of obvious permanent disability. This section is intended to stop abuses, which are known to exist, and to correct cases where individuals have recovered from disability for which they were retired, and for which they are still drawing retirement pay. The bill does not leave these individuals out in the cold. It provides for their return to duty or for retirement pay on the basis of actual service rendered.

The bill also provides some needed safeguards on legislation previously enacted. For instance some individuals who have just been appointed to the Regular Army have the right to retire almost immediately and to receive retirement pay for years of constructive service. Constructive service is a term used in determining the rank they will enjoy in the Regular Army, but unless this bill is passed some individuals can also use constructive service for retirement and be paid for it, even though it refers to years not actually served. The bill corrects that situation.

Mr. Speaker, I ask that I may include herein an analysis of the bill which explains each paragraph.

ANALYSIS OF H. R. 7063, A BILL TO PROVIDE FOR THE SELECTION FOR ELIMINATION AND RETIREMENT OF OFFICERS OF THE REGULAR ARMY, FOR THE EQUALIZATION OF RETIREMENT BENEFITS FOR MEMBERS OF THE ARMY OF THE UNITED STATES, AND FOR OTHER PURPOSES

GENERAL

H. R. 7063 is a bill prepared by a Subcommittee of the Committee on Military Affairs under the chairmanship of the Honorable OVERTON BROOKS. The bill is necessarily involved in a legal sense in view of the complexity of present law respecting elimination and retirement of military personnel. The principles, however, which it seeks to establish are clear and relatively simple.

The bill contains two separate and distinct subjects.

TITLE I. ELIMINATION OF UNQUALIFIED REGULAR OFFICERS

Title I of the bill applies only to officers of the Regular Army and is designed to establish a method for the elimination of inefficient officers. It is a substitute for the provisions of section 24b of the National Defense Act under which inefficient officers were eliminated after World War I and prior to World War II and for the provisions of the joint resolution of July 29, 1941, under which inefficient officers were eliminated during World War II.

As the committee is aware, the method established for the elimination of inefficient officers in section 24b of the National Defense Act proved to be unsatisfactory. The numerous boards and resulting delays provided by that act to protect the interests of officers whose elimination was recommended proved too cumbersome with the result that it was practically impossible to terminate the commission of an inefficient officer against his will. On the other hand, the provisions of the joint resolution of July 29, 1941, passed in anticipation of war, are extremely drastic and do not provide appropriate safeguards to protect the interests of the officers concerned consistent with our democratic form of government.

Title I of the bill under consideration provides (sec. 102) that the Secretary of War shall convene a selection board of five general officers. This board is charged with responsibility of reviewing the records of all officers on the active list of the Regular Army annually and of selecting therefrom the names of those officers who have failed to achieve standards of performance of duty established by War Department regulations.

Officers who are found by the selection board not to meet minimum War Department requirements are to be afforded a fair and impartial hearing before a board of not less than three general officers (sec. 103). If the board of inquiry finds an officer to have met the standards prescribed, proceedings in his case are terminated. On the other hand, if the board finds the officer not to have met such minimum standards, the officer's record, together with the recommendations of the board of inquiry, are forwarded to a board of review (sec. 104) consisting of not less than five general officers. Again, if the board of review finds the officer qualified, his case is dropped. If, however, it concurs in the findings of the board of inquiry, it forwards the case to the Secretary of War with the recommendation that the officer be removed from the active list. The action of the Secretary of War is final.

Section 105 provides that an officer required to show cause why he should not be removed from the active list, shall be allowed to appear in person, to be represented by counsel, and shall be furnished full access to all records pertinent to his case at all stages in the proceedings. This section also prohibits the same general officer from sitting on more than one of the boards involved. These safeguards are provided to insure a

complete and just hearing in each case and to afford each officer a full opportunity to present all factors favorable to his side of the case.

Officers who are removed from the active list under the provisions described in the preceding paragraph and who have completed less than 7 years active Federal commissioned service are honorably discharged (sec. 106a). Where such an officer has completed more than 7 years but less than 10 years service, he is discharged with severance pay equal to 6 months base pay and longevity of his permanent grade (sec. 106b). In the case of those officers who have completed more than 10 but less than 20 years service, severance pay equal to 1 year's base and longevity pay is authorized (sec. 106c). Finally, those officers who have completed more than 20 years service are placed on the retired list in the permanent grade then held with retirement pay at the rate of 2½ percent of such officers' active duty annual pay at the time of his retirement multiplied by the number of years service which he has completed but with a maximum limit of not to exceed 75 percent.

Section 107 provides for the review of the records of those officers heretofore removed from the active list of the Regular Army under the provisions of the joint resolution of July 29, 1941. Provision is made for a full and complete hearing in all such cases and for the restoration to the active list of those officers found to have been wrongfully removed in the position and with all rights, benefits, and privileges which he would have attained had he not been removed except those rights, benefits, and privileges based upon active service in time of war in fact not performed by such officers.

Sections 108 and 109 of the bill authorize the Secretary of War to promulgate regulations necessary to carry the provisions of title I into effect; provide against the payment of back pay or allowances for personnel reinstated and repeal section 24b of the National Defense Act and the joint resolution of July 29, 1941.

The War Department feels that the method established in title I of the bill will operate satisfactorily, avoids the difficulties heretofore experienced under section 24b of the National Defense Act, and contains appropriate safeguards for the rights of individuals.

TITLE II. RETIREMENT

In his recent appearance before the Military Affairs Committee, General Eisenhower pointed out "we will always, in the foreseeable future, require a larger combined Army and Air Force than this—the 50,000 Regular officers will always have to be supported by a large number of civilian officers on active duty." As the committee also is aware, the establishment of a strong reserve in the period between the World Wars I and II was seriously handicapped by a reluctance on the part of Reserve and National Guard officers to accept extended active duty. Under the circumstances, the purpose of title II of the bill under consideration is to provide an incentive to National Guard and Reserve officers to seek extended active duty subsequent to the termination of the present war. The incentive established is a provision for the retirement of temporary officers under certain circumstances with retired pay in amounts proportional to the service which they will be required to render in order to qualify.

Title II of the bill affects retirement of both Regular and temporary officers. Section 201 provides for the establishment of an officers' retired list and of a Reserve officers' retired list. The names of all officers of the Regular Army heretofore or hereafter retired under any provision of law are placed on the former list. The names of all commissioned officers and former commissioned officers of the Army of the United States, other than those of the

Regular Army, heretofore retired under the provisions of the act of April 3, 1939 (retired for physical disability) or the act of September 26, 1941 (physical disability incurred on or after February 28, 1925) or hereafter retired under the provisions of section 203 of title II of the bill under consideration, are placed on the Reserve officers' retired list.

Section 202 provides for the future voluntary retirement of Regular Army officers. Present law (act of July 31, 1935) as amended, permits an officer of the Regular Army to retire at his own request, in the discretion of the Secretary of War, after having completed 15 years' active Federal service. This minimum term of service is raised to 20 years by the bill under consideration. No change is made in the rate of retired pay (2½ percent per year) now provided by law, nor in the maximum limit of 75 percent. A proviso protects, without change, provisions of present law which authorize 75 percent active duty annual base and longevity pay for retired officers of the Regular Army or Philippine Scouts who served prior to November 12, 1918. It is to be noted therefore that insofar as regular officers are concerned, these two sections make little change in present law.

RETIREMENT OF RESERVE AND NATIONAL GUARD OFFICERS

Section 203 of the bill establishes a new national policy providing for the retirement of reserve and National Guard officers for length of service. There is no authority of law for such purpose at the present time and it is hoped that the provisions established by section 203 will provide the incentive desired in order that reserve and National Guard officers will seek active Federal service after the official termination of the present war.

Two over-all criteria which apply to all temporary officers are first established. First, retirement benefits are not payable until the age of 60; and second, a minimum of 20 years satisfactory service in the armed forces or reserve components must be served in all cases.

With the two over-all requirements in mind, section 203 establishes a number of postwar requirements which must be met if an individual is to qualify for retirement benefits. These are adjusted with two purposes in mind. First, to establish a maximum probable postwar active duty requirement which could be met by a reserve officer in consideration of his age; and second, to compensate to a degree the past service rendered by reserve and National Guard officers in World Wars I and II. The requirements established are spelled out in subsections (a) (1), (2), (3), (4), (5), (6) of section 203. The following table indicates these requirements:

Age (years)	Minimum total satisfactory service	Minimum total active Federal service (years)	Minimum satisfactory service in armed forces prior to termination of present war (years)	Minimum postwar active Federal service required (years)
60.....	At least 20 years.	3	None....	3
60.....	do.....	3	0 to 5....	2
60.....	do.....	4	5 to 10....	1½
60.....	do.....	4	10 to 15....	1
60.....	do.....	4	15 to 25....	¾
60.....	At least 25 years.	4	Over 25....	None

Service with the Civilian Conservation Corps is specifically excluded from the time which may be counted as active Federal service.

Persons who are eligible for retirement benefits under the conditions described above receive retired pay at the rate of 2½ percent for each year of active Federal service and at the rate of one-half of 1 percent for each year of inactive Federal service. A maximum of 75 percent is established. These rates are applied to the annual base and longevity pay of the highest grade satisfactorily held by such person during his period of service.

Subsection (d) of section 203 provides that the Secretary of War shall certify to the Veterans' Administration the names of those persons entitled to receive retirement pay under the provisions of this section. Payment is made by the Administrator of Veterans' Affairs from appropriations of the Veterans' Administration. This is consistent with the national policy established by the Congress in 1939 whereby the Administrator of Veterans' Affairs pays all benefits other than the retired pay of members of the Regular Army.

Subsection (e) contains certain definitions essential to the proper interpretation of section 203.

CONSTRUCTIVE SERVICE FOR RETIREMENT

Regular Army

Sections 204 and 205 of title II again apply only to members of the Regular Army.

Subsection 204 is necessary in view of the recent integration of temporary officers into the Regular Army under the provisions of the act of December 28, 1945. As the committee is aware, these officers were given constructive service under the provisions of that act for purposes of determining their grade and right of promotion. Section 204 permits such constructive service to be counted in determining their eligibility for voluntary retirement under the provisions of the act of July 31, 1935. As originally introduced, this section also permitted such constructive service to be counted in computing retirement pay. The subcommittee, however, specifically amended the section to permit the constructive service in question to be counted for determining eligibility for retirement only and, as now written, it does not authorize this service to be counted in computing retirement pay.

The section in question is a substitute for the fifth proviso of section 5 of the act of July 31, 1935, as amended, which is repealed.

Retirement in temporary grade

Section 205 of the bill under consideration provides for the retirement or for advancement on the retired list of each commissioned officer of the Regular Army in the highest temporary grade satisfactorily held by him during active military service in time of war.

Subsection (b) of section 205 applies the same principle to members of the Army Nurse Corps. Similarly warrant officers and enlisted members of the Regular Army heretofore or hereafter retired are retired in the highest grade held during active military service during the war and receive retired pay on the basis of base and longevity pay which they would have been receiving if serving in active duty in such grade.

Subsection (d) of this section makes a similar provision with respect to members of the Army of the United States other than of the Regular Army heretofore or hereafter granted retirement pay for physical disability.

Subsections (e) and (f) provide for the effective date of the provisions of this section and provide certain safeguards in the event such individuals are recalled to active duty.

Congress has established this principle in national policy by making similar provisions in the act of February 21, 1946 (Public Law 305, 79th Cong.), respecting the retirement of

naval personnel. It is not believed that any valid distinction exists between the type of service rendered by officers and enlisted men of the Army and the service rendered by officers and enlisted men of the Navy upon which naval personnel should be retired in temporary war grades while military personnel are retired in their permanent grades. The provisions of this section place Army personnel in exactly the same position in this respect as naval personnel under the act of February 21, 1946.

REEXAMINATION OF PERSONS RETIRED FOR PHYSICAL DISABILITY

Section 206 is a new section inserted by the subcommittee which prepared the bill under consideration. The subcommittee was of the opinion that there has been abuse of the laws and regulations providing for the retirement of personnel because of physical disability in the past. At the present time, there is no provision for the reexamination of individuals who have been retired because of physical disability nor is there any provision whereby the retired pay of such individuals is terminated or reduced should they recover from the disability for which they were retired.

Section 206, consequently, provides that all persons heretofore or hereafter retired for physical disability, with the exception of those having obvious disabilities of a permanent nature, shall be required to take annual physical examinations and that the retired pay of persons found no longer physically disqualified for service as a result of such examination shall be terminated.

In the case of a member of the Regular Army or of the Army Nurse Corps whose retired pay is terminated as a result of the contemplated annual physical examination, the Secretary of War, with the consent of the individual involved, is required to recommend to the President the nomination of such individual for reappointment to the active list of the Regular Army or of the Army Nurse Corps in the grade and with the seniority that such person would have held had he not been originally retired.

Similar provisions are made with respect to persons other than members of the Regular Army whose retirement pay is terminated, and again the section calls upon the President to appoint such persons in the Officers' Reserve Corps in the grade equal to the highest grade satisfactorily held by him in the Army of the United States.

Those members of the Regular Army who decline to accept reappointment to the active list may, if they have completed 20 or more years of active Federal service, be retired at 2½ percent of annual base pay and longevity of the highest grade satisfactorily held by him during his period of service multiplied by the number of years of active Federal service. In computing this figure, time spent on the retired list is counted as active Federal service. Similar provisions are made respecting the retirement of enlisted men.

Rules and regulations

Section 207 of the bill contains authority for the Secretary of War to promulgate necessary regulations and also contains the usual "grandfather clause." A specific exemption with respect to section 206 of the bill is contained in this clause.

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

Mr. LARCADE. Mr. Speaker, this bill now under consideration was introduced by my colleague the gentleman from Louisiana [Mr. Brooks], and I am heartily in favor of the same.

It is my opinion that this bill corrects an injustice as between the officers of the armed forces and that the

provisions are fair and reasonable, and that the enactment of this bill will go a long way to solidify and clarify our national-defense policies.

The bill has the unanimous support of the War Department, National Guard, and Reserve Officers' Associations, as well as the approval of veterans' organizations.

Mr. Speaker, I trust that the Members of the House will not defer further action on this important matter, and that the same will be approved unanimously.

Mr. Speaker, the legislation has the full support of the various officers and veterans organizations in my State, and I ask unanimous consent that I may insert telegrams from a number of leading and distinguished men from my district and Louisiana who urge the enactment of this bill, and that the same be included in my remarks.

I now submit the telegrams addressed to me as follows:

LAKE CHARLES, LA., July 24, 1946.
Representative LARCADE, Louisiana,
House of Representatives,
Washington, D. C.:

Urge further support of H. R. 6954 introduced by Brooks of Louisiana in order that it may be placed on unanimous-consent list. The bill has won unanimous support of the War Department, National Guard, Reserve Officers' Association, and veterans' organizations.

LEONARD E. PAULEY,
Lieutenant Colonel, United States
National Guard.

LAKE CHARLES, LA., July 24, 1946.
Representative LARCADE, Louisiana,
House of Representatives,
Washington, D. C.:

Urge further support of H. R. 6954 introduced by Brooks of Louisiana in order that it may be placed on unanimous-consent list. The bill has won unanimous support of the War Department, National Guard, Reserve Officers' Association, and veterans' organizations.

RAYMOND H. PAULEY,
First Lieutenant, United States
Artillery.

LAKE CHARLES, LA., July 24, 1946.
Congressman HENRY D. LARCADE, Jr.,
Washington, D. C.:

Urge further support of H. R. 6954 introduced by Brooks of Louisiana in order that it may be placed on the unanimous-consent calendar. This is the bill unanimously supported by the War Department, National Guard, and Reserve Officers' Associations, and the veterans' organizations.

FRANK C. BLACKBURN.

LAKE CHARLES, LA., July 24, 1946.
Representative HENRY D. LARCADE, Jr.,
House of Representatives,
Washington, D. C.:

Urge further support of H. R. 6954 introduced by Brooks of Louisiana in order that it may be placed on unanimous-consent calendar. His bill has won unanimous support of War Department, National Guard, Reserve Officers Association, and veterans' organizations.

ROBERT B. CAGLE,
Louisiana National Guard.

LAKE CHARLES, LA., July 24, 1946.
Congressman HENRY D. LARCADE, Jr.,
Washington, D. C.:

Urge further support of H. R. 6954 introduced by Brooks of Louisiana in order that it may be placed on the unanimous-consent

calendar. This is the bill unanimously supported by the War Department, National Guard and Reserve Officers' Associations, and veterans' organizations.

JAS. H. KUTTNER.

LAKE CHARLES, LA., July 24, 1946.
Hon. HENRY D. LARCADE, Jr.,
House of Representatives,
Washington, D. C.:

Urge further support of H. R. 6954 introduced by Representative Brooks, Louisiana, in order that it may be placed on unanimous-consent calendar. This bill has won unanimous support of War Department, National Guard, Reserve Officers' Association, and veterans' organizations.

ARTHUR L. GAYLE, Jr.,
Lieutenant Colonel, United States
Reserve Army.

SHREVEPORT, LA., July 25, 1946.
Hon. HENRY J. LATHAM,
Member of Congress,
Washington, D. C.:

Understand H. R. 6954 by Brooks of Louisiana may be placed on unanimous-consent calendar for immediate consideration. Urge your assistance. We think it highly important that passage be expedited so as to hasten solidification and clarification of the national defense policies. This bill unanimously supported by War Department, National Guard, Reserve Officers' Association, and so forth.

WHITFIELD JACK,
President, Louisiana Department,
Reserve Officers' Association.

THE SPEAKER. The gentleman from Iowa [Mr. MARTIN] is recognized for 10 minutes.

Mr. MARTIN of Iowa. Mr. Speaker, this bill has been under study by the Committee on Military Affairs for several years. The problem came up acutely in 1940 when we rewrote the promotion law for the Army. I joined at that time with the gentleman from Alabama [Mr. SPARKMAN] in writing a committee report in which we stressed two important factors needed by the Army, one governing promotion and the other governing attrition as far as the Regular Army is concerned.

Section 1 of the bill now before you includes the first far-reaching legislation governing the problem of attrition and giving the War Department the machinery needed for keeping the Army officer personnel up to date and freeing it from officers who cease to be of effective service and use to the Army.

Section 1 of this bill is vitally needed now since we are increasing the Regular Army officer personnel. I had the privilege of serving in the Army for many years following World War I, and following the increase in the Regular Army in 1920, and I know how badly the Regular Army needed legislation of this kind at that time. They did not have it, and as a consequence the Army suffered because of the inability and the lack of machinery to take care of the necessary attrition.

As far as sections 2 and 3 are concerned, they bring in a new piece of legislation authorizing limited retirement rights for National Guard and Reserve Officers and men who devote many years of their lifetime to the national defense. We have needed such incentive as is provided in this bill, and we have never needed it more than we do today when

we look forward to building up a larger and a more effective National Guard and Reserve system.

I have two amendments which I shall offer covering points that have arisen since the committee completed discussion of the bill, and in offering these amendments I certainly do not wish to criticize any member of the committee for not having placed them in the bill, because I know enough about the laws governing the armed forces, and especially those laws governing retirement of members of the armed forces, to know that no one can expect even in years of study to cover every possible point that should be covered.

At this point I want to make a statement regarding the work of the subcommittee chairman, the gentleman from Louisiana [Mr. Brooks]. He has done an outstanding job on this bill. I am sorry that he is not able to be with us at this time. Backing up the gentleman from Louisiana [Mr. Brooks] with equal good work was the gentleman from Florida [Mr. SIKES] who just addressed you.

The committee has given a lot of time and study to this matter. The bill itself is too complicated to expect one to outline every detail of it here at this time, but I can assure you that it is the best bill in this field that I have had the privilege of helping to develop and bring before the House.

Mr. JOHNSON of California. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Iowa. I yield to the gentleman from California.

Mr. JOHNSON of California. I want to say for the record that our committee looks upon the gentleman from Iowa [Mr. MARTIN] as the best informed man in Congress on these problems. I think that is not exaggerating one bit. We relied very heavily on his experience and his background in connection with this problem, and that is one reason why I am thoroughly in favor of the bill. He sponsored it and he furnished the historical background we had to have in order to understand it.

Mr. MARTIN of Iowa. I thank the gentleman.

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

Mr. MARTIN of Iowa. I yield to the gentleman from North Carolina.

Mr. DURHAM. I would like to add to what the gentleman from California [Mr. JOHNSON] has just said about the gentleman from Iowa [Mr. MARTIN]. The gentleman from Iowa [Mr. MARTIN], I think, knows more about this matter than any other member of the subcommittee. During the last 2 years he has been working on this problem trying to coordinate and work out this retirement bill. I think that he has done more hard work on it than any member on this subcommittee and deserves the thanks of the Members of this House.

Mr. MARTIN of Iowa. I thank the gentleman.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Iowa. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. I realize that the gentleman is an authority on this matter, but I should like to bring up a letter I received this morning in which an old National Guard officer, who had some service in this war, was complaining about the section in this bill which requires 3 years of actual military service, 2 years' service in the future, and only 1 year credit for service already rendered. I am wondering if that is still in this bill?

Mr. MARTIN of Iowa. We have taken care of that.

Mr. MILLER of Nebraska. That has been taken care of in the bill?

Mr. MARTIN of Iowa. Yes.

Mr. MILLER of Nebraska. I thank the gentleman.

Mr. MARTIN of Iowa. We tried to be fair to those officers of the National Guard and reserve who have already given long service. I have an amendment to offer in behalf of those officers who served 20 years or more and who were taken out of service because of physical disability at the very time they had the opportunity to render extended active duty during this war. This amendment will improve the bill considerably, and I know it is acceptable to the committee. I shall be very glad to offer it. I will also offer an amendment changing the present law regarding officers retired under section 24 (b) of the National Defense Act.

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

Mr. MARTIN of Iowa. I yield to the gentleman from North Carolina.

Mr. DURHAM. This amendment was overlooked in the committee. The gentleman from Iowa brought it to the attention of the committee after we had completed the consideration of the bill. Personally, I think it is a good amendment and should be added, because it puts every group in the Army on the same basis of retired pay. There is no reason why this little group of men, approximately 150 or 200, as I recall the number, should not be placed on the same basis as all the other officers in the Regular Army.

Mr. MARTIN of Iowa. I appreciate the gentleman's comment regarding that amendment to section 24 (b) of the National Defense Act.

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

Mr. MARTIN of Iowa. I yield to the gentleman from Texas.

Mr. THOMASON. I join with other members of my committee in saying that the gentleman from Iowa [Mr. MARTIN] has done an outstanding job on this bill. I should also like to include the gentleman from California [Mr. JOHNSON]. If we are not to have a large standing army, and none of us wants a larger one than is absolutely necessary for our national defense and national security, I am sure the gentleman will agree that we must give proper encouragement to the National Guard and Reserve officer components of the United States. The truth of the matter is, I think, and I believe the gentleman will agree with me, that in the recent past they have not had what might be commonly called a square

deal, yet their contribution in the recent war equalled that of any other person in the Army.

Mr. MARTIN of Iowa. The gentleman is absolutely right. Also I wish to join in his commendation of the gentleman from California [Mr. JOHNSON] for his intelligent and diligent efforts to build a sound piece of legislation in this field.

The SPEAKER. The time of the gentleman from Iowa has expired. All time has expired.

The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That this act may be cited as the "Army Vitalization and Retirement Equalization Act of 1946."

TITLE I

ELIMINATION

SEC. 101. Notwithstanding any other provision of law, the Secretary of War is hereby authorized for such causes as may be satisfactory to him, to remove any commissioned officer from the active list of the Regular Army in the manner hereinafter prescribed.

SEC. 102. Immediately following the enactment of this act, and once annually thereafter, the Secretary of War shall convene a selection board of five general officers, which shall review the records of all officers on the active list of the Regular Army to determine which of such officers shall be required to show cause why they should be retained on the active list. Selection of any officer to show cause for retention shall be based upon his failure to achieve such standards of performance as the Secretary of War shall by regulations prescribe, or on other good and sufficient reasons appearing to the satisfaction of the Secretary of War and of which the selection board is advised.

SEC. 103. Any officer selected to show cause for retention shall be accorded a fair and impartial hearing before a board of inquiry, consisting of not less than three general officers, convened at such place or places as the Secretary of War may prescribe to receive evidence and to make findings and recommendations as to the officer's fitness to be retained on the active list. If the board of inquiry recommends the retention of any officer on the active list, his case shall thereupon be closed and shall not be subject to further action, except that such officer may again be selected to show cause for retention at any future time in accordance with the provisions of section 102 of this title.

SEC. 104. The board of inquiry shall forward the record of its proceedings in each case in which it recommends the removal of any officer from the active list to a board of review, consisting of not less than five general officers, convened by the Secretary of War at such time as he deems appropriate, to review each such case and make recommendations as to the retention of the officer concerned on the active list. If the board of inquiry recommends the retention of any officer on the active list, his case shall thereupon be closed and shall not be subject to further action, except that such officer may again be selected to show cause for retention at any future time in accordance with the provisions of section 102 of this title. If the board of review recommends against the retention of any officer on the active list, such recommendation shall be transmitted to the Secretary of War for his action thereon. The action of the Secretary of War in removing any officer from the active list shall be final and conclusive: *Provided*, That at any time prior to his removal from the active list the application of any officer for honorable discharge or voluntary retirement under this act or any other provision of law may, if the applicant is otherwise qualified therefor, be granted by the Secretary of War.

SEC. 105. Any officer who is under consideration for removal from the active list shall be allowed to appear in person or by counsel at proceedings before any board of inquiry or any board of final review, and shall, at all stages of the proceedings, be allowed full access to and furnished copies of records pertinent to his case. No person shall sit as a member of more than one of the boards convened under section 102, 103, or 104 of this title in the consideration of the case of the same officer.

SEC. 106. Each officer removed from the active list of the Regular Army pursuant to this title shall—

(a) if on the date of removal he has completed less than 7 years' active Federal commissioned service, be honorably discharged in the permanent grade then held;

(b) if on the date of removal he has completed 7 or more but less than 10 years of such service, be honorably discharged in the permanent grade then held, with severance pay equal to 6 months' base and longevity pay computed upon such grade;

(c) if on the date of removal he has completed 10 or more but less than 20 years of such service, be honorably discharged in the permanent grade then held, with severance pay equal to 1 year's base and longevity pay computed upon such grade;

(d) if on the date of removal he has completed 20 or more years of such service, be retired in the permanent grade then held, with retired pay equal to the retired pay which he would receive if retired in such grade upon his own application under section 5 of the act of July 31, 1935 (49 Stat. 507), as now or hereafter amended.

SEC. 107. (a) The Secretary of War shall transmit the records of all proceedings in the case of each person heretofore removed from the active list of the Regular Army pursuant to the provisions of section 2 of the joint resolution of July 29, 1941 (55 Stat. 606), to a board of review convened under section 104 of this title. Each person so removed shall be notified of the reference of his case to such board for review, and shall be accorded opportunity to appear before the board in person or by counsel. After full and fair consideration of all the facts and circumstances of each such case as they existed at the time of removal, the board shall transmit to the Secretary of War a report thereon containing its findings of fact, its conclusion on the question whether such removal was justified, and its recommendation on the question whether the officer affected should be restored to the active list pursuant to the provisions of this section.

(b) In each such case in which the Secretary of War approves a recommendation for the restoration of any person to the active list of the Regular Army, he shall transmit the record of proceedings to the President, who is authorized and requested to appoint such person, by and with the advice and consent of the Senate, as a commissioned officer on the active list of the Regular Army in the grade and with the seniority which he would have attained by operation of law if he had not been removed therefrom. In all other cases the action taken by the Secretary of War shall be final and conclusive for all purposes. The Secretary of War shall transmit to each person affected a copy of the report made by the board of review in his case and written notice as to the disposition thereof.

(c) In determining length of active Federal commissioned service for all purposes of pay, allowances, appointment, promotion, and retirement, each person restored to the active list of the Regular Army pursuant to the provisions of this section shall be deemed to have served as an officer on the active list of the Regular Army from the date of his removal therefrom to the date of his restoration thereto, and upon restoration shall be carried as an additional number in the grade in which restored to the active list or in any

grade to which he thereafter may be promoted. Each officer so restored shall be accorded all other rights, benefits, and privileges to which he would have been entitled if he had not been removed from the active list, except those based upon active service in time of war or emergency not in fact performed by him.

SEC. 108. (a) The Secretary of War may promulgate such regulations as may be necessary to carry into effect the provisions of this title.

(b) No back pay, allowances, or compensation shall accrue to any person by reason of the enactment of any provision of this title.

SEC. 109. Section 24b of the National Defense Act, as amended by the act of June 4, 1920 (41 Stat. 773), and the joint resolution of July 29, 1941 (55 Stat. 608), are hereby repealed.

TITLE II RETIREMENT

SEC. 201. Effective upon the enactment of this title, the Secretary of War shall establish—

(a) An officers' retired list, to be published annually in the Army Register, upon which shall be placed all commissioned officers of the Regular Army heretofore or hereafter retired from active service under any provision of law, without limitation as to the number of officers who may be placed thereon. Any provision of law requiring commissioned officers of the Regular Army to be placed upon the limited or unlimited retired lists hereafter shall be deemed to refer to the officers' retired list established pursuant to this subsection;

(b) A Reserve officers' retired list, to be published annually in the Army Register, upon which shall be placed the names of all commissioned officers and former commissioned officers of the Army of the United States, other than those of the Regular Army, heretofore or hereafter granted retirement pay under section 5 of the act of April 3, 1939 (53 Stat. 557), as amended (10 U. S. C. 456), section 1 of the act of September 26, 1941 (55 Stat. 733; 10 U. S. C. 456a), section 203 of this title or any law hereafter enacted to provide retirement pay for commissioned officers other than those of the Regular Army, and the names of all warrant officers and enlisted men of the Regular Army heretofore or hereafter retired under any provision of law who, by reason of service in temporary commissioned grades in the Army of the United States or any component thereof, are entitled to be retired with commissioned rank or grade.

SEC. 202. That portion of section 5 of the act of July 31, 1935 (49 Stat. 507), as amended by section 3 of the act of June 13, 1940 (54 Stat. 380; 10 U. S. C. 943a, 971b), ending with the colon following the second proviso thereof, is hereby further amended to read as follows:

"That any officer on the active list of the Regular Army or Philippine Scouts who shall have completed not less than 20 or more than 30 years' active Federal service in the armed forces of the United States may in the discretion of the Secretary of War be retired upon his own application with annual pay equal to 2½ percent of his active-duty annual base and longevity pay at the time of retirement, multiplied by a number equal to the number of years of such active Federal service not in excess of 30 years: *Provided*, That in computing the number of years of such service for the purpose of determining the amount of retired pay, and for no other purpose, any fractional part of a year amounting to 6 months or more shall be counted as a complete year: *Provided further*, That any officer on the active list of Regular Army or Philippine Scouts who served in any capacity as a member of the military or naval forces of the United States prior

to November 12, 1918, and who completes 20 or more years of active service shall, upon his own application, be retired with annual pay equal to 75 percent of his active-duty annual base and longevity pay at the time of his retirement unless entitled to retired pay of a higher grade as hereinafter provided, except that officers who are under investigation or who are awaiting trial by courts martial or the result of such trial, or whose cases are pending before courts of inquiry shall be retired only when the application for retirement in each case has been approved by the Secretary of War."

SEC. 203. (a) Any person, after attaining the age of 60, who has heretofore served or hereafter serves as a commissioned officer, warrant officer, flight officer, or an enlisted man in a reserve component of the Army of the United States and who has completed an aggregate of 20 or more years of satisfactory service in the armed forces of the United States, or reserve components thereof, shall, upon application to the Secretary of War, be granted retirement pay, if he satisfies the requirements applicable to his case as set forth below:

(1) If he has no satisfactory service in the armed forces of the United States, or reserve components thereof, prior to the termination of the present wars, he must have completed not less than 3 years of active Federal service subsequent to the date of termination of such wars.

(2) If he has completed some satisfactory service but less than 5 years of satisfactory service in the armed forces of the United States, or reserve components thereof, prior to the date of termination of the present wars, he must have completed not less than 3 years of active Federal service, at least 2 years of which must have been served subsequent to the date of termination of such wars.

(3) If he has completed 5 years but less than 10 years of satisfactory service in the armed forces of the United States, or reserve components thereof, prior to the date of termination of the present wars, he must have completed not less than 4 years of active Federal service, at least 18 months of which must have been served subsequent to the date of termination of such wars.

(4) If he has completed 10 years but less than 15 years of satisfactory service in the armed forces of the United States, or reserve components thereof, prior to the date of termination of the present wars, he must have completed not less than 4 years of active Federal service, at least 1 year of which must have been served subsequent to the date of termination of such wars.

(5) If he has completed 15 years but less than 25 years of satisfactory service in the armed forces of the United States, or reserve components thereof, prior to the date of termination of the present wars, he must have completed not less than 4 years of active Federal service, at least 6 months of which must have been served subsequent to the date of termination of such wars.

(6) If he has completed 25 or more years of satisfactory service in the armed forces of the United States, or reserve components thereof, prior to the date of termination of the present wars, he must have completed not less than 4 years of active Federal service. For the purposes of paragraphs (1) through (6) of this subsection, service with the Civilian Conservation Corps shall not be deemed to be active Federal service.

(b) Any person granted retirement pay under the provisions of subsection (a) shall be entitled to receive such pay at an annual rate equal to—

(1) 2½ percent of the active-duty annual base and longevity pay which he would receive if serving, at the time granted retirement pay, on active duty in the highest grade satisfactorily held by him during his period

of service multiplied by a number equal to the sum of the number of years of his active Federal service; plus

(2) one-half of 1 percent of such active-duty annual base and longevity pay multiplied by a number equal to the sum of the number of years of his inactive Federal service.

No person shall be entitled to receive such retirement pay at an annual rate in excess of 75 percent of such active-duty annual base and longevity pay. In computing the number of years of active or inactive Federal service for the purposes of this subsection, any fractional part of a year amounting to 6 months or more shall be counted as a complete year and any fractional part of a year amounting to less than 6 months shall be disregarded. No person shall be entitled to receive any increase in retirement pay granted to him under this section by reason of any active or inactive Federal service performed by him subsequent to the time he is granted retirement pay.

(c) Notwithstanding any other provision of law, any member of a reserve component of the Army of the United States who fails to meet such standards and qualifications as may be prescribed by the Secretary of War may be discharged at any time by the Secretary of War. No member or former member of a reserve component of the Army of the United States shall be eligible for retirement pay under the provisions of this section unless he meets such standards and qualifications during the entire period of his service in the Army of the United States.

(d) The Secretary of War shall certify to the Administrator of Veterans' Affairs the names of all persons entitled to retirement pay under the provisions of this section and the amount of such pay to which such persons are respectively entitled. The Administrator of Veterans' Affairs shall thereafter disburse such pay to such persons from appropriations made to the Veterans' Administration for that purpose.

(e) For the purposes of this section—

(1) service in the inactive National Guard, in a nonfederally recognized status in the National Guard, or in the inactive Reserve section of the Officers' Reserve Corps shall not be deemed to be active or inactive Federal service;

(2) periods of annual field training and periods of attendance at service schools, as authorized by the Secretary of War under section 37a, 94, 97, and 99 of the National Defense Act, shall be credited as active Federal service;

(3) the term "date of termination of the present wars" shall mean the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination;

(4) all service in the federally recognized National Guard shall be deemed to be service in a reserve component of the Army of the United States.

SEC. 204. (a) For the purpose of determining the number of years of active service to be credited in computing eligibility for retirement under any provision of law, except under the second proviso of section 5 of the act of July 31, 1935 (49 Stat. 507), as amended, each commissioned officer on the active list of the Regular Army who is—

(1) commissioned in a promotion-list arm or service shall be deemed to have at least the same length of continuous active commissioned service in the Regular Army as any officer junior to him on the promotion list;

(2) commissioned in a non-promotion-list arm or service shall be deemed to have at least the same length of continuous active commissioned service in the Regular Army as any officer junior to him in rank in the arm or service in which he is commissioned.

(b) The fifth proviso of section 5 of the act of July 31, 1935 (49 Stat. 507), as amended by section 3 of the act of June 13, 1940 (54 Stat. 380), is hereby repealed.

SEC. 205. (a) Each commissioned officer of the Regular Army heretofore or hereafter retired under any provision of law (except section 24b of the National Defense Act, as amended, the joint resolution of July 29, 1941 (55 Stat. 606), title I of this act, or any law hereafter enacted for the retirement of inefficient officers) shall be advanced on the officers' retired list to the highest temporary grade satisfactorily held by him, as determined by the Secretary of War, during active military service in time of war, and shall receive retired pay at the rate prescribed by law, computed on the basis of the base and longevity pay which he would receive if serving on active duty in such grade.

(b) Each member of the Army Nurse Corps, established by chapter V of the act of July 9, 1918 (40 Stat. 879), as amended, heretofore or hereafter retired under any provision of law shall be advanced to the highest temporary tiered list to a grade with relative rank equal to the highest grade in which, or to the highest relative rank with which, she served satisfactorily, as determined by the Secretary of War, during active military service in time of war, whichever is higher, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which she would receive if serving on active duty in such grade or with such relative rank.

(c) Each warrant officer and each enlisted member of the Regular Army heretofore or hereafter retired under any provision of law shall be advanced on the Nurse Corps re-commissioned officer, warrant officer, flight officer, or enlisted grade satisfactorily held by him, as determined by the Secretary of War, during active military service in time of war, and shall receive retired pay at the rate prescribed by law computed on the basis of the base and longevity pay which he would receive if serving on active duty in such grade.

(d) Each member of the Army of the United States, other than a member of the Regular Army, heretofore or hereafter granted retirement pay under any of the laws specified in subsection 201 (b) of this title, shall receive such pay at the rate prescribed by law, computed upon the same basis as that prescribed by this section for the computation of the retired pay of members of the Regular Army.

(e) This section shall be effective as to persons heretofore retired or granted retirement pay upon the first day of the first calendar month following the date of enactment of this title, and as to persons hereafter retired or granted retirement pay upon the effective date of retirement or of entitlement to receive retirement pay.

(f) No person recalled to active duty after retirement, or after having been granted retirement pay, shall be entitled, by reason of the enactment of this section, to be recalled in any rank or grade higher than that to which he or she would otherwise have been entitled.

SEC. 206. (a) On and after the effective date of this act—

(1) all members of the Regular Army and all members of the Army Nurse Corps heretofore or hereafter retired under any provision of law providing for retirement because of incapacity for active service, and all persons entitled to disability retirement benefits provided by law for members of the Army Nurse Corps, shall, until they have attained the age of 60 years, be given annual physical examinations at such times and places and in such manner as may be prescribed by the Secretary of War: *Provided*, That, under such regulations as the Secretary of War may

prescribe, persons having obvious disabilities of a permanent nature may be relieved from such annual physical examinations;

(2) all persons who have heretofore served or hereafter serve as members of the Army of the United States, other than as members of the Regular Army, and who have heretofore been granted or are hereafter granted retirement pay under the provisions of section 5 of the act of April 3, 1939 (53 Stat. 557), as amended (10 U. S. C. 456), or section 1 of the act of September 26, 1941 (55 Stat. 733; 10 U. S. C. 456a), shall, until they attain the age of 60 years, be given annual physical examinations at such times and places and in such manner as may be prescribed by the Administrator of Veterans' Affairs: *Provided*, That, under such regulations as the Administrator of Veterans' Affairs may prescribe, persons having obvious disabilities of a permanent nature may be relieved from such annual physical examinations.

(b) All persons who (1) have heretofore been retired under any provision of law providing for retirement because of incapacity for active service or (2) have heretofore been granted retirement pay under the provisions of section 5 of the act of April 3, 1939 (53 Stat. 557), as amended (10 U. S. C. 456), or section 1 of the act of September 26, 1941 (55 Stat. 733; 10 U. S. C. 456a), and who have not attained the age of 60 years, shall, not later than 1 year after the date of enactment of this act and annually thereafter, submit to an annual physical examination as herein required. The Secretary of War or the Administrator of Veterans' Affairs, as the case may be, is hereby authorized and directed to terminate the entitlement to the continued receipt of retired or retirement pay by any person who refuses or fails to submit to an annual physical examination required by this section.

(c) Any person required to submit to an annual physical examination as prescribed by this section shall be furnished transportation in kind, or in lieu thereof reimbursement at the rate of 4 cents per mile in accordance with distances established in the Official Mileage Tables governing travel of officers of the Army. No per diem allowance for, or incident to, such travel or physical examination shall be paid under this or any other law. Appropriations of the Army and of the Veterans' Administration available for expenses of travel current at the time the travel is directed shall be available to cover the cost of transportation and reimbursement authorized in this subsection.

(d) If as the result of an annual physical examination, as required by this section, it is determined by the Secretary of War or the Administrator of Veterans' Affairs, as the case may be, that an individual is not incapacitated for active service, his entitlement to receive retired or retirement pay shall be terminated.

(e) In the case of any member of the Regular Army or of the Army Nurse Corps whose entitlement to retired pay is terminated under the provisions of subsection (d) of this section, the Secretary of War shall, with the consent of the member concerned, transmit the name of such person to the President, who is authorized and requested to appoint such person, by and with the advice and consent of the Senate, to the active list of the Regular Army or of the Army Nurse Corps in the grade and with the seniority which he would have attained by operation of law if he had not been retired. In determining length of active Federal commissioned service for all purposes of pay, allowances, appointment, promotion, and retirement, each such person restored to the active list of the Regular Army or of the Army Nurse Corps pursuant to the provisions of this subsection shall be deemed to have served as a member of the Regular Army or of the Army Nurse Corps on the active list from the date of his

retirement to the date of his restoration thereto, and upon restoration shall be carried as an additional number in the grade in which restored to the active list or in any grade to which he thereafter may be promoted.

(f) In the case of any person whose entitlement to retirement pay is terminated under the provisions of subsection (d) of this section, the Administrator of Veterans' Affairs shall, with the consent of each individual involved, transmit the records of such person to the Secretary of War who shall request the President to appoint each such person as a commissioned officer in the Officers' Reserve Corps in a grade equal to the highest grade theretofore satisfactorily held by him in the Army of the United States.

(g) Any retired commissioned officer, warrant officer, flight officer, or retired member of the Army Nurse Corps whose entitlement to retired pay is terminated under the provisions of subsection (d) of this section and who declines to be restored to the active list of the Regular Army as contemplated in subsection (e) of this section shall, if he has completed 20 or more years of active Federal service, be entitled to receive retired pay at an annual rate equal to 2½ percent of the active duty annual base and longevity pay which he would receive if serving, at the time of such termination, in the highest grade satisfactorily held by him during his period of service multiplied by a number equal to the sum of the number of years of his active Federal service not in excess of 30 years. For the purpose of determining the number of years of active Federal service to be credited in computing eligibility for retirement and the amount of retired pay under this subsection, each such person shall be deemed to have been in active Federal service during the time for which he received retired pay.

(h) Any retired enlisted man whose entitlement to retired pay is terminated under the provisions of subsection (d) of this section shall be offered an opportunity to reenlist in the Regular Army in a grade equal to the highest grade theretofore satisfactorily held by him. If such enlisted man declines to reenlist in the Regular Army he shall be entitled to receive retired pay at an annual rate equal to 2½ percent of the active duty annual base and longevity pay which he would receive if serving, at the time of such termination, in the highest grade satisfactorily held by him during his period of service multiplied by a number equal to the sum of the number of years of his active Federal service not in excess of 30 years.

SEC. 207. (a) The Secretary of War may promulgate such regulations as may be necessary to carry into effect the provisions of this title.

(b) Nothing contained in this title except the provisions of section 206 thereof shall be construed to deprive any person of any higher retired grade or rank, or any greater retired or retirement pay, to which he or she may be entitled under any other provision of law. No back pay or allowances for any period prior to the date of enactment of this title shall accrue to any person by reason of the enactment thereof.

With the following committee amendments:

Page 16, strike out line 3 and insert "provision of law shall be advanced on the Nurse Corps re-."

Page 16, strike out line 15 and insert "provision of law shall be advanced to the highest temporary."

The committee amendments were agreed to.

Mr. MARTIN of Iowa. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Iowa: After line 5, page 12, insert a new subsection as follows:

"(7) If he has been separated from the armed forces of the United States or reserve components thereof because of physical disability as the result of the finding of a duly constituted board of officers, he need not have completed any specified period of active Federal service."

The amendment was agreed to.

Mr. MARTIN of Iowa. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. MARTIN of Iowa: Add after line 12, page 15, a new section:

"Sec. 205. Effective upon the first day of the first calendar month following the date of enactment of this act, the retired pay of any officer heretofore retired under the provisions of section 24b of the National Defense Act, as amended (41 Stat. 774, 10 U. S. C. 571), shall be computed at the rate of 2½ percent of the active duty annual base and longevity pay provided in the Pay Readjustment Act of 1942, as amended by the act of June 29, 1946 (Public Law 474, 79th Cong.), 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 officer is credited multiplied by a number equal to the number of complete years of commissioned service and service which under the provisions of the National Defense Act, as amended, is counted as the equivalent of such commissioned service. The maximum retired pay of an officer retired prior to January 1, 1924, under the provisions of section 24b of the National Defense Act, as amended, shall not exceed 75 percent of the active duty annual base and longevity pay which he would receive if presently serving on active duty in the grade held by him at the time of his retirement, and the maximum retired pay of such an officer so retired after such date shall not exceed 60 percent of such active duty annual base and longevity pay."

The third paragraph of section 15 of the Pay Readjustment Act of 1942 (act of June 16, 1942, 56 Stat. 359), as amended, is hereby repealed.

Renumber subsequent sections of the bill correctly.

The amendment was agreed to.

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

JAMES E. WEBB

Mr. DOUGHTON of North Carolina. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DOUGHTON of North Carolina. Mr. Speaker, I take this opportunity of congratulating President Truman and the country upon the appointment of Mr. James E. Webb, of North Carolina, to the position of Director of the Budget.

By ability, training, and experience, Mr. Webb possesses unusual as well as necessary qualifications for this high and responsible position. Mr. Webb has served as executive assistant to the Under Secretary of the Treasury, Hon. O. Max Gardner, since last March. Previous to that time and since reaching his majority he has held numerous responsible public and private positions which

trained and equipped him in a very high degree for the duties that will rest upon him as Director of the Budget. I do not believe that the President could have found a better man had he made a diligent search of the entire country.

With Hon. John Snyder, himself a successful businessman, Secretary of the Treasury, and his able lieutenant, Hon. O. Max Gardner, as Under Secretary, who will have charge of tax matters, and Mr. Webb as Director of the Budget, I am sure that the finances of the country and its fiscal affairs will be conducted on a sound and practical basis. Governor Gardner, while chief executive of our State, demonstrated most unusual business ability, and has done the same in private business. So I feel that we can safely look forward with hope and confidence to an era of economy and efficiency in business practices of our Government if the Congress will cooperate.

THE LATE HONORABLE WALTER LEWIS HENSLEY

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Speaker, I regret to announce to the membership of the House the passing of a former Member of this body, who represented the old Thirteenth Missouri Congressional District. The counties which composed that district are now a large part of the present Eighth District which I have the honor to represent.

Walter Lewis Hensley, son of Thomas J. and Emily E. Hensley, was born near Pevely, Jefferson County, Mo., September 3, 1871. He obtained his elementary and secondary education in the public schools of Jefferson County and later studied law at the University of Missouri, Columbia, Mo. In 1894, at the early age of 23, he was admitted to the bar and immediately took up commercial practice in Wayne County, Mo.

After 4 years of legal practice in Wayne County, he moved to Bonne Terre, Mo., where he served with distinction in the office of prosecuting attorney of St. Francois County from 1898 to 1902, leaving that position to continue the practice of his profession at Farmington, Mo. There he remained until 1911 when he was elected as a Democratic Representative of the old Thirteenth Congressional District of Missouri to the Sixty-second Congress.

By his splendid ability and initiative, Congressman Hensley was reelected to the Sixty-third, Sixty-fourth, and Sixty-fifth sessions of Congress, during which time he did outstanding work on the House Labor Committee, Naval Affairs Committee, and the Census Committee. At the conclusion of the Sixty-fifth Congress, he declined to seek reelection.

Turning away from his illustrious record in the Halls of Congress, he was honored with the appointment as United States district attorney and in this capacity he served from March 1919 to May 1920, resigning to resume private law practice in St. Louis, Mo.

The last 26 years of his life he devoted to his profession and his beautiful

dairy farm near Pevely, Mo., where he spent many of his declining days. He died July 18, 1946, while on a sojourn in the State of Michigan.

Congressman Hensley was a friend to everyone, in all walks of life, and his cheery smile and friendly word of greeting will be missed by all who knew him. He was particularly kind and sympathetic to the humble, lowly, and unfortunate, and loved children. In times of distress or difficulty, he was always ready to help in any way he could, many times going out of his way to help or to accommodate those in need of assistance. He was a kind, loving, and devoted husband and father, and his greatest pride and joy was his home and family.

For myself and for his colleagues here in the House, I extend our deep sympathy to his family in their bereavement. And since death is as natural as birth, his family and friends should find consolation in the knowledge that death to Mr. Hensley was a fitting benediction to a life well spent and also an invocation to a glorious immortality.

LEAVE OF ABSENCE

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent that I may have an indefinite leave of absence in order to visit a member of my family who is ill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mrs. DOUGLAS of Illinois asked and was given permission to extend her remarks in the Record.

Mr. BARTLETT asked and was given permission to extend his remarks in the Record and include a newspaper article.

Mr. GRANAHAH asked and was given permission to extend his remarks in the Record on the OPA and also to extend his remarks on registration in Pennsylvania.

Mr. POWELL asked and was given permission to extend his remarks in the Record and include certain excerpts of an address before the National Council of Negro Women.

Mr. POWELL asked and was given permission to extend his remarks in the Record and include excerpts from a magazine article.

SURPLUS QUICKSILVER

Mr. MURDOCK. 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 Arizona?

There was no objection.

Mr. MURDOCK. Mr. Speaker, as a member of the Colmer Committee on Postwar Economic Policy and Planning, I have, of course, been interested in all legislation suggested by that committee. One piece of legislation concerned disposal of surplus war property. I know it was the intent of Congress, when war property was declared surplus, to see that it was not sold by the purchasers at enormous profits, or that it was not brought into competition with American products.

I understand that about 9,000 flasks of quicksilver or mercury has been declared surplus in Europe. Instead of being channeled to the War Assets Administration to be stock piled as a necessary reserve for national defense, as it was supposed to be, I am told it has been disposed of for about one-third of our market price and may find its way back to this country, yielding great profits to the speculator, and not only that, but wrecking the price of the American product.

A great deal of quicksilver is developed in my State. The market now is weak. If several thousand flasks of quicksilver should be dumped on the American market, it would have a disastrous effect upon the domestic price. We now have a new law which covers such surplus war property needed for national defense, but I fear negligence has occurred on the part of someone in the meantime, according to my information.

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

TOLL BRIDGE ACROSS MISSISSIPPI RIVER AT OR NEAR CAHOKIA, ILL.

Mr. CHAPMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6004, an act to provide authorization for the village of Cahokia, Ill., to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cahokia, Ill., and for other purposes, with Senate amendments, and agree to the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 15, strike out "State" and insert "States."

Page 3, line 15, after "Illinois" insert "or Missouri."

Page 3, line 18, strike out "State" and insert "States."

Page 3, line 24, strike out "State" and insert "States."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. CHAPMAN]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, this bill has the approval of the House committee, has it?

Mr. CHAPMAN. It has.

Mr. MICHENER. There is nothing to it except these clarifying Senate amendments?

Mr. CHAPMAN. That is all.

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

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

VIOLENCE AND INTOLERANCE

Mr. POWELL. 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. POWELL. Mr. Speaker, I take this opportunity to bring before the House and I hope before the conscience

of our Nation what has just been reported to us by the Associated Press, that four American citizens on a public highway of this Nation during the early hours of this morning were massacred by a mob. Two of those people who were shot to death were women.

A few days ago a soldier of the United States Army in a neighboring State, with campaign ribbons on his chest and gold bars on his sleeve, 4 hours after being discharged honorably from the Army, was beaten and both of his eyes were gouged out by a representative of law and order.

A few weeks before that a section of a city of our Nation was completely destroyed not by a mob but by the forces of law and order with tommy guns at their disposal, destroying every place of business and every residence in that section.

I hope the Department of Justice will move on this as soon as possible. To that end I have today wired the Attorney General demanding immediate action.

The SPEAKER. The time of the gentleman from New York has expired.

COMMITTEE ON THE JUDICIARY

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight tonight to file a report on the bill H. R. 7147.

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

There was no objection.

EXTENSION OF REMARKS

Mr. DOMENGEAUX asked and was given permission to extend his own remarks in the Appendix of the RECORD.

APPOINTMENT OF RESIDENT COMMISSIONER PIÑERO AS GOVERNOR OF PUERTO RICO

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

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

There was no objection.

Mr. PRICE of Illinois. Mr. Speaker, I am exceedingly pleased with the announcement in today's newspapers of the appointment by President Truman of our distinguished friend and colleague, the Resident Commissioner for Puerto Rico, Jesús T. Piñero, as the Governor of his home island.

Mr. Piñero becomes the first native Governor of Puerto Rico since United States troops landed on the island in 1898 during the Spanish-American War. All previous governors during American possession have been residents of the United States mainland.

The appointment is not only a singular honor to our esteemed friend, Mr. Piñero, who is exceedingly popular with the membership of this House and who is an outstanding leader among his own constituency, but is a tribute to the people of Puerto Rico.

Through this action President Truman lets it be known that he wants the Puerto Rican people to have a greater share in

their own government. It is evidence that our Government believes that the people of the island are fully capable of administering their own governmental responsibilities.

Mr. Piñero, who is the leader of the popular Democratic Party in the island, is a native Puerto Rican. He was born there, at Carolina, on April 16, 1897. He attended the College of Liberal Arts, University of Puerto Rico, and after his early scholastic training in the island schools, completed his education in the School of Engineering, University of Pennsylvania.

I know of no one better equipped to handle this high and most important position than Mr. Piñero. He knows the economic problems of his island better than any other man, from practical experience and a lifetime of study. He has been active in the island's economic life, as well as in its political life. I am confident his appointment will lead to a new era in Puerto Rico and bring a better understanding between the great people of the island and their fellow countrymen on the mainland. If I had been asked to recommend a Governor who, in my opinion, could accomplish the most for Puerto Rico I would have unhesitatingly suggested the name of Jesús T. Piñero, a fine man whom I know is going to make a great Governor.

We dislike losing Mr. Piñero's genial companionship in this House, but we are happy in this great honor which has come to him and to his people.

BOOKS FOR THE ADULT BLIND

Mr. O'TOOLE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 6455) to amend the act entitled "An act to provide books for the adult blind."

The Clerk read the title of the bill.

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. O'TOOLE. This bill provides \$1,125,000 for talking books for the adult blind. Eighty percent of the adult blind are unable to master the Braille system of reading. These machines are loaned out by the Library of Congress to circulating libraries throughout the United States. Records are made of novels, historical books, and books of all kinds, and they, in turn, are loaned out to the blind.

There were 42,000 of these machines made in 1937. The major part of them are now worn out—in fact, they cannot be repaired. It is necessary not only to replace these 42,000 but an effort is being made to increase the number of machines by another 5,000, the demand is so great.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I may say that this is one piece of legislation with which I have been acquainted for several days. I know the committee has had thorough hearings on it and were unanimous in reporting it out. It is not in the classification about which I spoke earlier.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of June 13, 1944 (58 Stat. 276), is amended to read as follows:

"That there is hereby authorized to be appropriated annually to the Library of Congress, in addition to appropriations otherwise made to said Library, \$1,125,000, which sum shall be expended under the direction of the Librarian of Congress to provide books published either in raised characters, on sound-reproduction recordings, or in any other form, for the use of the adult blind residents of the United States, including the several States, Territories, insular possessions, and the District of Columbia: *Provided*, That of said annual appropriation of \$1,125,000, not exceeding \$200,000 thereof shall be expended for books in raised characters and the balance remaining shall be expended for sound-reproduction recordings and for the purchase, maintenance, and replacement of reproducers for these sound-reproduction recordings, all of which books, recordings, and reproducers will remain the property of the Library of Congress but will be loaned to blind readers under regulations prescribed by the Librarian of Congress for this service. In the purchase of books in either raised characters or in sound-reproduction recordings the Librarian of Congress, without reference to section 5 of title 41, United States Code, shall give preference to non-profit-making institutions or agencies whose activities are primarily concerned with the blind, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable.

Sec. 2. This act shall be applicable with respect to the fiscal year ending June 30, 1947, and for each fiscal year thereafter.

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

GENERAL HOUSING ACT

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the Clerk may read a short letter I received from the President of the United States and to proceed for 1 minute.

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

There was no objection.

The Clerk read as follows:

JULY 25, 1946.

HON. BRENT SPENCE,
Chairman, Committee on Banking and
Currency, the House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: I urge upon you and your committee the earliest practicable action on S. 1592, the General Housing Act of 1946, which is essential to the over-all housing program and particularly necessary at this time to make effective the veterans' emergency housing program.

The veterans' emergency housing program involves two equally important tasks: (1) to expedite the production of building materials and finished homes, which is being done under the Veterans' Emergency Housing Act of 1946, and (2) to make sure that these houses are made available in sufficient volume at sales prices or rentals which the majority of our veterans and their families can afford, which cannot be achieved without passage of S. 1592.

It is my considered judgment that S. 1592 is urgently needed. I am confident that if this bill reaches the floor the Congress, recognizing the need and the equity of adequate housing for the veteran, will pass the bill in question.

Time is of the essence. I therefore urge again the earliest practicable action on this matter by you and your committee.

Very sincerely yours,

HARRY S. TRUMAN.

Copies to Hon. JOHN W. MCCORMACK, Hon. SAM RAYBURN.

Mr. SPENCE. Mr. Speaker, the bill of which the President writes is known as the Wagner-Ellender-Taft bill. It is nonpartisan, and, in my opinion, there is more general interest expressed in it than in any bill now pending before the Congress. This is not confined to any section of the country. The interest seems to be general throughout the United States. The imperative need of housing is apparent to all.

May I say as chairman of the Committee on Banking and Currency that I have made every effort to conduct the hearings on this bill expeditiously but have met with so many dilatory motions that we have been unable to make much progress. The President says it is essential that the bill shall be reported and passed before the Congress adjourns.

I hope we may have the assistance of the Congress in that respect and that the bill will be reported and passed. We are going to hold hearings in the evenings until the end of the session. I trust the House will remain in session for a sufficient time for the bill to be reported and passed.

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

Mr. HEALY. 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. HEALY. Mr. Speaker, following the remarks of the gentleman from Kentucky [Mr. SPENCE], chairman of the Committee on Banking and Currency, I wish to advise the Members of the House that on yesterday I filed discharge petition No. 35 to discharge the Committee on Banking and Currency from further consideration of the bill S. 1592, otherwise known as the Wagner-Ellender-Taft Housing bill.

My sympathies are with the chairman of the committee. I have not introduced this petition to cast any reflection on the efforts of the chairman or the efforts of the other members of the committee, who have worked so diligently in trying to bring this bill out before the Congress adjourns for the summer.

I have placed this discharge petition on the Speaker's desk only as a last resort. If 218 Members of the House of Representatives will sign the petition, this general housing bill, which is so urgently needed to speed up the construction of new homes, can be brought to the floor of the House and passed before Congress adjourns for the summer.

I know that the Banking and Currency Committee held a hearing on the bill this morning and that it will meet again tonight and again tomorrow. That is fine, but I also know that the proponents have not yet concluded their testimony

and that there are at least 35 opponents waiting to testify. These hearings cannot possibly be concluded prior to the date tentatively set for adjournment which is August 1. The Senate held lengthy hearings on this bill before passing it with a substantial majority and the volumes of testimony from these hearings are available to any Member who wants more information before voting on this bill. Further hearings by the House committee are unnecessary.

Mr. Speaker, if the Members of this House are sincerely interested in helping to solve our critical housing shortage, they will want this bill to pass before adjournment. Without this bill many veterans will go without badly needed housing. I realize that filing this petition at this late hour is a drastic move but we must have action. I plead with all interested Members to sign discharge petition No. 35 now.

AUTHORIZING CERTAIN ADMINISTRATIVE EXPENSES IN THE GOVERNMENT SERVICE

Mr. MANASCO. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6533) to authorize certain administrative expenses in the Government service, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 6, strike out "five" and insert "seven."

Page 2, line 7, strike out "six" and insert "eight."

Page 2, line 7, strike out "two" and insert "seven."

Page 8, line 12, strike out all after "or", down to and including "basis" in line 14, and insert "(4) when the services are required to be performed by the contractor in person and are (A) of a technical and professional nature or (B) under Government supervision and paid for on a time basis."

Page 8, line 14, after "Except", insert "(1)."

Page 8, line 16, strike out "or unless" and insert "(2) when."

Page 8, line 17, strike out all after "law", down to and including "\$100" in line 20, and insert "or (3) when the reasonable value involved in any one case does not exceed \$100, sales and contracts of sale by the Government shall be governed by the requirements of this section for advertising."

"(c) In the case of wholly owned Government corporations, this section shall apply to their administrative transactions only."

Page 10, line 8, after "use", insert "and to incur necessary expenses for the honorary recognition of exceptional or meritorious service."

Page 10, line 25, strike out "Effective July 1, 1946, all" and insert "All."

Page 11, line 9, after "(but)", insert "as to agencies subject to the Classification Act."

Page 14, strike out all after line 19, over to and including line 2, on page 15, and insert:

"Sections 1779 and 192, as amended, of the Revised Statutes (5 U. S. C. 102);"

Page 15, line 20, strike out the comma and insert "and."

Page 16, line 1, after "Columbia", insert ", but shall not include the Senate, House of Representatives, or office of the Architect of the Capitol, or the officers or employees thereof."

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman explain these Senate amendments?

Mr. MANASCO. Most of those amendments read by the Clerk are purely mechanical corrections. This bill was drawn by the General Accounting Office, the attorneys for the Bureau of the Budget, and the House Committee on Expenditures in the Executive Departments. The principal change in the bill as it passed the House and amended by the Senate was to except the Senate and House of Representatives and the Architect of the Capitol from the provisions of this act. We had no intention of placing the Architect of the Capitol under the provisions of this act, anyhow. It was done for administrative expense in the executive departments.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. JOHNSON of California asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. WILSON asked and was given permission to extend his remarks in the RECORD.

CANCER

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

The SPEAKER. Is their objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, this afternoon the House will consider a bill relating to cancer. We should give this our carefully considered attention. It is estimated by the Vital Statistics Department that one person dies every 3 minutes of cancer; 20 every hour. There are some 17,000,000 people now living who will die of cancer. One out of eight people die of cancer. If that ratio should be applied to the House of Representatives we could expect 60 or 70 Members in this Congress to die of cancer.

Cancer is the second killer in the United States; heart disease being first. In World War II about 300,000 people died of war injuries. From 1942 to 1944 the Vital Statistics Department says that more than 500,000 Americans died of cancer. So it is important to give careful consideration to this bill. I do feel that the bill should be amended to place the money and the work in the United States Public Health Service. It should not be under the direction of the President—it requires no new agencies.

PERMISSION TO ADDRESS THE HOUSE

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

minute and to revise and extend my remarks.

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

There was no objection.

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

FARM MACHINERY SHORTAGE

Mr. MUNDT. 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 South Dakota?

There was no objection.

Mr. MUNDT. Mr. Speaker, this morning I received a telegram from Mr. Oscar Forsheim, president of the South Dakota Farmers Union, calling attention to the serious farm machinery shortage out there in our bumper-crop area of America. Mr. Forsheim says this was caused in part due to the fact that the farm-equipment plants have been closed down by strike for some time, and calls on the President of the United States to take whatever action is necessary to get those plants open. I want to join with him in his request and suggestion. This appears to be one more good reason for passage of the President's emergency strike legislation, support for which the President now seems strangely but effectively to be discouraging.

Another thing the President of the United States can do, Mr. Speaker. In the Department of Agriculture's news letter for July 24 it quotes the International Harvester Co. as filing a request with the Civilian Production Administration for relief from the order requiring them to export 14,500 American-built tractors largely to Russian-dominated countries. The President can issue an order canceling these scheduled exports.

The American farmers need these tractors and they need this machinery. If the President of the United States will take action to get these strike-bound plants open or to take them over to get them operating, if that is necessary to produce essential farm machinery, and if this administration will stop exporting farm machinery abroad, we can harvest America's bumper crop and still further expand our program of contributions to the bread basket of the world.

EXTENSION OF REMARKS

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

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include certain newspaper excerpts.

WAGNER-ELLENDER-TAFT BILL

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

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

There was no objection.

Mr. SMITH of Ohio. Mr. Speaker, the chairman of the Committee on Banking and Currency has just had the Clerk

read a letter from the President in which the President urged the consideration by the House of the Wagner-Elender-Taft bill. Following the reading of this letter, the chairman of that committee, the gentleman from Kentucky [Mr. SPENCE], made the statement that dilatory tactics had been used to prevent this committee from carrying on its work in connection with this bill. The facts are available to all who may be interested. No dilatory tactics have been used to prevent the committee from considering this bill. We are concluding a very busy session. Many of us feel that our attention ought to be given to the many and important legislative proposals that are being considered in the final rush.

Furthermore, this is the first time the President has said anything to the committee about this bill. I asked the chairman of the committee, the gentleman from Kentucky [Mr. SPENCE], whether he had any previous information or instruction from the President respecting the urgency of consideration by the House of this measure prior to adjournment. He replied in the negative.

Why, if it so important that this measure be taken up before adjournment, has the President waited till this late hour to show particular concern in it?

PERMISSION TO ADDRESS THE HOUSE

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter from the War Department.

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

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, processors and distributors of milk and milk products supplying the Army, Navy, and Marine Corps have been supplying on period contracts and under competitive bidding.

Last month bids for contracts to begin June 17 and July 1 were predicated on the then prevailing Government subsidy of 2 cents per quart for milk. The demise of OPA on July 1 and the decontrol of dairy products in the new OPA law as of today place undue financial hardship on the dairy industry. Today I am introducing a resolution that seeks to provide proper legal steps to allow a just and reasonable renegotiation of these contracts.

Under leave by the Speaker, I include a letter from the Director of Service, Supply and Procurement for the Armed Forces, which is self-explanatory:

JULY 24, 1946.

MR. B. F. CASTLE,
President, Milk Industry Foundation,
Washington, D. C.

DEAR MR. CASTLE: This is with reference to your telephone conversation with Col. M. F. Hass on Tuesday morning, July 9, 1946, concerning certain Army contracts covering the procurement of milk. I understand, on the basis of that conversation, that certain suppliers who entered into contracts to furnish milk to the Army on a fixed-price basis desire a revision in their contract prices as the result of certain recent actions by the Office of Price Administration which have resulted in an increase in the price of milk.

I have had the matter looked into thoroughly, and I regret that there appears to be no legal authority which would permit the War Department, in the absence of adequate additional legal consideration, either to revise the contract prices upward or to cancel the contracts in question, as you suggested, and enter into new contracts with the suppliers upon the basis of revised prices. The procurement was effected and the contracts were awarded in the usual fashion and, once awarded and accepted by the contractors, are as binding upon the War Department as they are on the contractors except as the terms included in the contracts may permit other action. Accordingly, I regret that there would appear to be no basis upon which the War Department could justify action of the nature you suggested in your conversation with Colonel Hass.

Sincerely yours,

LER. LUTES,

Lieutenant General, GSC, Director of Service, Supply and Procurement.

HOUSING

Miss SUMNER of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Miss SUMNER of Illinois. Mr. Speaker, somebody should tell the President the facts of life about housing. This Congress has voted \$600,000,000 for veterans housing, and it is getting to be a joke in this Nation that there are houses started all over this country, and they lack roofs or they lack all sorts of things, so they cannot be finished. The reason is that they have started too much, and the OPA has held down the ceilings so that they cannot get parts, lumber, brick, and all the rest of the things they need. Instead of changing his OPA rules, the President comes in here and asks for a slum-clearance program to do more of the same damage.

HON. CLARENCE E. HANCOCK

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

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

There was no objection.

Mr. REED of New York. Mr. Speaker, I, for one, deeply regret that several of the most prominent and most valuable Members of this House have decided not to be candidates for reelection. I shall confine my remarks at the present time to one of my colleagues from New York State. I think I am well within the facts when I say that Representative CLARENCE E. HANCOCK, of the Thirty-sixth Congressional District of New York State, has been one of the most valuable Members of this House. He has been an active and highly useful member of the Committee on the Judiciary. His fine legal talents have meant much in formulating sound, constructive legislation not only for his district but for the great Empire State of New York and for the Nation as a whole. It is deeply regrettable that he has decided not to run again, but inasmuch as he has so decided I want him to know

that, speaking for myself, and I believe for my delegation, we are proud of his record, and we wish him well in whatever activity he may engage from now on.

EXTENSION OF REMARKS

Mr. GWYNNE of Iowa asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. GRAHAM asked and was given permission to extend his remarks in the Appendix of the RECORD and include a short editorial from the Cleveland Plain Dealer.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a report from the committee on statements, policies, and principles of the North Central Association of Commissioners of Agriculture.

Mr. CHIPERFIELD asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. MATHEWS asked and was given permission to extend his remarks in the RECORD.

Mr. PITTENGER asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances, in one to include a copy of a bill, in the second a letter which he received, and in the third a newspaper article and other material.

CANCER

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I have listened with a great deal of interest to the remarks of our distinguished colleague the gentleman from Nebraska, Dr. MILLER, with reference to the bill which has been introduced by the distinguished gentleman from West Virginia [Mr. NEELY] on the subject of cancer. I hope before the House adjourns that that legislation is passed. I think it will be a monument that will stand for all time testifying to the foresight and statesmanship of the Members of this body.

The purpose of the bill is to further the study of cancer in an effort to discover means of curing and preventing this dread disease. The President of the United States is authorized to call into service the world's outstanding experts in connection with the efforts to find a method of treatment.

The bill has a favorable report from the Committee on Foreign Affairs, which report was submitted by the gentleman from New York, Congressman BLOOM, on July 18, and this report calls attention to the mortality rate of people who are afflicted with cancer. The figures are astounding and, in my opinion, Congress may well tackle the problem in an effort to continue constructive work now being done by other agencies.

Our distinguished colleague the gentleman from Nebraska, Dr. MILLER, has been a practicing physician of many years'

standing and his remarks to which we listened a short time ago carry conviction. Coming from a man of his profession, I feel that we may well follow the endorsements that the gentleman from Nebraska, Congressman MILLER, has made of this program.

EXTENSION OF REMARKS

Mr. HALE asked and was given permission to extend his remarks in the RECORD and include a letter from the head of the Maine Development Commission commenting on the end of price control in Maine.

TERMINAL LEAVE FOR ENLISTED MEN

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GAVIN. Mr. Speaker, I note that the other body has recommended to the House that the terminal leave pay for GI's be paid in bonds which are non-negotiable for a period of 5 years. They use as an argument that to pay cash on the barrel head would unbalance the budget. Now, is that not a very interesting observation? Who has been concerned around here with balancing the budget for the past few years? Recently we had the British loan before us for \$3,750,000,000. Did you hear any talk about balancing the budget at that time? But when it comes to our own GI's, who deserve every consideration that a grateful Nation can bestow upon them, we hear talk about giving them nonnegotiable bonds instead of cash. I sincerely hope that when the proposal comes before the House it will be rejected.

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

LICK YOUR PLATTER CLEAN

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GROSS. Mr. Speaker, back in 1943, in April, I came into the well of the House one day and called the attention of the House and the country to the pending food shortage and I said that the least the individual could do was to lick his platter clean. A few people laughed about it. Emily Post finally said it would be good sense and judgment and patriotic. It made the Nation food-conscious. Many people began to save food. I am glad now that after 3 years the War Food Administration has taken up the slogan and is urging people Nation-wide on their posters to "lick your platter clean." If the people will lick their platters clean and offer a little consumer resistance, we will break down a lot of these high prices of food. Then our supplies will reach around, prices will adjust themselves, our economy will balance itself, and so will our

budget. Thrift, economy, and production will answer about all of our problems.

AUTOMOBILES FOR AMPUTEES

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

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

There was no objection.

Mr. FULTON. Mr. Speaker, I hope every Member of the House will vote for the bill giving cars to servicemen amputees to replace fully the ability of free movement that they used to have. By invitation as a former serviceman, I have spoken to the patients from Walter Reed and Forest Glen Hospitals, and I have had four amputees working in my congressional office this session, so I do know how hard it is for them to get around and use these crutches and legs that they have to put up with.

One of these servicemen working in my congressional office is Ervie Agatucci, who lost his leg in the Battle of the Bulge. Ervie is the son of Joe Agatucci, manager of the Bower Hill Club, and lives with his family several miles from a streetcar and a distance from a bus. I know he and many others need a car to give him back his independence, and these servicemen are entitled to it.

The United States should replace the abilities that those men have willingly given for the defense of their country. I do hope every Member will sign this petition and vote for the bill.

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

EXTENSION OF REMARKS

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ANGELL asked and was given permission to extend his remarks in the RECORD and include a short article.

Mr. ABERNETHY asked and was given permission to extend his remarks in the RECORD and include an editorial from a Memphis newspaper.

Mr. WHITE asked and was given permission to extend his remarks in the RECORD and include certain excerpts.

BALANCING THE BUDGET

Mr. RICH. 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 Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, we have just heard our colleague from Pennsylvania talking about balancing the budget. I read in yesterday's RECORD where one of our colleagues made this statement: "Our budget is unbalanced, but we are in debt to no one. We have borrowed from ourselves."

I heard that statement made several years ago, but I do not think much of it.

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

Mr. RICH. I yield.

Mr. CURTIS. We may have borrowed from ourselves, but it has been rather

in a fiduciary capacity. Men have gone to the penitentiary for that.

Mr. RICH. Yes; I understand there are a lot of them considered for that position in life, because they borrowed without the intention of paying it back. It seems to me if we borrow money we ought to try to pay it back as soon as we can. That is what we have to do with the national debt. If we are going to get this country on its feet we have got to stop spending.

Mr. Speaker, every day someone brings up some bill that takes millions and wants the Government to go into debt, more debt, lots of debt. The Nation is today in the poorest financial position it has ever been—the result of 13 years of New Deal. Will you ever come to your senses like sensible men should do? Stop all these unanimous-consent requests; block a lot of this legislation. We must do it or bust. If you do not stop squandering you will bust the Government and lose all—liberty, freedom, and honor.

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

WAGNER-ELLENDER-TAFT BILL

Mr. BIEMILLER. 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. BIEMILLER. Mr. Speaker, I am strongly in favor of the passage of the Wagner-Ellender-Taft bill, and I take this time to ask the chairman of the Committee on Banking and Currency if he will inform me what he meant by his reference a few minutes ago to dilatory tactics in the committee.

Mr. SPENCE. In the Banking and Currency Committee it has never been customary for members to make the point of order that the committee cannot hold hearings because the House was in session. It has never been the custom for members to make a point of no quorum, because frequently committees meet without a quorum being present. Those points of order have been constantly made. They have not been partisan, because Senator TAFT twice came before the committee and was prevented from continuing his testimony by members of his own party.

Mr. BIEMILLER. I thank the gentleman for his explanation. I want to say that I know the distinguished chairman of the Banking and Currency Committee has been endeavoring diligently to hold hearings and get action on the very important housing bill introduced under the bipartisan authorship of Senators WAGNER, ELLENDER, and TAFT. I hope that the Banking and Currency Committee will report the bill to the House before adjournment. I also recall that the gentleman from Kentucky [Mr. SPENCE] has asked permission to hold hearings on the bill during sessions of the House, but has been prevented by objections of Republican Members. I hope there will be no repetition of this practice.

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

AUTOMOBILES FOR AMPUTEES

Mr. WHITE. 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 Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, I recently signed the petition to bring before the House the bill to provide automobiles for the amputees. I do not think there is a man in this House who would be willing to give his leg or arm for 1 automobile or even 10 automobiles. Therefore I am in favor of this legislation.

At this point I ask unanimous consent to insert an editorial from the Washington Star on the subject of cars for amputees.

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

There was no objection.

(The editorial is as follows:)

CARS FOR AMPUTEES

There are many proposals being made these days in behalf of additional aid to war veterans, but few, if any, have the appeal of Representative EDITH NOURSE ROGERS' bill to provide amputees with automobiles at Government expense. That this is not just another bonus proposition in disguise is plain from a reading of the testimony which proponents of the measure gave before the House Committee on World War Veterans' Legislation. The Rogers bill is described by its sponsor and by many of its supporters among the ranks of disabled veterans as a proposal to extend the existing prosthetic program so as to supply legless or paralyzed combat veterans not only with artificial limbs and wheel chairs, but with means of automotive locomotion as well.

The amputees who testified in favor of the bill made out a most persuasive case. They pointed out that their rehabilitation would be greatly accelerated if they were provided with cars to offset their impaired mobility. They are severely handicapped when it comes to using streetcars, busses, and other public transportation facilities.

Under the bill, the Government would allow each veteran afflicted with such war-incurred disabilities the sum of \$1,500 for the specific purpose of buying a specially equipped motor vehicle. It is estimated that from 16,000 to 20,000 crippled veterans are involved. These battle-scarred men deserve the special consideration which the Rogers bill would afford them. This bill would avoid having any semblance of a bonus flavor if use of the allowance were restricted, by specific wording of the legislation, to purchase of automobiles by the limited group of amputees and paraplegics who can actually make use of the cars. Thus narrowed, the measure would be strictly a prosthetics liberalization plan. As such, it deserves early and favorable consideration by Congress.

Mr. HOFFMAN of Michigan. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. Will the gentleman withdraw that for a few moments?

Mr. HOFFMAN of Michigan. If the chairman of the Committee on Banking and Currency will consent, I will.

PERMISSION TO EXTEND REMARKS AT THIS POINT

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a newspaper article from the New York

Post entitled "Hard Facts: Cancer Kills 20 an Hour."

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

There was no objection.

(The article referred to follows:)

THE HARD FACTS: CANCER KILLS 20 AN HOUR

WASHINGTON, July 23.—One American dies of cancer every 3 minutes, 20 every hour. Of the 135,000,000 Americans now living, 500,000 have cancer and 17,000,000 eventually will die of it. Which means: 1 of every 8 Americans living now will die of cancer.

Cancer deaths are increasing. In 1900 cancer was ninth on the list of killers. Now it's second. Only heart disease kills more people. About 175,000 people in this country die of cancer yearly.

In World War II about 273,000 Americans died in action. In the years 1942 through 1944 about 500,000 Americans died of cancer.

These figures come from sponsors of a bill, now in Congress, to have the Government put up \$100,000,000 to fight cancer by searching for its cause and cure. The money would be spent over a number of years.

The bill does not mention any organization—private or governmental—as the one to receive the money and do the job. It would let President Truman set up a program for the cancer fight by calling on the world's cancer experts for help.

Congressional committees approved the bill. Now it is up to the full House and Senate to act.

The bill was introduced in the House by Representative NEELY (Democrat, West Virginia). A duplicate bill was offered in the Senate.

Sponsors of the bill emphasize that when this country wanted to find an atomic bomb it pooled its scientific brains and came up with a quick answer.

So they think this country's best brains should be pooled, with Government help, to lick cancer. But they warn that finding the cause of cancer will be a vastly harder job than creating an atomic bomb.

EXTENSION OF REMARKS

Mr. IZAC (at the request of Mr. HAVENNER) was given permission to extend his remarks in the Appendix of the Record and include a digest of veterans' legislation.

Mr. KEARNEY asked and was given permission to revise and extend his remarks.

MRS. AGNES H. HARTMAN

Mr. ELLIOTT. Mr. Speaker, I submit a privileged resolution (H. Res. 744) from the Committee on Accounts and ask for its consideration.

The Clerk read as follows:

Resolved, That there shall be paid out of the contingent fund of the House to Mrs. Agnes H. Hartman, mother of Martena R. Ambrose, late an employee of the House, an amount equal to 6 months' salary at the rate she was receiving at the time of her death, and an additional amount not to exceed \$250 toward defraying the funeral expenses of the said Martena R. Ambrose.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CARS FOR AMPUTEES

Mr. JENSEN. 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 Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, like many Members of Congress, I rather dislike the discharge-petition route of bringing a bill to the floor. However, I felt entirely justified in signing the petition to discharge the committee and bring before the House for consideration the bill which would give an automobile to amputees. I feel that by so doing we can at least in a small degree show our gratitude and appreciation to those fine American boys who have given so much in the defense of the country they love. I hope enough signatures will be added to the petition to bring the bill before the House for consideration and adoption before adjournment.

The primary purpose of every good veterans' organization is to see to it that their disabled buddies and the widows and orphans of their deceased buddies receive their just dues in every respect. Mr. Speaker, as you and all other Members of this House know, I have vigorously opposed, with some success, the needless spending of millions—yes, billions of dollars—requested by the great bureaucratic spenders and wasters, but no one will ever have cause to say I practiced economy on our disabled veterans.

DEVELOPMENT AND CONTROL OF ATOMIC ENERGY—CONFERENCE REPORT

Mr. THOMASON. Mr. Speaker, I call up the conference report on the bill (S. 1717) for the development and control of atomic energy and ask unanimous consent that the statement be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1717) for the development and control of atomic energy, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 19, 25, 28, 30, 32, 34, 37, 43, 44, 45, 47, 49, 52, 53, 56, 59, 60, 61, 62, 64, 65, 66, and 67.

That the Senate recede from its disagreement to the amendments of the House numbered 2, 4, 5, 6, 7, 8, 9, 11, 12, 15, 16, 17, 18, 21, 22, 23, 26, 27, 36, 38, 39, 40, 41, 42, 46, 50, 54, 55, 57, 58, 63, 68, 69, 70, and 71, and agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"(d) Appointment of Army and Navy Officers.—Notwithstanding the provisions of section 1222 of the Revised Statutes (U. S. C., 1940 edition, title 10, sec. 576), section 212 of the Act entitled 'An act making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1933, and for other purposes', approved June 30, 1932, as amended (U. S. C., 1940 edition, title 5, sec. 59a), section 2 of the Act entitled 'An Act making appropriations for the leg-

islative, executive, and judicial expenses of the Government for the fiscal year ending June thirtieth, eighteen hundred and ninety-five, and for other purposes', approved July 31, 1894, as amended (U. S. C., 1940 edition, title 5, sec. 62), or any other law, any active or retired officer of the Army or the Navy may serve as Director of the Division of Military Application established by subsection (a) (4) (B) of this section, without prejudice to his commissioned status as such officer. Any such officer serving as Director of the Division of Military Application shall receive, in addition to his pay from the United States as such officer, an amount equal to the difference between such pay and the compensation prescribed in subsection (a) (4) (B) of this section."

And the House agree to the same.

Amendment numbered 10: That the Senate recede from its disagreement to the amendment of the House numbered 10, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "subject to valid claims, rights, or privileges existing on the date of the enactment of this Act"; and the House agree to the same.

Amendment numbered 13: That the Senate recede from its disagreement to the amendment of the House numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "if such individual, corporation, partnership, or association, by reason of having had such part in the development of the atomic bomb project, acquired confidential official information as to the existence of deposits of such uranium, thorium, or other materials in the specific lands upon which such location, entry, or settlement is made, and subsequent to the date of the enactment of this Act made such location, entry, or settlement or caused the same to be made for his, its, or their benefit"; and the House agree to the same.

Amendment numbered 14: That the Senate recede from its disagreement to the amendment of the House numbered 14, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"The Commission shall not—

"(1) Distribute any fissionable material to (A) any person for a use which is not under or within the jurisdiction of the United States, (B) any foreign government, or (C) any person within the United States if, in the opinion of the Commission, the distribution of such fissionable material to such person would be inimical to the common defense and security.

"(2) License any person to transfer or deliver, receive possession of or title to, or export from the United States any source material if, in the opinion of the Commission, the issuance of a license to such person for such purpose would be inimical to the common defense and security."

And the House agree to the same.

Amendment numbered 20: That the Senate recede from its disagreement to the amendment of the House numbered 20, and agree to the same with an amendment as follows: In lieu of the House amendment strike out in the Senate engrossed bill on page 25, line 12, the following: "not to exceed one year,"; and the House agree to the same.

Amendment numbered 24: That the Senate recede from its disagreement to the amendment of the House numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following:

"(1) That until Congress declares by joint resolution that effective and enforceable international safeguards against the use of

atomic energy for destructive purposes have been established, there shall be no exchange of information with other nations with respect to the use of atomic energy for industrial purposes; and"

And the House agree to the same.

Amendment numbered 29: That the Senate recede from its disagreement to the amendment of the House numbered 29, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by"; and the House agree to the same.

Amendment numbered 31: That the Senate recede from its disagreement to the amendment of the House numbered 31, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by"; and the House agree to the same.

Amendment numbered 33: That the Senate recede from its disagreement to the amendment of the House numbered 33, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by"; and the House agree to the same.

Amendment numbered 35: That the Senate recede from its disagreement to the amendment of the House numbered 35, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"(5) (A) No person shall be prosecuted for any violation under this section unless and until the Attorney General of the United States has advised the Commission with respect to such prosecution and no such prosecution shall be commenced except upon the express direction of the Attorney General of the United States.

"(B) (1) No arrangement shall be made under section 3, no contract shall be made or continued in effect under section 4, and no license shall be issued under section 4 (e) or 7, unless the person with whom such arrangement is made, the contractor or prospective contractor, or the prospective licensee agrees in writing not to permit any individual to have access to restricted data until the Federal Bureau of Investigation shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual and the Commission shall have determined that permitting such person to have access to restricted data will not endanger the common defense or security.

"(2) Except as authorized by the Commission in case of emergency, no individual shall be employed by the Commission until the Federal Bureau of Investigation shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual.

"(3) Notwithstanding the provisions of subparagraphs (1) and (2), during such period of time after the enactment of this Act as may be necessary to make the investigation, report, and determination required by such paragraphs, (a) any individual who was permitted access to restricted data by the

Manhattan Engineer District may be permitted access to restricted data and (b) the Commission may employ any individual who was employed by the Manhattan Engineer District.

"(4) To protect against the unlawful dissemination of restricted data and to safeguard facilities, equipment, materials, and other property of the Commission, the President shall have authority to utilize the services of any Government agency to the extent he may deem necessary or desirable.

"(C) All violations of this Act shall be investigated by the Federal Bureau of Investigation of the Department of Justice."

And the House agree to the same.

Amendment numbered 48: That the Senate recede from its disagreement to the amendment of the House numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "death or imprisonment for life (but the penalty of death or imprisonment for life may be imposed only upon recommendation of the jury and only in cases where the offense was committed with intent to injure the United States); or by"; and the House agree to the same.

Amendment numbered 51: That the Senate recede from its disagreement to the amendment of the House numbered 51, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the House amendment insert the following: ", or of any regulation or order prescribed or issued under sections 5 (b) (4), 10 (c), or 12 (a) (2);"; and the House agree to the same.

A. J. MAY,
R. EWING THOMASON,
CARL T. DURHAM,
CHARLES R. CLASON,

Managers on the Part of the House.

BRIEN MCMAHON,
ED C. JOHNSON,
RICHARD RUSSELL,
ARTHUR VANDENBERG,
E. D. MILLIKIN,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two houses on the amendments of the House to the bill (S. 1717) for the development and control of atomic energy, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: The House amendment required at least one member of the Atomic Energy Commission to be a member of the armed forces. The House recedes.

Amendment No. 2: The House amendment requires that the Director of the Division of Military Application be a member of the armed forces. The Senate recedes.

Amendment No. 3: This amendment would permit not to exceed two active or retired officers of the Army or Navy to serve at any one time as members of the Commission, and one such officer to serve as the Director of the Division of Military Application, without prejudice to their status as such officers. The Senate recedes with an amendment which limits the application of this provision to the officer serving as Director of the Division of Military Application.

Amendment No. 4: The Senate bill authorized and directed the Commission to make arrangements (including contracts, agreements, grants-in-aid, and loans) for the conduct of research and development activities. This amendment strikes out the words "grants-in-aid." The Senate recedes.

Amendment No. 5: The bill as it passed the Senate provided that the Commission shall be the exclusive owner of certain facilities for the production of fissionable ma-

terial. This amendment inserts after the word "Commission" the words "as agent of and on behalf of the United States." The Senate recedes.

Amendment No. 6: This amendment would permit the Commission to authorize its contractors to enter into subcontracts. The Senate recedes.

Amendment No. 7: Under this amendment it is made clear that persons lawfully producing or utilizing fissionable material may expose materials of any kind to the radiation incident to the processes of producing or utilizing fissionable material. The Senate recedes.

Amendment No. 8: This amendment makes it clear that the authority of the Commission to distribute fissionable material relates to material owned by it. The Senate recedes.

Amendment No. 9: This amendment makes it clear that licenses are required for the exportation of source material from the United States. The Senate recedes.

Amendment No. 10: This amendment struck out the Senate language which excepted existing or inchoate rights and privileges from the reservation for the use of the United States of source materials in deposits in the public lands, and substituted a provision that such reservation should be subject to valid claims existing on the date of the enactment of the act. The Senate recedes with an amendment which modifies the House provision so as to provide that the reservation for the use of the United States shall be subject to valid claims, rights, or privileges existing on the date of enactment of the act.

Amendments Nos. 11 and 12: These are technical amendments substituting the word "individual" for the word "person", and the Senate recedes.

Amendment No. 13: The Senate bill provided that no person, corporation, partnership, or association which had any part in the development of the atomic-bomb project may benefit by any location, entry, or settlement upon the public domain made after having taken such part in such project. This amendment of the House modified this prohibition so as to make it inapplicable if the benefit was authorized by the Commission. The Senate recedes with an amendment which provides that the prohibition will apply only in cases where, by reason of having taken part in the atomic-bomb project, confidential official information was acquired as to the existence of deposits of source materials in the specific lands upon which the location, entry, or settlement is made, and only in cases where the location, entry, or settlement is made subsequent to the date of the enactment of this act.

Amendment No. 14: This amendment has three purposes. First, to prohibit the Commission from distributing any fissionable material to any person within the United States if, in the opinion of the Commission, the distribution of such fissionable material to such person would be inimical to the common defense and security. Second, to clarify the Commission's authority with respect to source material. Third, to prohibit the Commission from licensing any person to transfer or deliver, receive possession of or title to, or export from the United States any source material if, in the opinion of the Commission, the issuance of a license to such person for such purpose would be inimical to the common defense and security. The Senate recedes with an amendment to correct the numbering and lettering of the subsection.

Amendment No. 15: This amendment strikes out provisions requiring the Commission to establish by regulation a procedure by which any person who is dissatisfied with the distribution or refusal to distribute to him, or the recall from him, of any fissionable or byproduct materials or with the issuance, refusal, or revocation of a license to

him for the transfer or receipt of source materials may obtain a review of such determination by a board of appeal consisting of three members appointed by the Commission. The Senate recedes.

Amendment No. 16: This is a clerical amendment. The Senate recedes.

Amendment No. 17: Under this amendment the President from time to time may direct the Commission to deliver such quantities of fissionable materials to the armed forces for such use as he deems necessary in the interest of national defense. The Senate recedes.

Amendment No. 18: Under this amendment the President from time to time may direct the Commission to authorize the armed forces to manufacture, produce, or acquire any equipment or device utilizing fissionable material or atomic energy as a military weapon. The Senate recedes.

Amendment No. 19: This amendment excepted activities authorized by the Commission under section 6 (a) from the prohibition contained in section 6 (b) against manufacturing, producing, transferring, or acquiring equipment or devices utilizing fissionable material or atomic energy as a military weapon. Since the Senate bill already excepts from this prohibition all activities authorized by the Commission, this amendment merely duplicated in part the exception in the Senate bill and, consequently, is unnecessary. The House recedes.

Amendment No. 20: This amendment, as agreed to in conference, provides that licenses authorizing certain activities with respect to fissionable material or atomic energy shall be issued for a specified period, shall be revocable at any time by the Commission in accordance with such procedures as the Commission may establish, and may be renewed upon expiration of such period. The bill as it passed the Senate provided that licenses could not be issued for a period to exceed 1 year. The House amendment provided that such licenses could not be issued for a period of less than 1 year.

Amendment No. 21: This is a clerical amendment. The Senate recedes.

Amendment No. 22: This amendment provides that no license relating to the utilization of atomic energy may be given to any person within the United States if, in the opinion of the Commission, the issuance of a license to such person would be inimical to common defense and security. The Senate recedes.

Amendment No. 23: This amendment makes clear that the definition of "international arrangement" includes only an international agreement approved by the Congress after the Atomic Energy Act of 1946 becomes law. The Senate recedes.

Amendment No. 24: This amendment, as agreed to in conference, is a statement of principle to be followed by the Commission that until Congress declares by joint resolution that effective and enforceable international safeguards against the use of atomic energy for destructive purposes have been established there shall be no exchange of information with other nations with respect to the use of atomic energy for industrial purposes. The House amendment proposed to strike out the statement of principle in the bill as it passed the Senate that such information should be shared with other nations on a reciprocal basis as soon as the Congress declares by joint resolution that such safeguards have been established.

Amendment No. 25: This amendment relates to the numbering of a paragraph, and the House recedes.

Amendment No. 26: This amendment struck out the provision of the Senate bill which specifically authorized and directed the Commission to establish information services, publications, libraries, and other registers of information. The Senate recedes.

Amendment No. 27: This amendment relates to the lettering of a subsection. The Senate recedes.

Amendment No. 28: This amendment would have required a unanimous vote of the Commission for it to determine that any data could be published without adversely affecting the common defense and security. The House recedes.

Amendments Nos. 29, 30, 31, 32, 33, 34, 48, and 49: These amendments provided that the death penalty might be imposed upon persons convicted of violating certain provisions of the act, with intent to injure the United States or with intent to secure an advantage to any foreign nation, and provided that the minimum term of imprisonment for persons convicted of such violations should be 10 years. The conference agreement provides that the penalty of death or imprisonment for life may be imposed, but only upon the recommendation of the jury and only in the case of offenses committed with intent to injure the United States. The provisions for minimum terms of imprisonment of 10 years are eliminated.

Amendment No. 35: The bill as it passed the Senate provided that no person shall be prosecuted for any violation of the provisions relating to restricted data unless and until the Attorney General has advised and consulted with the Commission with respect to such prosecution.

The House amendment struck out the Senate provision and provided that the Commission shall make no contract under section 3 or 4, issue no license to any person, nor employ any person until the Federal Bureau of Investigation shall have first made an investigation of the character and associations of such person and certified that the character of such contractor, licensee, or employee is such as not to endanger the common defense or security.

The Senate recedes with an amendment which provides that (1) no person shall be prosecuted for any violation under this section unless and until the Attorney General of the United States has advised the Commission with respect to such prosecution and no such prosecution shall be commenced except upon the express direction of the Attorney General of the United States; (2) no arrangement shall be made under section 3, no contract shall be made or continued in effect under section 4, and no license shall be issued under section 4 (e) or 7, unless the person dealing with the Commission agrees in writing not to permit any individual to have access to restricted data until the Federal Bureau of Investigation shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual and the Commission shall have determined that permitting such person to have access to restricted data will not endanger the common defense or security; (3) except as authorized by the Commission in case of emergency, no individual shall be employed by the Commission until the Federal Bureau of Investigation shall have made an investigation and report to the Commission on the character, associations, and loyalty of such individual; (4) during such period of time after the enactment of this act as may be necessary to make such investigation, report, and determination, individuals who were permitted access to restricted data by the Manhattan Engineer District may be permitted access to restricted data and the Commission may employ individuals who were employed by the Manhattan Engineer District; (5) to protect against the unlawful dissemination of restricted data and to safeguard facilities, equipment, materials, and other property of the Commission, the President shall have authority to utilize the services of any Government agency to the extent he may deem necessary or desirable, and (6) all violations of this act shall be investigated by the Federal Bureau of Investigation of the Department of Justice.

Amendment No. 36: This is a clerical amendment and the Senate recedes.

Amendment No. 37: The Senate bill provided that no patent should be granted after the date of enactment of the act for any invention or discovery which is useful solely in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon and provided for the revocation of any patent previously issued for any such invention or discovery and payment of just compensation to the owner of the patent. The Senate bill further provided (1) that no patent granted after the date of enactment of the act should confer any rights with respect to any invention or discovery to the extent that it is used in the production of fissionable material, the utilization of fissionable material or atomic energy for a military weapon, or the conduct of research or development activities in the atomic energy field; and (2) that any rights conferred by any patent previously issued should be revoked to the extent that the invention or discovery should be so used and that just compensation should be made for the revocation of rights. The House amendment contained no provisions comparable to the above-described provisions of the Senate bill.

The Senate bill provided that any person who has made or may make an invention or discovery useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon should make a report to the Commission within a limited period of time describing such invention or discovery, unless it is described in an application for patent filed in the Patent Office within such period of time. The House amendment contained a similar provision requiring reports to the Commission with respect to inventions and discoveries, but such provision was applicable only to inventions or discoveries "utilizing fissionable materials or atomic energy designed or especially adapted for use as or in a military weapon."

The Senate bill placed a duty on the Commission to declare any patent to be affected with the public interest if (1) the invention or discovery covered by the patent utilizes or is essential in the utilization of fissionable material or atomic energy, and (2) the use of such invention or discovery by persons having licenses for the utilization of atomic energy is necessary to effectuate the policies and purposes of the act. In any case in which a patent should be declared to be affected with the public interest the Commission would be licensed to use the invention or discovery and persons having licenses from the Commission for the utilization of atomic energy would be licensed to use it to the extent necessary in carrying on their activities licensed by the Commission. The owner of the patent would be entitled to a reasonable royalty fee for the use of the invention or discovery, the fee to be agreed upon by the owner and the licensee or to be fixed by the Commission in the absence of an agreement. The Senate bill contained appropriate provisions preventing court proceedings to stay, restrain, or enjoin the use of inventions or discoveries licensed under the provisions of the bill and to provide for the collection through court proceedings of royalty fees for the use of inventions or discoveries so licensed. The House amendment contained no provisions comparable to those described in this paragraph.

The Senate bill authorized the Commission to purchase, or to take, requisition, or condemn, and make just compensation for (1) any invention or discovery which is useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon, or which utilizes or is essential in the utilization of fissionable material or atomic energy, or (2) any patent or patent application covering

any such invention or discovery. The bill required the Commissioner of Patents to notify the Commission of, and to provide it access to, all applications for patents which in his opinion disclose such inventions or discoveries. The House amendment authorized the Commission to purchase, for the manufacture or use by or for the United States Government, any and all rights in and to any invention or discovery, or application for patent or patent thereon, relating to research on or the production of fissionable material or the utilization of fissionable material or atomic energy. The House amendment authorized the Commission to condemn any or all rights to any such invention or discovery which affects the national defense and security, but provided that whenever the Commission determined that the national defense or security were no longer involved any and all rights in such invention or discovery would revert to the owner, subject to a nonexclusive, irrevocable, and nontransferable license in favor of the Government.

The House amendment provided that any person making an invention or discovery relating to research on or the production of fissionable material or the utilization of fissionable material or atomic energy should, upon filing an application for a patent thereon and tendering the invention or discovery to the United States for its use, have the right to sue the United States for compensation for the use of such invention or discovery in the event he should ultimately receive a patent thereon. The Commission was authorized to make an agreement with the inventor in settlement for the use of his invention by the Government. The Senate bill contained no comparable provisions to those described in this paragraph.

The Senate bill provided for the designation by the Commission of a Patent Compensation Board, consisting of two or more employees of the Commission, to consider applications filed with the Commission for (1) the determination of reasonable royalty fees in connection with patents declared to be affected with the public interest and licensed for use by persons having atomic energy utilization licenses from the Commission, (2) the payment of just compensation for patents and patent rights revoked under the Senate bill, and (3) the grant of awards by the Commission to persons making inventions or discoveries useful solely, or among other purposes, for the production of fissionable material or the utilization of fissionable material or atomic energy for a military weapon. The bill provided that in fixing royalty fees the Commission should take into consideration any defense, general or special, that might be pleaded by a defendant in an action for infringement, the extent to which, if any, the patent was developed through federally financed research, the degree of utility, novelty, and importance of the invention or discovery, and might take into consideration the cost to the owner of the patent of developing the invention or discovery or acquiring the patent. The bill provided that the Commission, in connection with applications for just compensation and awards, should take into account the same factors considered by it in fixing royalty fees, and also the actual use of the invention or discovery. The Senate bill provided that any person aggrieved by a Commission determination upon an application for an award or the fixing of a reasonable royalty fee might obtain a review thereof in the Court of Appeals for the District of Columbia. The House amendment contained no provisions with respect to the fixing of royalty fees or the payment of awards to inventors.

The House amendment provided that persons dissatisfied with Commission determinations as to just compensation for inventions or discoveries condemned, or tendered to and used, by the Commission should have the right to maintain suit in the United States

District Court for the District of Columbia for the purpose of determining the just compensation to be paid. The amendment further provided for an appeal to the Court of Appeals of the District of Columbia from the decision of the district court. The section of the Senate bill relating to patents contained no specific provisions with respect to judicial determination of just compensation for patents and patent rights revoked by the section or taken, requisitioned, or condemned by the Commission. Section 11 of the Senate bill provided, however, for suit in the Court of Claims in the event the person entitled to just compensation should be dissatisfied with the determination of the Commission.

The House recedes on this amendment.

Amendment No. 38: This amendment struck out the provision authorizing attorneys appointed by the Commission to appear for and represent the Commission in any case in any court. The Senate recedes.

Amendment No. 39: This amendment struck out the provisions which waived certain general restrictions of law in the expenditure of funds for the purposes specified in section 10 (b). Since amendment No. 26 struck out section 10 (b), this provision is no longer appropriate. The Senate recedes.

Amendment No. 40: This is a clerical amendment and the Senate recedes.

Amendment No. 41: This amendment provides that section 10 of the Administrative Procedure Act should be applicable with respect to agency actions of the Commission immediately upon the enactment of this act and provided that this act should not be held to supersede or modify the Administrative Procedure Act. The Senate recedes.

Amendment No. 42: This is a clerical amendment and the Senate recedes.

Amendments Nos. 43, 44, and 45: These amendments increased from 9 to 11 the number of Members from each House who would be members of the Joint Committee on Atomic Energy, and increased from 5 to 6 the number of Members from each House who might be members of the same political party. The House recedes.

Amendment No. 46: This is a clerical amendment, and the Senate recedes.

Amendment No. 47: This amendment made the heavier criminal penalties provided in subsection (a) of the enforcement section, rather than the lighter penalties under subsection (b), applicable in the case of violations of the act arising out of the failure to report certain inventions and discoveries to the Commission. The House recedes.

Amendment No. 50: This is a clerical amendment, and the Senate recedes.

Amendment No. 51: This amendment eliminated from the bill the provisions which would have provided criminal penalties for violations of regulations or orders issued under specified sections of the act. The Senate recedes with an amendment which restores the provision with a clerical change correcting a cross reference.

Amendments Nos. 52 and 53: These amendments, like some of those referred to above, provided that the death penalty might be imposed upon persons convicted of violating certain provisions of the act, with the intent to injure the United States or to secure an advantage to any foreign nation, and provided that the minimum term of imprisonment for persons convicted of such violations should be 10 years. As the offenses to which these amendments were applicable are likely to be of a less serious nature than the other offenses to which the heavy penalties were made applicable, these penalties were deemed to be excessive in these cases and the House recedes.

Amendments Nos. 54 and 55: These amendments modified the provision relating to enjoining violations of the act or regulations or orders thereunder, so that instead of providing, as did the Senate bill, that

upon a showing by the Commission that a person has engaged or is about to engage in such a violation an injunction, restraining order, or other order shall be granted without bond, it will provide that upon such a showing an injunction, restraining order, or other order may be granted. The Senate recedes.

Amendment No. 56: This amendment provided that all persons associated in any capacity with the control and development of atomic energy under the Commission, and all violations of this act, should be investigated by the Federal Bureau of Investigation. As the subject matter of this amendment is dealt with in connection with amendment No. 35, the House recedes on this amendment.

Amendments Nos. 57 and 58: These are clerical amendments, and the Senate recedes.

Amendment No. 59: The amendment inserted a definition of the term "nuclear fission". The House recedes.

Amendments Nos. 60, 61, and 62: These are clerical amendments, and the House recedes.

Amendment No. 63: This is a technical amendment, and the Senate recedes.

Amendments Nos. 64, 65, and 66: These are clerical amendments and the House recedes.

Amendment No. 67: The bill as it passed the Senate defined the term "facilities for the production of fissionable material" so as to include any equipment or device capable of such production. This amendment limited the term to any equipment or device peculiarly adopted for and capable of such production. The House recedes.

Amendment No. 68: This is a clerical amendment and the Senate recedes.

Amendment No. 69: This amendment struck out a provision transferring funds available for expenditure in connection with the Manhattan Engineer District to the Commission for expenditure for the purpose of carrying out the provisions of the act. The Senate recedes.

Amendments Nos. 70 and 71: These are clerical amendments, and the Senate recedes.

A. J. MAY,
R. EWING THOMASON,
CARL T. DURHAM,
CHARLES R. CLASON,

Managers on the Part of the House.

CALL OF THE HOUSE

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

The SPEAKER. Evidently no quorum is present.

Mr. MCCORMACK. 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. 238]

Adams	Buffett	Eaton
Allen, Ill.	Bunker	Elston
Allen, La.	Butler	Engel, Mich.
Almond	Cannon, Mo.	Fellows
Anderson, Calif.	Carlson	Gary
Andrews, N. Y.	Chenoweth	Gathings
Bailey	Clements	Gillespie
Baldwin, Md.	Clippinger	Gossett
Baldwin, N. Y.	Cochran	Halleck
Barry	Coffe	Hare
Bates, Ky.	Cole, Kans.	Hart
Bates, Mass.	Combs	Hébert
Beckworth	Cooper	Heffernan
Bell	Courtney	Hendricks
Bender	Cox	Hess
Bennet, N. Y.	Cravens	Hill
Bland	Crawford	Holfield
Boren	Curley	Izac
Boykin	Daughton, Va.	Jennings
Bradley, Mich.	Dawson	Johnson, Ill.
Brooks	Delaney	Johnson, Okla.
Bryson	John J.	Johnson, Tex.
Buckley	Earthman	Keefe

Kefauver	Norton	Short
Keogh	O'Konski	Simpson, Pa.
Kerr	Patrick	Slaughter
Kilburn	Peterson, Ga.	Somers, N. Y.
Kilday	Pfeiffer	Sparkman
Landis	Powell	Starkey
Latham	Priest	Stewart
Ludlow	Rayfield	Stockman
McGehee	Reece, Tenn.	Tolan
McKenzie	Rees, Kans.	Torrens
Mc Millan, S. C.	Robertson, Va.	Wasielewski
Mahon	Robinson, Utah	Weaver
Maloney	Robison, Ky.	Weichel
Mankin	Rockwell	Welch
Mansfield	Roe, N. Y.	West
Mont.	Russell	Wickersham
Mansfield, Tex.	Ryter	Winter
Morrow	Sadowski	Wolfenden, Pa.
Miller, Calif.	Shafer	Wood
Morrison	Sheridan	

The SPEAKER pro tempore (Mr. SHEPPARD). On this roll call 305 Members have answered to their names, a quorum.

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

ATOMIC ENERGY ACT OF 1946

The SPEAKER. The gentleman from Texas [Mr. THOMASON] is recognized.

Mr. THOMASON. Mr. Speaker, in my judgment your conferees have brought back to you a very splendid report. It bears the signature of all of the Senators and of all the House conferees except my distinguished friend the gentleman from New Jersey [Mr. THOMAS].

The conference was in session for the greater part of 3 days and every section of both the Senate and the House bills was given very careful and I may say judicious consideration. I think it is the almost unanimous opinion of the conferees that the subject is so big and so important that legislation, provided it is reasonable in its terms, is absolutely necessary, in view of our national and international situation.

It should not be forgotten that the President urged some legislation on this subject just as soon as possible. It should not be forgotten that the Secretary of State urged action in view of our proposed international agreements. It is my opinion that there must be some solution to the domestic control of atomic energy before we can move into the international field.

What I shall say will be very brief, and then I will yield to members of the committee who desire time. To get right down to the report, I may say that with the exception of two big questions, the Senate receded on practically every amendment. If you will look at the report you will find amendment after amendment, which was adopted by the House, readily accepted by the Senate conferees.

I may say that the conferees on the part of the Senate, composed of the Senator from Connecticut [Mr. McMAHON], the Senator from Michigan [Mr. VANDENBERG], the very able and, in my judgment after hearing him, the great lawyer, the Senator from Colorado [Mr. MILLIKIN], the Senator from Colorado [Mr. JOHNSON], and the Senator from Georgia [Mr. RUSSELL], had the same objective as all of us, and that is to do something to get this fissionable material that we hear so much about, and the things that go into making not only atomic bombs but the things we hope will go into peacetime articles under control in this coun-

try just as soon as possible. Congress in all its history never had to deal with a more important problem. About it hinges the question of war or peace, and also the matter of destruction or survival. If put to proper and peacetime use, atomic energy, I predict, will become the greatest boon to humanity in all history.

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

Mr. THOMASON. I yield.

Mr. ARENDS. Is it not true that on two major provisions in this bill the House receded to the Senate? One was having a military man on the Commission, the other was the patents provision.

Mr. THOMASON. I will explain that as fully as I can. The first one, of course, is this very controversial question as to whether or not anybody from the armed forces should be on the Commission proper. It will be recalled that the amendment that was adopted in the House provided that there must be at least one, and that two were permissible. If you will recall, a little later in the same military section of the bill there is a provision that the Director of Military Application should be a member of the armed forces. That amendment was offered in the House and adopted by the Senate.

The compromise—and that is why we have conference committees—was that the Senate was willing to accept the amendment that the Director of Military Application, the man who is going to make the bombs if any are to be made, or to put atomic energy to military purposes if that is to be done, should be a member of the armed forces. That, as I tried to say the other day, I think is in keeping with our tradition, because the Director of Military Application is not going to be a policy maker. The Senate stood firm, however, and opposed, as did three of the House conferees, that there should be an Army or Navy man on this policy-making committee, the Commission itself. There would be just as good argument to have a general Secretary of War or an admiral as Secretary of the Navy, or that the man in the White House is not to be a civilian, because that has been the policy of our Government from the beginning.

And I might say in this connection that after we met last evening on the report and after it was drafted and put into final form, in order to make assurance doubly sure and to bring some kind of definite information back to this House, I had this report submitted early this morning to none other than the Chief of Staff, General Eisenhower, and asked him to read it over and give me his frank opinion so I would have it for my own satisfaction and to transmit to you if you were interested. About 2 hours after I had submitted the report General Eisenhower called me in person over the phone and told me what he had already told Senator VANDENBERG, and that was that the Army did not want a member of the armed forces on the Commission; and that in view of the Vandenberg amendment he and the War Department were entirely satisfied with the conclusions reached by the conferees and he hoped for the adoption of the conference re-

port. So now the Director of Military Application remains an Army officer and the Vandenberg amendment provides that any representative of the War or Navy Departments, even the Chief of Staff, the Secretary of War, or the Secretary of the Navy or any military persons whom they delegate, shall attend the sessions of the Commission and keep in close touch and be fully informed of everything that goes on in the sessions of the Commission and if they are not satisfied they file their protests with the Secretary of War and the Secretary of the Navy. If they are still dissatisfied they appeal to the Commander in Chief of the United States Army, who is none other than the President. You have got to trust somebody, and all of us have confidence in the honesty and patriotism of these high officials.

I only wish I had the ability and facility of expression so that I could repeat to you the argument Senator VANDENBERG made in support of this report. He said in view of the military liaison amendment that he had insisted on he felt this arrangement was the best that could possibly be worked out, not only to protect the secrecy of the bomb but also to give us the best national security. I might also add that it was his statement that in the beginning of the consideration of this legislation he stood firm that the armed forces must be represented. I would like for you to look at the personnel of that committee again. I just do not believe you could have a greater committee appointed to consider a matter of this great importance than the Members that constituted the special Atomic Energy Committee, because there were men on it like Senator McMAHON, Senator MILLIKIN, and Senator VANDENBERG. There was also Senator HART, formerly an admiral in the Navy for many years and with a distinguished record. After 5 months of hearings, comprising four printed volumes and the examination of 110 of the outstanding scientists, military men and industrialists of this Nation that committee unanimously reached the conclusion that it did on this important legislation.

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

Mr. THOMASON. I yield to the gentleman from Michigan.

Mr. DONDERO. What was done by the conferees in regard to the amendment which provided for screening by the Federal Bureau of Investigation of the personnel?

Mr. THOMASON. I will come to that.

Before we get down to the last and perhaps the biggest controversial issue left in the bill, may I say that after we compromised this issue on whether it was necessary to have a member of the armed forces on the Commission, which is purely a civilian affair, we did provide that there must be a member of the armed forces as director of military application. We then got down to such problems as mentioned by the gentleman from Michigan regarding investigation of all these men by the FBI.

A careful analysis of the report will disclose that the House amendment is still in the bill substantially in the same form it left the House except for one

thing. The FBI screens all of these employees, especially those having to do with what might be termed the secrets and those having anything to do with critical material, but the FBI does not do the certifying. The unanimous conclusion of the conferees, I think, was that while the FBI does a very splendid and valuable work in matters of investigation and things of that sort, yet we do not want to set the Bureau up as a kind of employment agency where they have to certify employees. However, you will find in the report where there must be a full and complete investigation by the FBI and they, in turn, submit the facts to the Commission. The conferees thought, therefore, that if the FBI furnishes the facts to the Commission that would be sufficient and, of course, we must assume that the President is going to appoint some outstanding men on this Commission. He must accompany their nominations with their qualifications to the Senate before confirmation. We direct that FBI must investigate, but we do not give them the authority to certify the names of the people who should be employed.

Another thing in that same connection, is this matter of the death penalty. That, like the FBI amendment, is substantially retained in the report, except the committee thought just as a matter of justice and also in trying to be practical that where you impose the death penalty it should only apply to men who have disclosed secrets to foreign enemies or foreign governments, or betrayed their country, and that the death penalty should only be imposed by a jury. Otherwise the death-penalty provision is retained in there in substantially the same form as it left the House.

In conclusion, let me make brief reference to the last and perhaps most controversial issue in the report, the matter of patents. That is a big subject in itself. Frankly, I share the views of a great many men in this House, especially my distinguished colleague from Texas [Mr. LANHAM] in saying that I do not want the Government in private business. I have great respect for our present patent laws. I want to encourage individual enterprise and inventive genius. Nevertheless, we are dealing here with a very unusual situation, we are dealing with a very grave and dangerous instrumentality that might mean the life or death of the human race. There was never anything like it in history. The Government has spent \$3,000,000,000 to develop atomic energy. It belongs to Uncle Sam. It is in its very nature a monopoly. It has to be kept that way, at least for a time, if we are to keep the secret. There is no use for the Government to take over all fissionable material if we do not also have all the patents to process this dangerous element.

I want to be frank with you as relates to this whole report. Every member had one big objective and that was to tie up the secret of the atomic bomb. You cannot do it without also controlling all patents. Perhaps those restrictions can be lifted later, but this is certainly no time to take a chance. Because these

patents have to do with all fissionable material wherever it is. I think, perhaps, with one exception, it was the opinion of the conferees that for the time being, at least until we know what we are going to do with this terrible weapon and this tremendous secret discovery, that there is nothing in the world to do except to give the Government the monopoly that it must have. But in that connection let me say that whenever it takes over an existing patent or does anything else in connection with existing patents or inventions that are later discovered, they must make adequate compensation for the taking of it and also pay a royalty. So, nobody, whose principal interest is in connection with this bomb, can find any fault about that until we settle down and determine what is the best thing for our country and for the peace of the world.

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

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

Mr. KUNKEL. Then you have adopted practically in identical form the Senate amendment on patents?

Mr. THOMASON. That is correct.

Mr. KUNKEL. There are no material changes in it at all?

Mr. THOMASON. That is correct.

Mr. SUMNERS of Texas. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. Do I understand the gentleman to say that when we come to deal with patents and the necessity to protect the secrecy in regard to the bomb, that you let the patents suffer, if I may put it that way, rather than take a chance on revealing the secrets of the bomb?

Mr. THOMASON. The gentleman is exactly right. This is something that we cannot gamble with or take the slightest chance. The secret at present is the important thing. When a man thinks he has an invention, he has to file his application down here in the Patent Office, and that becomes not only known to every Tom, Dick, and Harry who wants to look at it, but any citizen who wants to go down to the Patent Office can look at the application.

As the Senator from Colorado [Mr. MILLIKIN] so ably pointed out, you just cannot take a chance with a thing like this. We are dealing with the most terrible device that has ever been discovered in the history of mankind.

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

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

Mr. HINSHAW. If the Lanham amendment had not been agreed to in the House, I had a provision to add to section 3 of the patent provision which related to inventions and discoveries that had not been patented, but must be turned over to the Commission within 60 days and provide that just compensation should be made for turning over the information, but we did not reach that point.

I would like to know, if a man makes an invention or discovery for which no

patent application is made, how you can pay compensation under that section by turning it over to the Commission?

Mr. THOMASON. The Commission itself is authorized to make fair and just compensation.

Mr. HINSHAW. You will find under section 3 that no such language was contained, and it was covered in the first two sections relating to patents.

Mr. THOMASON. I cannot answer that technical question.

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

Mr. THOMASON. I yield to the gentleman from Kentucky.

Mr. CHELF. I might say to the gentleman that the bulk of the patent laws that we are now operating under were enacted back in 1870.

If we were dealing with just an ordinary thing and this were just a normal situation there would be much force, I think, to the argument that has been made that we should not invade the present patent law field, but I need not tell the Members of this House, in view of what happened at Bikini the other day and what happened at Hiroshima, what this means to the peace of the world. It was the opinion, I think, of the conferees, I know it was of most of us, that it is something you cannot trifle with at present. This bill does set up a monopoly. It has to be. If you are going to take over all the fissionable material in the United States, which you do in the bill, certainly you are going to have to take over for the time being everything connected with it including patents.

Mr. SUMNERS of Texas. I am afraid the gentleman misunderstood me. My point was that in dealing with the patents and in protecting the secret you go to the side of protecting the secret. You do not take a chance on letting the secret get loose in order to give some fellow a patent.

Mr. THOMASON. My friend from Texas is absolutely right. Patents and everything else must be subordinated to keeping our great secret. In view of what is going on in some parts of the world today, I am not willing to take the slightest chance. We have tried to tie this thing up with the strongest language that can be written.

Mr. SUMNERS of Texas. Of course.

Mr. THOMASON. Congress is going to be in session after this law goes into effect and after we have, perhaps, an international atomic commission of some sort that will put this thing to peaceful purposes rather than to destructive purposes, so then there will be time to make changes if necessary. But it is the opinion, I think, of everybody on the committee, or nearly so, that for the present we cannot do any gambling.

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

Mr. THOMASON. I yield to the gentleman from Mississippi.

Mr. COLMER. As I understand, under the House bill the appointment of a military representative was compulsory, but under the conference report that would be optional.

Mr. THOMASON. No. I do not want to mislead the gentleman as to the Com-

mission. They will all be civilians, with a military liaison committee sitting in session with them. However, the only member of the armed forces proper who will be in the organization will be the Director of Military Application.

Mr. COLMER. Under the House version of the bill, was not provision made for a military representative?

Mr. THOMASON. Yes.

Mr. COLMER. But that has been changed?

Mr. THOMASON. It was made compulsory that there should be one member of the armed forces, and it was permissive to have two.

Mr. COLMER. Would not the gentleman think the armed forces should be represented on this Commission?

Mr. THOMASON. No; I do not think so, and General Eisenhower does not think so, and Secretary Patterson does not think so, and Secretary Forrestal does not think so. In view of the existence of the military liaison committee, Secretary Patterson and the Under Secretary of the Navy testified before our committee that they felt there was ample and full protection under the Vandenberg amendment, which was the basis on which the Senator from Michigan changed from the position the gentleman from Mississippi now has and offered the liaison committee amendment, which is now part of the conference report.

Mr. COLMER. Of course, I differ with that.

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

Mr. THOMASON. I yield to the gentleman from North Carolina.

Mr. COOLEY. When the gentleman addressed the House recently on this proposition, he seemed to emphasize the necessity and desirability of developing atomic energy for industrial or peaceful purposes. I compliment the gentleman on emphasizing today the necessity for secrecy. Does the gentleman now think that under the bill that has been agreed upon by the conferees the secret is being just as carefully guarded as it possibly can be?

Mr. THOMASON. I will be frank with my friend from North Carolina. I think the bill is stronger than it was when it left the House insofar as the guarding of the secret of the atomic bomb is concerned, because, under the section relating to giving information to other countries, that can only be done after the Congress by a joint resolution has said that all safeguards have been invoked that are necessary for the guarding of the atomic bomb as a military weapon.

Another reason why I am now fully convinced that for the present the Government must control the patents on all matters affecting atomic energy is this. Let me call my friend's attention to this statement, and I hope he will read all of it, that as to this monopoly on patents the law uses the word "solely." No other patents of any kind are touched or in any way affected. It cannot invade any other field. It has to do solely with the atomic energy problem itself and the atomic bomb.

Mr. COOLEY. I have no objection to the monopoly features of the bill. I have no objection to the Government having a monopoly on all the patents. The thing that I am most interested in is that we should agree to keep this secret at the present time.

Mr. THOMASON. I think the bill as reported back to the House is just as strong as it can be. I think it is a splendid report. I hope for its adoption.

Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Speaker, as one of the conferees on the McMahon atomic energy bill I can say that the matters which were in dispute were thoroughly discussed by the conferees. We had some very strong arguments on the different amendments which were under discussion. The two main amendments, of course, were those which had to do with whether or not a military man should be placed upon the Commission, and the one dealing with patent law, although there were disputes on other amendments adopted by the House. Further than that, I think I should say that the position of the conferees was not unanimous on any of the important amendments which were in dispute. Nevertheless, I think we have brought back a very fine conference report. I say that because General Eisenhower, Secretary Forrestal, and Secretary Patterson all indicated that they felt even if the bill had not had as much protection in it and had not had the provisions in it which the conferees have finally brought back to you, they still would have felt and believed that the bill ought to be adopted and that they were satisfied with it. The question of whether or not there should be a military man upon the Commission was covered under amendments 1, 2, and 3. The first one, as you probably will recall, had directly to do with whether or not a military man should be appointed to the Commission; the second one had to do with the question of the director of military application, and the third had to do with the law which would permit at least one and not more than two military men to qualify to serve on the Commission at the same time. In connection with that, we had considerable argument. I have been delighted today to hear the distinguished gentleman from Texas quote so often from the two distinguished Republican Senators on the conference committee. I almost gain the impression that if either one of them were nominated for President he would be assured a large Democratic following. They certainly got it in the conference. I have no doubt they deserved it. It is my opinion we are fully protected so far as the military is concerned even though there may not be military men on the Commission itself. We have the military liaison committee which General Eisenhower stated was all he felt was necessary in order for the armed services to be fully protected in connection with atomic research in the future. However, the House added the amendment which did put the Director of Military Application directly into the armed services—he must be a member of

the armed services. That being so, we have a much closer and much more important connection with atomic research in the future. Therefore, I feel even though the House did not get all they would like to have had under the amendments 1, 2, and 3, they did obtain a big advantage over the original Senate bill. I feel that the Army and Navy are fully protected, while we have established civilian control of our national policy on atomic energy.

So far as the patent laws are concerned, the conferees called in the distinguished gentleman from Texas [Mr. LANHAM], who explained fully to them the difference between the patent sections of the Senate bill and the House bill. Many of the members of the conference committee are lawyers and each of them had his own idea of what was meant in the Senate and House versions. On a divided vote the majority of the conferees of each House voted for the provisions of the Senate bill. If they prove inadequate for our national protection, I am sure the Commission will request such changes as are necessary.

This conference report will be of great value in two important avenues: First, it will aid our representatives in the United Nations and in any peace conference to secure international cooperation and lasting peace; second, it will establish a much needed organization to facilitate research and development of atomic energy, not only for military purposes, but for medical, domestic, municipal, and industrial purposes. I urge that the conference report be adopted.

The question came right down to the proposition, Did the McMahon bill provide as much protection as was necessary and was actually needed in order to prevent dissemination of knowledge in regard to atomic energy, which we ought to have to protect our people? We have the know-how, we have the inventions and the patents. Should they be protected to the extent of the provisions of the McMahon bill?

The SPEAKER. The time of the gentleman from Massachusetts [Mr. CLASON] has expired.

Mr. THOMASON. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. CLASON. As I see it, it came down to the question of whether or not we receive more protection for the United States under the McMahon version or under the Lanham version. I do not think it is proper for a conferee to state how he stood on any one thing, but there was not a unanimous vote on the particular amendment. However, a majority did decide that they preferred the McMahon provision to the Lanham provision. When the conference report was finally drawn, even though I personally did not agree with some of the provisions, I felt strongly it was necessary to have legislation on this subject at this time, and I therefore signed the report. I feel that the conference report added to the legislation which was before you and has resulted in satisfactory legislation and very valuable legislation. I will vote for the conference report, and I hope the rest of you will see it as I see it. I know you

will be in disagreement on certain amendments, but on the whole we have good legislation. Otherwise we will not get the benefits for domestic purposes and for industry from atomic energy which we are entitled to obtain.

The SPEAKER. The time of the gentleman from Massachusetts has again expired.

Mr. THOMASON. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, it has been well explained to you what the conferees did. I think we brought out a good conference report.

My position on this matter is pretty well known with regard to the military men on the Commission. I supported the Lanham amendment when it was on the floor of the House. After hearing the discussion on this matter when the conferees got together on it, I feel that the Senate amendment is more workable and is a far better amendment than the amendment that was adopted in the House.

There has been a little confusion spread around the House in regard to fissionable material. The rumor has been spread that it exists in practically everything. Steel is said to be fissionable material. I am not an authority on fissionable material, but I have had some chemistry, and I have some knowledge of it. We feel that we are at the present primarily dealing with only uranium and thorium to produce this fissionable material and nuclear fission for this atomic weapon.

Looking at this patent provision, which is section 11 and applies solely to fissionable material, that is what we are trying to apply this patent provision to. If we are going to control all of that material, as this bill does, we are going to have something like a man who has a book of blank checks in his pocket and no money in the bank, if he goes down here and secures patents, because he has no material unless he secures it from the Government. Therefore, his patent becomes useless.

Furthermore, these men who have been serving at Oak Ridge and other plants of the Manhattan project will be free when they are discharged or released from that plant. Those people are ambitious, they will apply for patents on what they have already done. I therefore feel that we cannot open this thing up to everybody.

What are the principal differences between Senate section 11 and the so-called Lanham amendment?

The Senate patent provisions differ from the House provisions in five major respects:

First. The Senate makes patents on the production of fissionable material and on atomic weapons nonpatentable; the House permits private patents. Private patent rights in these two fields are inconsistent with the national security because patent litigation and procedures may well result in disclosure of secrets. It would be a risk that one or two companies would control all patents affecting these vital national defense activities.

Second. The Senate bill requires that all new inventions relating to the production of fissionable material be reported to the Commission. The House bill contains no such provisions.

Third. The Senate bill automatically authorizes the use of any patent in atomic-energy research. The House, in omitting this provision, may hamper atomic research by refusal of patentees to license their patents for research.

Fourth. The Senate requires that the patentee license at a reasonable royalty the use of any nonmilitary device of importance to the economy. The House, in omitting this provision permits, for example, one patent holder to take over the entire power industry through control of any atomic-power patents.

Fifth. The Senate bill gives the Commission full authority to condemn all atomic-energy patents, including production of fissionable material, utilization devices, research, and atomic weapons. The House bill confines the condemnation power to patents affecting the national defense.

We must go all the way if we are going to have control of this dreadful weapon.

If this provision, section 11, in any way hinders or affects the further development of our great industrial and private enterprise system, I will be one of the first to advocate doing away with it, but I do feel for the present we cannot take a chance and hope the House will accept the conference report.

Mr. THOMASON. Mr. Speaker, I yield 8 minutes to the gentleman from New Jersey [Mr. THOMAS].

Mr. THOMAS of New Jersey. Mr. Speaker, as one of the conferees, I did not sign the report on S. 1717, and I did not because I felt that the House was giving up too much, that this conference report was nothing more than a skim-milk version of the bill that passed in the House; further, the House conferees won all the skirmishes and the Senate conferees won all the big battles, and the two largest battles were: One, whether or not the military would have representation on the Commission; and two, whether or not we were going to take the House version of the patent provision.

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

Mr. THOMAS of New Jersey. I yield.

Mr. ARENDS. Would the gentleman say then that the conferees on the part of the House capitulated completely to the Senate in those two major items?

Mr. THOMAS of New Jersey. I do not like to criticize my good colleagues on either the Democratic side or the Republican side, but I will say that the House conferees did not carry out the version of the House on those two questions.

A great deal has been said about security, that this bill will give us more security than we had in the bill that we passed in the House. I just want to paint this picture. Just as soon as this bill is enacted into law and as soon as the Army engineers have had a reasonable time to get out of Oak Ridge they will get out of there to a man. There will be

no more Army Intelligence or Army engineers in Oak Ridge. Then we are going to turn the plant and its secrets over to whom? We are going to turn them over to a lot of persons, and I will admit that in time they will be investigated by the FBI, but we are going to turn Oak Ridge over to a lot of persons who may have had no experience in security. Some of them will be political patronage. Those are the people who are going to guard the atom bomb secrets down there in Oak Ridge.

That is the reason why I say that under the provisions of S. 1717 where we turn everything over to civilian control we may be taking steps that will do the very thing that a potential aggressor or a potential enemy of this country would want us to do, and that is to open the door to the secrets that are so necessary to guard at this time particularly.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. THOMAS of New Jersey. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. When the conferees accepted the Senate version of the patent feature they accepted what the Socialists have been trying to do for the last half century?

Mr. THOMAS of New Jersey. No doubt about that.

Mr. HARNESS of Indiana. Completely socializing our patent system in this Nation.

Mr. THOMAS of New Jersey. There is no question about that.

Mr. HARNESS of Indiana. When they refused to permit the War Department, the Army, or the military to have one single representative out of five they assured the possibility of giving away the secrets if any may be left in connection with this bomb?

Mr. THOMAS of New Jersey. Yes.

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

Mr. THOMAS of New Jersey. I yield to the gentleman from Nebraska.

Mr. CURTIS. I favor the position of the gentleman in regard to both the patent feature and the military control. This conference report should be turned down. There is no more reason to take the Army out of the atomic bomb business than to take it out of aviation, artillery, or any other branch of our defense.

Mr. THOMAS of New Jersey. Mr. Chairman, it was said in conference that the reason we should not have an Army man as one of the commissioners is because it might be considered as a military veto and, in addition, that we were overemphasizing the military. These remarks were made by one of the distinguished gentlemen whom our colleague from Texas referred to and I am sure he is going to vote for him when he runs for President of the United States. I would like to know how anybody could consider that by placing one Army man on a commission of five it would be a military veto. I would like to know how it could be construed by any nation in the world that we were overemphasizing the military.

The reason that we want a military man on there is so that he will be in

every conference, so that he will know absolutely what is going on, so that he will be just as close to the picture as possible. When we exclude the military we make them outcasts, something that we are a little ashamed of. I think it is just plain ridiculousness.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. THOMAS of New Jersey. I yield to the gentleman from New York.

Mr. REED of New York. I ran across something that startled me early in the war. An Army officer came to my office and he said, "I am somewhat distressed. I do not care to go to the higher-ups, but I know you, and I am going to talk to you." He said, "Every single day my men are getting communistic literature under the frank of the Patent Office." I have watched this thing very closely and when I saw this patent provision in here I could quickly understand why it was in there.

Mr. THOMAS of New Jersey. I want to say just a word about the patent feature. We House conferees did not have a chance. The cards were stacked against us from the beginning. There was never any time when we thought we were going to gain our objectives.

I think that the thing that amazed me more about the conference we had in regard to patents was this, that it was admitted, by not one conferee but by more than one, that the Senate sections on patents would do this thing above everything else, and that is, bring about a compulsory monopoly, and for the first time in the history of the United States we are now called upon to have a compulsory industrial monopoly. Yet, all of the authorities in the United States on patents tell us that the Lanham features, the sections put in by the House bill, would not only protect the Atomic Energy Commission and protect the United States when it came to the question of atomic energy and the making of the atomic bomb, but would protect the industry of the United States as well.

I disagree with my colleague from Connecticut that the Senate version on patents would benefit private business. I think under the Senate version of patents, private business, whether it had anything to do with atomic energy or not, would be absolutely stifled; it would never get started, and if these features had been in existence some 50 or 75 years ago we would not have the industrial life in America that we enjoy today.

Mr. Speaker, after hearing all the debate in Committee and on the floor of the House and in conference, I am still resolved to oppose this legislation. I think it the most dangerous we have ever considered—likewise the most important. For the safety of 135,000,000 of Americans we should delay further consideration until we have had more time for study. The stakes are too high in the gamble we are taking today.

Mr. THOMASON. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Speaker, in my judgment this conference report involves most unfortunate legislation, and I certainly shall oppose it.

We have all seen the gradual growth of centralization of power in Washington, depriving the people of their rights and leading them to neglect their responsibilities, and now we see a blow at the fundamental basis of our progress in our patent system.

Here we have the recommendations of the Committee on Military Affairs with reference to patents. Those recommendations, from the standpoint of knowledge or familiarity, might as well have come from the Committee on Claims or the Committee on the District of Columbia.

The small businessmen of this country, the American Bar Association, and the gentleman from the Navy Department who has been from the beginning the adviser with reference to atomic energy on patent matters have all approved this House provision. We voted for it overwhelmingly in this body, and the conferees have not even shown us the courtesy of bringing it back in disagreement in order that we might express our views again.

I wonder if we are beginning to sacrifice and surrender our American way of life to appease those in this country and abroad who have no fondness for our governmental philosophy and principles. What will happen if you support these patent provisions in the conference report? There will be no incentive, outside of those connected with this Commission itself, to stimulate the inventive genius of America to undertake to give us discoveries that will be helpful with reference to atomic energy. Let me bring to your attention the fact that patents, wonderful inventions for our progress, come in the main not from the Government, but from the rank and file who make their research far from Washington, and unless we protect them, unless we get rid of this compulsory licensing which is going to turn our patent system over to an unknown commission, we may undermine and destroy this fundamental basis of our progress and also the initiative and the incentive of the American inventor.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. LANHAM. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. Under this conference report, and under the Senate bill the way it passed the House, the Commission will be the arbitrary and sole judge of what patents are connected with the development of atomic energy.

Mr. LANHAM. Absolutely.

Mr. HARNESS of Indiana. And any invention that might remotely have any connection with atomic energy will be under the control of this Commission.

Mr. LANHAM. And consequently the inventors are not going to try to invent things that will be helpful in reference to atomic energy. There will be no incentive to do it.

Let me call your attention to the fact that the House provision gives the Commission authority to get any invention, any patent, or any application for a patent, that it can use in carrying out its purposes. Why go beyond that to take away property rights from the citizens

of this country, to revoke their property rights, and to assure them that they can have no further rights in their property, because you are confiscating and taking the property of the individuals when you undermine and abolish the patent system of this Nation of ours?

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

Mr. LANHAM. I yield to the gentleman from Illinois.

Mr. CHURCH. If the Lanham amendment were left in the bill, does the gentleman feel the secrecy or the know-how would be endangered in any way?

Mr. LANHAM. Not in the least. As a matter of fact, it would be protected. I think this whole legislation is a bit premature, and we are likely to take steps that will menace our security if we enact legislation of this kind in advance of the agreement with reference to peace treaties and the establishment of peace in the world.

Mr. THOMASON. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mrs. LUCE].

Mrs. LUCE. Mr. Speaker, the conference report seems to be about the best legislation we are likely to get for this vital problem. It was often noted during the debate in this House that, while this bill may open the front door to merciful peace and international and national security, it does leave the back door open to socialism. And that still remains true of the conference report, particularly in reference to the patent sections, as the gentleman from Texas [Mr. LANHAM] has pointed out to you. Nevertheless, its socialistic features constitute a long-range danger. What we are confronted with today is the short-term danger of not protecting our atomic supremacy now, and the short-term necessity of working for international atomic control. I think we must trust in the patriotism of the President, and we must hope and believe that he will place on the Commission five men of integrity and brains and truly American convictions, who will see that this legislation is not abused in the patent field or any other, to destroy our American free-enterprise system.

There is a good deal of talk about this legislation being premature in view of the facts that international arrangements in atomic control, and peace treaties are not signed. One of the reasons which make this precise legislation necessary is that we cannot get international arrangements in atomic control unless we do have this bill.

You have all read the newspapers. You saw that the Russians have currently turned down the Baruch plan. There will be no incentive for them further to discuss the international control of atomic energy unless we can fortify the position of the Atomic Commission in the UNO with this legislation, which provides domestic controls of the same nature as those proposed internationally. What we will not, or dare not, do ourselves, we cannot expect other nations to do.

We must not forget that within from 5 to 15 years the Russians are going to have all the atomic bombs they want.

It will be 15 years if they have to do it alone, because of their scientific, industrial, and technological backwardness, but probably not more than 5 years if they can communize Germany, or if Germany itself becomes communized, and aligns itself as a satellite state of the Soviet Union. Then German technicians, German scientists, German know-how, German skill, all which we certainly should have learned after two world wars are not to be sneezed at, combined with Russian aggressiveness and Russian manpower, would thus shorten the time it would take Soviet Russia to get the bomb. Our choice is between truly international control—and an atom bomb race after that, which would certainly end in atomic war.

In the meanwhile, this bill safeguards our own national security, while allowing us to advance down the road to peace, trying as best we can to persuade our Russian friends that the cause of peace and world prosperity would best be served if they came in with us on an international control plan which would protect all the nations, great and small. I know of nothing that will so strengthen the hands of our statesmen in Paris, and of our United Nations Atomic Commission in New York, as the adoption of this legislation, which will help us to control fissionable materials and also give us some control and direction over scientific research in this field.

If you read the newspapers yesterday you saw the story about the sudden inexplicable disappearance of uranium, which is a fissionable material, in Brazil. Nobody knows where it went, after it was acquired by the Brazilians, apparently we do not know where that material has gone, or to what use it is currently being put. This is a bill which will enable America to keep an eye on the ownership and movement of fissionable material in all countries, including our own.

The conferees were, it seems very plain, men who understood very well what it meant to split the atom. They also being good Americans understand what it is to split their differences. And apart from the highly controversial patent section the Senate receded in a good many matters important to the House, matters which do improve the legislation. I, like others, am deeply alarmed by the implications of the patent section. But in the end, we dare not take any chances on our atomic security in the next crucial 12 months. And let us remember, and take comfort of the fact that the joint committee provided by the bill, of Senators and Representatives, can at all times watch the Commission, review its reports, and see that it is not abusing its authority. They will be, and must be, the custodians of our liberties, wherever they may be threatened by this bill.

Mr. THOMASON. Mr. Speaker, I yield 1½ minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. The purpose of taking this minute is to ask a question along this line: If we adopt the conference report, will that mean that in the field of patents every single unique device that is developed, such as a device

to improve a cyclotron, for instance, will go into the hands of the Government? I would like to have the gentleman from North Carolina answer that question.

Mr. DURHAM. It is solely for the purpose of covering patents on fissionable material and nuclear material. It says in the bill that it is only for that purpose.

Mr. JOHNSON of California. I know, but some of us do not know just how broad that is. Does it mean that it only covers those materials from which bombs can be made?

Mr. DURHAM. That is correct, as I understand it.

Mr. JOHNSON of California. For instance, out in California we have a cyclotron at the University of California that cracks atoms, but that machine cannot make bombs. Now, would any device to perfect that machine, which is patentable, be outside the scope of the provision of this bill as reported back by the conferees?

Mr. DURHAM. I would say if that machine were capable of making fissionable material it would come under this provision.

Mr. JOHNSON of California. This machine only cracks atoms and does not make bombs.

Mr. DURHAM. Then how are they going to get the fissionable material?

Mr. JOHNSON of California. I do not know.

Mr. DURHAM. They must get it through the use of the equipment.

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

Mr. THOMASON. Mr. Speaker, I yield 1½ minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Speaker, I am keenly disappointed in the results of the conference on this legislation. I cannot give up, lying down, the importance of the taking of an active part by a representative of the armed forces in a field that involves one of the greatest potential weapons of all time. I cannot surrender completely the whole field of atomic energy policy making to the scientists or to the manufacturers, and bar absolutely only one class of people, namely, those who know something about military application of any super weapon such as the atomic bomb. In spite of all you say about it, the time has come when our Nation must not appease potential future enemies in that fashion. This is no time to set the stage for the first Munich of World War III. That is exactly what you are doing—exactly that and nothing else. When the time comes when I can prove to you that I am right, it will be too late. You will then be led around by the nose by foreign enemies who are laughing up their sleeves at you now for appeasing them and sticking your ostrich head deeper below the sands than any isolationist that has ever been condemned by the left-wing internationalists of this Nation.

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

Mr. THOMASON. Mr. Speaker, I yield the balance of the time to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, I do not believe anybody can accuse me of being an appeaser of any of these countries which have been mentioned as possible dangers to our security. I support this conference report precisely because I want us to do our utmost to assure the Nation's security.

The Bikini test was called Operations Crossroads, because it was held at the crossroads of the Pacific. It might well have been called that because the unleashing of atomic energy is the crossroads of history. That is where we are this afternoon. We are deciding which way our Nation and the world are to take at the great crossroads.

There are about four possibilities. One, we can ignore atomic energy, rest on our past achievements, fail to keep in the forefront of progress until somebody blows us off the face of the earth or covers our land with radioactive energy, making life impossible.

Second, we can say that since we have the secret now, we can beat other countries by building more and bigger and better bombs than they; therefore we have nothing to fear.

The trouble with that argument is that a nation does not need to have any bigger or better bombs than exist now. If, and when other nations are able to build them, as they will be in a relatively short time, all they need is a few hundred of the present type delivered by plane or rocket, to cripple us hopelessly.

Third, we could wipe out every possible potential enemy right now while we alone have the bomb. The trouble with that course is twofold: First, we could not do it, because the President and the Army do not have any such power, and I think you will agree there would be quite a little discussion before the Congress would do it. The nation to be destroyed would certainly be notified well in advance. Second, we would not do it, because we just are not the sort of people who carry out sneak attacks like Pearl Harbor. We simply would not start such a war. It is unrealistic to imagine we would.

Fourth, we can try to develop international control with rigid and complete supervision of all fissionable materials, factories, and armaments in every country by a real international organization with no vetoes.

Bombs are now made in Tennessee, in Washington, and New Mexico. I live in Minnesota, but I am not scared. Why? Because the use of the bombs made in those three States is controlled by the United States Government on behalf of all the 48 States. They are for the security, not of three States, but of everybody.

I see no hope except in this fourth course. I believe we should take the lead in trying to unite in such a real organization all nations that will join. We cannot make headway in that direction unless we have unified control within our own country of all atomic energy, whether for military or for civilian purposes. That is why I support the conference report. We must have unified civilian control so that we can keep our present processes secret while doing everything possible to improve those

processes, to expand our knowledge of atomic energy, and skill in handling it. Let us not make a wrong decision today at operations crossroads.

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

Mr. THOMASON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. THOMASON. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to revise and extend their remarks at this point in the Record on the conference report just agreed to.

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

There was no objection.

THE CONFEREES HAVE BROUGHT US A SOUND BILL
FOR ADOPTION

Mr. DOYLE. Mr. Speaker, a few days ago when debate upon this vital subject of the atomic-energy bill was in progress and it was known that the distinguished gentleman from Texas [Mr. LANHAM] was to offer an amendment to strike out all the patent section of the committee bill and to offer a substitute which would make unnecessary the obtaining of a license from the United States to obtain, or use, or develop atomic energy, even for military weapons, I naturally hesitated to speak in opposition to his proposals, for I know how deservedly his proposals receive the cordial regard by the Members of this House. However, as a new member of your Patents Committee, I soon discovered that his industry and knowledge and natural "drive" were all big factors in the functioning of that important committee.

Yet, having studied the committee bill at length and also having studied his proposals also at length, I felt I had a duty to speak out emphatically for the patent section of the committee bill and for its retention, as distinguished from the proposals of the gentleman from Texas.

The conferees have now put back the patent section of the House bill for which I spoke. I compliment the House conferees for agreeing to same. During the debate here a few days ago I felt many Members had not had opportunity to carefully study the bill and so must have voted under a mistaken idea of what it did do and did not do.

True it is that this conferees' report as to patents will place exclusive control of atomic energy for military purposes in the hands of Uncle Sam. But, my colleagues, why should it not be there? I have previously argued that such control would help take the profit out of war. I do it again. What a man makes for sale at a money profit, he is going to try to sell at the most profit possible. And, he is not always too choosy about his customers, as long as the customer pays him his price. So, it would be with the private manufacture of atomic energy for military weapons. The Government retaining exclusive control of the source of material and its manufacture for war-

weapon uses and purposes should make it far more difficult for the development of international cartels in the field of munitions manufacture. And that is exactly what I said before and now repeat as highly desirable. The less material profit there is in war, the fewer wars we will have.

Because these are unusually hazardous times in the world's history, we must be willing to step forth in unusual pathways to peace. We must dare to pioneer in the field of essential legislation in this field of atomic energy, as much as in any field for world peace.

We must protect our field of free enterprise in patents in due fashion. But, gentlemen, there is no soundness in immediately releasing this most dangerous material to free enterprise to make money profit out of, at the expense of, our national safety and security. This bill guarantees every inventor an adequate compensation for his invention in this field. It assures an applicant for patent the same. We do not yet know the rudiments of need for our national security, and until we know what we need for it, it is unsound and unsafe to let atomic energy loose for promiscuous acquisition and development.

Why the hurry? The war is not even officially ended as yet.

Besides, our executive leaders must know what they can and cannot do in the field of atomic energy. This is a world neighborhood problem now. It is not merely whether or not American inventors shall have full freedom to do as they please immediately.

The problem before us filters into the very fabric of international policy and world peace from atomic warfare. We must keep our President and delegates to Paris and other conferences where world peace is involved, in a position of knowing to what extent America can control atomic energy for war and peace purposes.

Therefore, any private control, without regard to our national security, of and for the purpose of war or military weapons, is fundamentally incompatible with our national welfare and security.

So I am pleased the conferees have confirmed my humble words of several days ago as also being their firm conviction and decision.

SITE ACQUISITION AND DESIGN OF FEDERAL BUILDINGS

Mr. LANHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6917) to provide for site acquisition and design of Federal buildings, and for other purposes, as amended.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc.—

TITLE I

That the Federal Works Administrator is hereby authorized, under the provisions of the Public Buildings Act of May 25, 1926, as amended (40 U. S. C. 341-347), and as hereby further amended:

For projects outside the District of Columbia: To acquire sites, prepare drawings and specifications, perform other work for the accomplishment thereof, and establish limits of cost for building projects notwithstanding the fact that appropriations for con-

struction work shall not have been made. The Federal Works Administrator (and the Postmaster General, where his Department is involved), shall select projects based upon reasonable geographical distribution and urgency of need. There is authorized to be appropriated \$30,000,000 for the foregoing purposes.

SEC. 2. The Federal Works Administrator is hereby authorized under the provisions of the Public Buildings Act of May 25, 1926, as amended (40 U. S. C. 341-347), and as hereby further amended, to provide for the following buildings in or near the District of Columbia and to establish the limits of costs therefor:

(a) General Accounting Office: The project for a building for the General Accounting Office, as authorized in the First Supplemental Civil Functions Appropriation Act of 1941 (54 Stat. 1036), is hereby revised to provide for an additional building on square 529 in the District of Columbia and a tunnel connecting the two buildings, and there is hereby authorized to be appropriated \$1,150,000 to acquire square 529, to prepare drawings and specifications for the revised project, and for any costs incident thereto.

(b) Film-storage buildings: A building or buildings on Government-owned land for the servicing and storing of film records for the National Archives and the Library of Congress, and there is hereby authorized to be appropriated \$1,160,000 for the drawings and specifications for the whole project and for the construction of the first unit thereof.

(c) Office building, Suitland, Md.: For the preparation of drawings and specifications for an additional office building on Government-owned land, \$325,000.

SEC. 3. In carrying out the provisions of this title, the Federal Works Administrator is authorized to acquire lands, or interests in lands, as sites, or additions to sites, by purchase, condemnation, donation, exchange, or otherwise, and may prepare drawings and specifications prior or subsequent to the approval by the Attorney General of the title to sites for selected projects.

SEC. 4. Hereafter, when part of the cost of construction of a public-building project has been appropriated by Congress, the Federal Works Administrator may enter into contracts for construction work within the full limit of cost fixed by Congress therefor.

SEC. 5. Whenever deemed by him desirable or advantageous, the Federal Works Administrator is authorized to employ, by contract or otherwise and without regard to the Classification Act of 1923, as amended, or to the civil-service laws, rules, and regulations, or to section 3709 of the Revised Statutes, the services of established architectural or other professional or technical corporations, firms, or individuals, to such extent as he may require for any public-building project which the Public Buildings Administration is authorized by Congress to construct, or for any such project funds for which are transferred by another agency to the Public Buildings Administration for construction of the project, regardless of specific legislation governing such other agency: *Provided*, That this authorization shall not apply to the employment of such corporations, firms, or individuals on a permanent basis, but their services shall be limited to the individual project for which employed.

SEC. 6. The provisions of section 322 of the act of June 30, 1932, as amended (40 U. S. C. 278a), shall not apply with respect to the rental of temporary quarters for housing Federal activities during the replacement or remodeling of buildings by the Public Buildings Administration.

SEC. 7. The Commissioner of Public Buildings is authorized to contract for seeding, planting, or landscaping the grounds of any public building constructed by the Public Buildings Administration in an amount not

exceeding \$1,000 without reference to section 3709 of the Revised Statutes.

Sec. 8. Section 5 of the Public Buildings Act of May 25, 1926 (44 Stat. 630), is hereby amended to delete the following words which appear at the end thereof: "and to charge against the total sum of \$150,000,000 hereinbefore authorized only the respective net excess cost, if any, over and above the proceeds of such sales, or providing such new sites and buildings", and after the words "miscellaneous receipts" change the comma to a period.

Sec. 9. The Commissioner of Public Buildings, together with the Postmaster General where his office is concerned, is authorized to accept on behalf of the United States unconditional gifts of real, personal, or other property in aid of any project or function within their respective jurisdictions.

Sec. 10. Effective on the date of approval of this act, all office furniture and rugs, excepting that purchased by Government-owned corporations, which are now or may hereafter be located in Government-owned or leased buildings in and outside the District of Columbia, operated by the Public Buildings Administration, shall be and remain in its custody and under its control without exchange of funds and irrespective of the appropriations from which the furniture was or may be procured or the source from which it was obtained. Effective July 1, 1947, unless specifically so provided, appropriations other than appropriations to the Public Buildings Administration shall not be available for the purchase of furniture and rugs in such buildings, except in executive suites.

Sec. 11. The Commissioner of Public Buildings shall have exclusive authority in all buildings operated by the Public Buildings Administration to enter into contracts, upon such terms and conditions as he may find to be in the public interest and without securing competitive bids, for food services in buildings designed to include such facilities or where such services are subsequently found to be necessary; to establish rules and regulations for the operation thereof; and to make all sanitary inspections in connection therewith: *Provided*, That the Commissioner of Public Buildings wherever he deems it necessary in the public interest may exempt any building operated by the Public Buildings Administration from the provisions of this section.

Sec. 12. All acts and parts of acts inconsistent or in conflict with the foregoing provisions are hereby repealed to the extent of such inconsistency or conflict.

TITLE II

The United States Courts of the District of Columbia Building: The Architect of the Capitol is hereby authorized and directed to prepare drawings and specifications and do all work incidental thereto, for a building (including equipment, approaches, architectural landscape treatment of the grounds and connections with public utilities, and the Federal heating system) for the use of the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, to be located on that part of reservation 10 which is bounded by Constitution Avenue on the south, C Street on the north, John Marshall Place on the west, and Third Street on the east, containing 245,266 square feet, title to which is in the District of Columbia with the exception of two pieces of land having a combined total area of 1,238 square feet, title to which said two pieces of land is in the United States.

Sec. 2. (a) The plans for the building shall be prepared under the direction of, and shall be approved by, a committee of five members to be composed of the chief justice of the United States Court of Appeals for the District of Columbia, the chief justice of the District Court of the United States for the District of Columbia, an associate justice

of the District Court of the United States for the District of Columbia to be designated by the chief justice of the United States Court of Appeals for the District of Columbia, a member of the Board of Commissioners of the District of Columbia to be designated by said Board, and the Architect of the Capitol.

(b) The said committee shall establish the limit of cost for such building notwithstanding the fact that appropriations for construction work shall not have been made.

(c) The said committee and such assistants as they may designate are authorized to perform such travel for visiting other court structures as may be necessary to enable them to carry out the purposes of this title.

Sec. 3. The exact location of the building on the site shall be approved by the National Capital Park and Planning Commission, and the design shall be approved by the Commission of Fine Arts.

Sec. 4. The Commissioners of the District of Columbia are hereby authorized and directed to convey to the United States title to that part of reservation 10 which is owned by the District of Columbia within the area described in section 1 of this title, excepting a strip 5 feet wide immediately adjacent to the south line of C Street and running parallel with said south line of C Street from Third Street to John Marshall Place, said strip to be reserved for the widening of C Street. The compensation for the site, which is herein fixed at \$2,420,000, shall constitute a credit to the District of Columbia for its share of the cost of the entire project as hereafter established by the Congress.

Sec. 5. The Architect of the Capitol is hereby authorized to employ the necessary personal and other services, to enter into the necessary contracts, and to make such other expenditures (including expenditures for travel) as may be necessary to carry out the provisions of sections 1 and 2 of this title, and there is hereby authorized to be appropriated \$400,000 for such purposes.

The SPEAKER. Is a second demanded?

Mr. MCGREGOR. Mr. Speaker, I demand a second.

Mr. LANHAM. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

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

There was no objection.

The SPEAKER. The gentleman from Texas is recognized.

Mr. LANHAM. Mr. Speaker, on last Saturday I made a very full explanation in the RECORD of the purposes of this bill. My interest in it after this session of the Congress will naturally be that of an American citizen and a constituent of some Member of this body, but I think perhaps two-thirds or more of the Members of the House have requested this legislation.

This legislation has to do with the drawing of plans and specifications and the acquisition of sites for Federal structures throughout the United States. There has been no such construction since before the beginning of the World War.

If there are questions to be asked in amplification of the rather lengthy explanation I made on last Saturday, and which you will find in the RECORD, I shall be glad to answer them. If not, I reserve the remainder of my time.

Mr. MCGREGOR. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, first I wish to pay my respects to the gentleman who just pre-

ceded me, my distinguished chairman, who is retiring from the Congress of his own initiative. As a presiding officer, as a gentleman, as a Member of Congress, and as a friend, he is one individual in whom I am sure we all have great faith, and I am sure we all hate to see him leave Congress. We are losing a real friend and the district which he has represented for so long a time is losing a real representative and a worthy gentleman.

Mr. Speaker, I take exception to this particular piece of legislation, H. R. 6917, for a number of reasons. May I first call your attention to the fact, as the distinguished chairman has said, that it establishes an authorization for \$30,000,000 for what? For the drawing of plans and the purchase of sites and arrangements for the construction of Federal buildings outside of the District of Columbia.

We heard a message read from the President a few minutes ago, a letter written to the distinguished chairman of the Committee on Banking and Currency insisting on housing for veterans. We heard the distinguished chairman of this committee insist that the WET housing bill be brought up so the veterans, the industrial workers, the farmers, might have the critical building material with which to make necessary repairs and to provide them homes in which to live.

What are we going to say to our constituents if you vote for this bill granting an authorization for the planning of thousands of post offices and for the immediate construction of Federal office buildings in or near the District of Columbia? And we are going to be fair. We are acting not in a political sense entirely. There is not a Member of this Congress who does not want to please his constituents, but we are not selling out to them as a whole; they expect us to use our own judgment. What are we going to say when we go back home and find our constituents cannot buy a 2 by 4, a 2 by 6, or a 2 by 8 to build or repair his particular barn and who will say, "Congressman, you voted for \$30,000,000 for plans for new post offices throughout the United States, and for several millions of dollars for the construction of new Federal buildings in or near Washington." Our distinguished chairman says they are not going to be constructed and that only planning is contemplated. There are buildings in this bill that are going to be constructed right now. Let me call your attention to page 2, for the General Accounting Office. They are going to construct a building in the District of Columbia, and this carries an authorization for construction, if you please, of \$1,150,000. A film storage building likewise is authorized. I call your attention to page 3 for the whole project and the construction of the first item thereof, and I quote line 1, page 3, "\$1,160,000 for the drawings and specifications for the whole project and for the construction of the first unit thereof." I call your attention, Mr. Speaker, to the words contained in the bill and I again quote "and for the construction of the first unit thereof."

On page 3: For an office building in Suitland, Md., \$325,000. That is for the construction of two units with an underground tunnel. The bill gives the right to purchase and acquire buildings and lands.

Mr. Speaker, let us be fair. We are going to adjourn some of these days. Why the need for the expenditure of approximately \$35,000,000 right now when we are doing everything we can to help the veterans and to help our people back home get critical building materials? We are doing everything we can in this Congress to reduce our Federal expenses and to take people off the Federal pay roll; yet we come right along here and in this bill ask for the authorization to construct three buildings in the District of Columbia or the near vicinity to house additional Federal employees.

Is that a fair proposition for our people back home? What are you going to say to the people when they ask you about this? Oh, they say they are going to purchase land. On page 2 they have an authorization of \$30,000,000 to go out and purchase land in various congressional districts for the construction of post offices and other Federal buildings. Certainly there is no necessity for this bill at the present time. Why not wait and see if we really need these new buildings. Let us save the building material for our veterans, our industrial workers, and our farmers.

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

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

Mr. McDONOUGH. If the bill passes, is it a superior authorization over the Civilian Production Administrator, or does he have to pass on it after this bill is passed?

Mr. MCGREGOR. It says, "notwithstanding." That is written into the bill, which means, in my opinion, you are going to have a preferential classification for these Federal buildings and for these Federal post offices. Experience has proven to me that the Government always gets a preference. I would like to have a post office in every one of the counties in my district, all of us would, but this is not the time to go into these congressional districts and purchase land or even by inference to tell the people that at some future date we are going to build a post office. Word will get around that a post office is going to be constructed this year. Our distinguished chairman told us it would be 2 years. Suppose it is 2 or 3 years. That being the case, certainly we will need some new plans and specifications; so why set up this \$30,000,000 covering plans and specifications for these post offices now? Why set up \$1,150,000 for the General Accounting Office? That is for actual construction. There is also an office building in Suitland, Md., \$325,000.

Mr. Speaker, as I said before, we certainly do not need this at the present time. Let us save this building material, reduce the number of our Federal employees, and maybe we will not need so many new buildings.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

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

Mr. COLE of Missouri. The building the gentleman mentioned for the General Accounting Office is to be started at once if this legislation passes?

Mr. MCGREGOR. In my opinion that is correct. I would refer the gentleman to page 2 of the bill.

Mr. COLE of Missouri. Therefore it will take materials that could be used for veterans housing and that could be used for other purposes?

Mr. MCGREGOR. That is absolutely correct. It is not only for that building but for a film storage building as shown on pages 2 and 3, which covers \$1,150,000 for drawings and specifications for the whole project and for the construction of the first unit thereof. You cannot build buildings without material.

What excuse are we going to give to our people for the construction of Federal buildings in Washington to house more Federal employees when our people cannot get material to construct homes? Certainly we can put the legislation off until the first of next year, until the housing shortage becomes better and critical material becomes more available.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

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

Miss SUMNER of Illinois. I wish the gentleman would explain this. I cannot figure out what they think they are doing. All over this country people are having difficulty. One man will get as far as a foundation and he cannot go any farther. Another man will have a first story built and cannot go any farther. No houses are being finished. Veterans' organizations are complaining. That was in the papers Sunday. What do they mean when they come in here and spread this so thin that nobody will get anything. What is behind it?

Mr. MCGREGOR. I want to be fair. First, I want you to understand that the \$30,000,000 is simply an authorization for the purchase of land and for the drafting of plans. I refer you to page 2: The Federal Works Administrator and the Postmaster General, where his department is involved, shall select projects based upon reasonable geographical distribution and urgency of need and there is authorized to be appropriated \$30,000,000 for the foregoing purposes, namely to arrange plans and so forth for construction of Federal Buildings. That \$30,000,000 is simply arranging plans, but the other amount carried in this bill is for actual construction. If you will turn to pages 2, 3, and 4 of the bill you will find it gives authorization for construction immediately.

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

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

Mr. SPRINGER. May I ask whether or not the bill makes any provision as to the particular location where these buildings are to be constructed or where the real estate is to be obtained?

Mr. MCGREGOR. It does, sir, in the three items that are going to be constructed at the present time; definitely. The \$30,000,000 is entirely left in the

hands of the Post Office Department and the Federal Works Administrator, which refers, I think, 90 percent to new post offices in various districts.

Mr. SPRINGER. As I understood, the three items the gentleman referred to are within the District of Columbia; is that correct?

Mr. MCGREGOR. That is right, except the one at Suitland, Md.

Mr. SPRINGER. And all the others relate to the rest of the United States?

Mr. MCGREGOR. That is correct.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

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

Miss SUMNER of Illinois. It is pretty obvious that somebody is getting some graft out of it, or this thing would not happen. Who endorsed this piece of legislation?

Mr. MCGREGOR. This bill was reported out of this committee, and we turned down a general over-all program for the very reason that we felt we should not get into a Federal construction program at this time. Yet now we have a certain little group that wants three buildings, and then another department wants \$30,000,000 to arrange plans and specifications and purchase sites in the various localities so that sometime they can come in and build a new post office. Let us defeat this bill and give to our people who need homes the material that would be required to construct these buildings if this bill should become a law.

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

Mr. LANHAM. Mr. Speaker, I should like to remove a little of the confusion which I think has been created by my friend from Ohio. The report itself states that this will all be held in abeyance until necessary construction for housing and hospitals has been accomplished. There is no endeavor on the part of the committee to interfere with obtaining materials for those purposes.

We held 3 weeks of hearings last November with reference to a general public buildings bill. We do not ask here for money for construction. There is a great deal of preliminary work necessary in the drawing of plans and in the acquisition of sites for these buildings throughout the country, and this measure simply provides for the necessary funds to carry on this preliminary work of preparation. There will be no interference with housing for veterans or housing for anyone else; that is not the purpose of the measure, and it is clearly understood by the members of the committee and by the administrative authority that there is no such purpose in this bill.

The gentleman refers, for instance, to the provision with reference to this office building out here at Suitland. It is true that it is badly needed. But the provision does not relate to construction; it is for the preparation of plans and specifications for the building when the building can be constructed. The same thing is true with reference to the General Accounting Office. There we have a square to acquire, and it has been contemplated for a long time, and already there are considerable appropriations for

the construction of a General Accounting Office, but that is being held in abeyance in the meantime.

So it is confusing the issue to state that the committee, with a unanimous report, is coming in to ask you to take the scarce materials in this country and put them into Federal buildings. Unless this preliminary work is done, when the time comes, when materials are available and when contractors at a reasonable cost can construct these buildings, then we will still have to wait and wait and wait for the preparation of these plans before any buildings can be constructed. At the request of the Members of this body, who are interested in this necessary Federal construction in their districts, this measure is presented in order that Federal construction may be ready for carrying on the building program when the conditions are such that it can be done feasibly and economically and without interference in any way with the housing of veterans and the housing of the people of the United States. It is a matter for you gentlemen to determine if you are interested in Federal construction in your districts. There has been nothing of that kind since before the war began. If you are interested in repairs of the existing buildings or enlargement of the existing buildings that need extensions, then you should certainly support this legislation.

Let me call it to your attention that there are places in this country where we have paid more in rentals than the appraised value of the buildings. All we are trying to do by this legislation is to inaugurate a program and get ready with the necessary preliminary work in order that when the construction can be carried on, it can be carried on forthwith.

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

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

Mr. McDONOUGH. In paragraph (b) of section 2, in lines 1 and 2 on page 3, you authorize to be appropriated "\$1,160,000 for the drawings and specifications for the whole project and for the construction of the first unit thereof."

Mr. LANHAM. Yes.

Mr. McDONOUGH. The drawings and specifications will not cost \$1,160,000. That must be a building.

Mr. LANHAM. However, it is not a building that uses the materials that are necessary in housing. This is a building for storing nitrate films that, in the first place, are explosive, and that we have now in such great accumulation, these war films. Unless we do something speedily, we will lose them and perhaps have a great deal of incidental damage in addition.

Let me call your attention to the fact that on Monday of this week the House authorized more money for construction in the District of Columbia than is authorized by way of preparation of plans in this measure for the whole country.

Mr. McDONOUGH. But the gentleman will have to admit that the amount of money we authorized for the District of Columbia is for building and housing purposes. It is for housing human beings, not for building office space.

Mr. LANHAM. I have tried to stress the importance as it is stated in the report of the committee itself and as it is stated by the Public Buildings Administrator that this is not to be done until it will not interfere in any way with housing for veterans and for other people, but we must get these plans ready, or else when construction can be carried on we will not be ready to go forward.

Mr. McDONOUGH. Where in the bill does it state that these will be held up in the event the money and the materials are needed for housing?

Mr. LANHAM. I stated to the gentleman that that appeared in the report of the committee. Naturally, it would not appear in the bill. We held hearings on a general public-buildings bill for 3 weeks and have held it in abeyance because we cannot have construction now. I quote from the committee report:

Although H. R. 4276 is fundamental and in the public interest and would save substantial sums of money, the committee felt that the critical shortage of materials and labor and the need of concentrating the efforts of the Government in the fields of housing and hospitals dictate that additional time should be devoted to its consideration.

That goes to the matter of construction. We said that in the committee report. That is the clear purpose of the committee.

Mr. McDONOUGH. Will there be any assurance that if this bill passes that policy will be carried out? It is not in the bill.

Mr. LANHAM. If the gentleman had any familiarity at all with Mr. W. E. Reynolds and his service as Public Buildings Administrator, I think he would concur in my judgment that there is no better, fairer, more sensible, or more practical man in the Government service. He will even make statements to his own disadvantage in the operation of his office if those statements are true.

I yield to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Speaker, I want to say, as a veteran of World War II, I intend to support this measure. I do not yield to any man or woman on this floor in interest or concern for the veterans of World War II. But here is a thing I am concerned about. I think this is a fine postwar plan. How are you going to build these houses for these boys if you do not give them jobs? They must have jobs to build these houses. I am for the bill. I am going to support the bill and nothing you can say is going to change my position.

Mr. LANHAM. May I say furthermore that our committee made provision for the utilization by veterans of the houses which were built for in-migrant war workers at defense plants. There are now approximately 200,000 families of veterans and servicemen living in those dwellings. By the time the program is completed, which will be very shortly, there will be 325,000 families of veterans and servicemen occupying those dwellings. So this committee has taken the lead in the matter of affording housing in these critical times for the veterans and has held in abeyance any Federal construction. We are not asking for it now, but simply asking for the plans and

program in order that when the work can be done economically we can go forward with it.

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

Mr. LANHAM. I yield.

Mr. SPRINGER. Just recently I have been endeavoring to secure an allocation of materials from the CPA for the purpose of building a dormitory at Earlham College, in my district. This dormitory is intended to house GI's who are going to attend that college if it can be built. But we have been unable to secure an allocation of materials. May I ask the gentleman if this building program is carried out whether or not that will further limit the opportunity of securing building material for dormitories such as I have mentioned?

Mr. LANHAM. Not in the least, because dormitories can be constructed under the act which was reported out of this committee with reference to the available material. I may say I think there is on the calendar for consideration this afternoon from this same committee the bill that makes funds available for the use of surplus barracks and other materials for classrooms, laboratories, and other such facilities, to help out these colleges and universities throughout the country. We have given first consideration to the universities and colleges with reference to their needs and the needs of the GI's and to municipalities with reference to their needs for housing veterans and servicemen. We are not asking for the construction of these Federal buildings, but are asking for a provision that will enable the country to prepare to go forward with delayed Federal construction when it can be done. This measure is reported to the House not only by a unanimous report of the committee, but it has been brought to the floor of the House at the solicitation, I may say, of more than two-thirds of the Members of the House. I am surprised that you gentlemen are not interested in having any Federal construction in your districts when the time comes when the Federal construction can be carried on.

I yield to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Speaker, may I say for the benefit of Members of the House who do not have a copy of the bill before them and who therefore do not see the exact language, on page 1, line 8, there is express provision that Federal projects outside the District of Columbia are limited to the purpose of acquiring sites, preparing drawings and specifications, and to establish limits of costs. That, legislatively speaking, is an absolute limitation on the purpose for which any of this money is to be spent outside the District.

Mr. MCGREGOR. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. BUCK].

Mr. BUCK. We are told on every hand that it will take from 3 to 5 years to catch up with the dwelling house construction program. If that length of time will elapse before surplus materials and surplus building mechanics will be available for public building construction, what sense is there in proceeding now to draw

plans and acquire sites? Proper plans cannot be drawn until the site is known. Every time a site is purchased with Federal money, that site goes off the tax rolls. Your district and my district will thus suffer taxwise for each site the Government buys in advance of the time of use.

There is another point that has not been touched upon this afternoon. It was only last week that an industrial concern from my district came down here to obtain material for an addition to its plant, where 50 or 60 men would be employed. CPA refused approval. The men cannot be hired.

There is no sense in spending \$30,000,000 for sites and plans at this time. The bill should be defeated.

The SPEAKER. The time of the gentleman from New York [Mr. Buck] has expired.

Mr. MCGREGOR. Mr. Speaker, I yield such time as he may desire to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, due to the fact that many of my colleagues from other States have asked me why I rose in opposition to the reorganization bill on final passage, which passed the House yesterday, I wish to make my position and reasons perfectly clear.

I voted "no" not because I am opposed to the reorganization but because I am opposed to the increase in pay and retirement sections of the bill. I also supported the request of my colleague from Iowa [Mr. LeCompte] for a record vote because I felt the Members should be recorded on such an important measure.

Mr. MCGREGOR. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. McDONOUGH].

Mr. McDONOUGH. Mr. Speaker, I dislike to dispute the gentleman from Texas [Mr. LANHAM] for whom I have a very high regard and respect. I believe he is doing his duty as chairman of this committee in bringing the bill before the House at this time, but I am vitally concerned about the use of any materials any place in the United States that is going to interfere with the veterans' home-building program in any other place in the United States, especially in southern California.

I have had nothing but complaint after complaint from my district about the lack of efficiency and activity of the Wyatt housing program in southern California. Too many permits are being approved for nonhousing projects. With reference to the situation just recited by the gentleman from Indiana [Mr. SPRINGER] about a dormitory for the college in his district, I have had the same complaint from the University of Southern California that has tried for 6 months to get material to build a dormitory to house 27 veterans. They cannot get any authority from the CPA, the OPA, or the ODT, or anybody else. As I recall, the veterans' housing bill which we voted on recently and which I supported we gave Mr. Wyatt this authority; that is, he had authority to supersede the CPA, the OPA, the ODT, and all of the other bureaucrats in order to get this job done, to provide homes for veterans, but he does not seem to be doing

it. A congressional investigation is in order in my opinion. Now, I am not critical of the loyalty of the gentleman from Texas [Mr. LANHAM] to his committee, but I am critical of the terms of any bill that will bring in any proposal to construct office buildings in the District if their construction will interfere with veterans' housing when we had sufficient buildings to operate all the Government during the war. I do not think we need these buildings now or for the next few years, until we have this veterans' housing program taken care of.

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

Mr. McDONOUGH. I yield.

Mr. HUBER. One of the construction provisions of this bill is for the storage of film.

Mr. McDONOUGH. Yes.

Mr. HUBER. If you will check with our colleagues from Ohio [Mrs. BOLTON, Mr. BENDER, Mr. FEIGHAN, and Mr. CROSSER], they will tell you about the terrible disaster which occurred in Cleveland. You might be willing to have this construction go ahead now.

Mr. McDONOUGH. Where are they housed now?

Mr. HUBER. In ramshackle buildings, which certainly do not give any protection to Government employees or those in the vicinity. Those films are highly explosive and inflammable, with gas as poisonous as anything used in the war.

Mr. McDONOUGH. I want to refer to an extension of my own remarks which are published in the Record on July 23, of a survey made to find out the nationwide results with reference to this veterans' housing. Wires were sent in from all the congested areas of the United States, and every one of them reported back that the priorities on veterans' housing had failed miserably, and that veterans' homes are not being built rapidly enough to supply homes for returning veterans and their families.

I am fearful, for that reason, that this bill would interfere with the veterans' housing program. I shall continue to urge more speed and efficiency in the program of building homes for veterans who need them so badly.

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

Mr. LANHAM. May I again assure the gentleman that construction is not provided for in this bill; that we have no intention of interfering with the housing for veterans.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. SASSCER].

Mr. SASSCER. Mr. Speaker, everyone knows there is a shortage of veterans' housing. Everyone knows that this Congress has been and is doing everything humanly possible to alleviate that shortage. Everyone who has read this bill knows or can readily see at a glance that it in no way conflicts with the veterans' housing program. It is merely postwar planning for badly needed post-office sites, the buildings to be erected at such time as the materials are available.

In addition there is an item in the bill for planning an office building at Suitland, Md., on Government-owned land,

not to be erected at this time, merely to be planned.

The implication was made a moment ago that there was something sinister behind this bill, a lobby back of this bill. That was unjustifiable. If there is any lobby back of it the lobby has been working against it because we all know in Washington, Philadelphia, New York, and the big cities of the Nation this Government is paying hundreds of thousands upon hundreds of thousands of dollars each year for space rented in office buildings. This is planning merely. When in the future the buildings can be built the Government will save thousands upon thousands of dollars in rent.

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

Mr. SASSCER. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Is it not a fact that when the construction does take place throughout the country the Federal Government will actually be the saver? Is it not a further fact that the use of rented buildings and their upkeep costs now is more costly than will be the ultimate cost of building these structures to house the necessary Federal business?

Mr. SASSCER. That was the point I just tried to make a moment ago. I thank the gentleman for clarifying it.

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

Mr. MCGREGOR. Mr. Speaker, I yield myself the balance of the time.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. MCGREGOR. Mr. Speaker, I wish to concur in the statement of the chairman of our committee that this committee as a whole has been doing everything humanly possible for the veterans, and I will not lay my cloak aside for any member of the committee in my loyalty to the veteran, and may I say that I include the distinguished gentleman from Kentucky, who tells us he was a veteran of World War II. May I inform the gentleman that a great number of the Members are veterans of various wars and this statement includes the present speaker.

Mr. Speaker, I call your attention to the fact that this bill does include construction and I hope that each and every one of you will take the bill, H. R. 6917, and read on page 3 the following language, and I quote:

One million one hundred and sixty thousand dollars for the drawing of plans and specifications for the whole project and for the construction of the first unit thereof.

Then we go down to section 3 and it gives authority to the Federal Works Administrator to purchase or condemn any building that he sees fit for immediate use. This is not a postwar program only. It is a postwar program as far as the \$30,000,000 is concerned, which means possibly a post office in every district; but, Mr. Speaker, we need veterans' houses, we need homes for our workers, we need homes for our farmers; and how in the world are you going to square your conscience this afternoon after voting \$32,000,000 or \$33,000,000, a portion of it for immediate construction when we see the shortage that exists in critical

materials and the immediate demand for veterans' homes?

I hope you will read this bill, for I think you will then agree with me that the permission "and for construction" is in this bill. It does not mean that the whole bill is going to be postwar. The \$30,000,000 for post offices is postwar, but they can go in now and condemn buildings and purchase buildings.

Mr. Speaker, as I told you a few moments ago, the President sent a message to us saying he wanted us to pass the Wagner-Ellender-Taft bill for housing; yet we come along and authorize thirty-two or thirty-three million dollars for new Federal buildings in this bill. It should be defeated and we should forget Federal office building construction until building material is available.

Let us, as I said before, take off the Federal pay roll about 1,000,000 employees and then we will not need so many Federal buildings, and I am certain we can do this and still not hinder the efficiency of our Government.

Mr. LANHAM. Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and on a division (demanded by Mr. MCGREGOR) there were—ayes 65, noes 58.

Mr. LANHAM. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 160, nays 129, not voting 141, as follows:

[Roll No. 239]

YEAS—160

Abernethy	Flannagan	Lanham
Andrews, Ala.	Fogarty	Larcade
Angell	Folger	Lea
Barden	Forand	Lesinski
Barrett, Pa.	Gallagher	Link
Bell	Gardner	Lyle
Biemiller	Geelan	McCormack
Blackney	Gifford	McGlinchey
Bland	Goodwin	Madden
Bloom	Gordon	Manasco
Bonner	Gore	Marcantonio
Bradley, Pa.	Gorski	Michener
Brehm	Granahan	Mills
Brown, Ga.	Granger	Monroney
Buchanan	Grant, Ala.	Morgan
Bulwinkle	Gregory	Murdock
Byrne, N. Y.	Hale	Murray, Tenn.
Camp	Harless, Ariz.	Neely
Carnahan	Harris	O'Brien, Ill.
Celler	Havener	O'Brien, Mich.
Chapman	Hays	O'Toole
Chelf	Healy	Outland
Clark	Hedrick	Pace
Cooley	Henry	Patman
Crosser	Hinshaw	Patterson
D'Alessandro	Hobbs	Peterson, Fla.
Davis	Hoch	Philbin
De Lacy	Holmes, Mass.	Pickett
Delaney	Holmes, Wash.	Poage
James J.	Hook	Powell
Dingell	Huber	Pratt
Dondero	Hull	Price, Fla.
Doughton, N. C.	Jackson	Price, Ill.
Douglas, Calif.	Jarman	Quinn, N. Y.
Douglas, Ill.	Jenkins	Rabaut
Doyle	Judd	Rabin
Drewry	Kee	Rains
Durham	Kelley, Pa.	Randolph
Engle, Calif.	Kelly, Ill.	Rankin
Ervin	King	Rea
Fallon	Kirwan	Richards
Feighan	Klein	Riley
Fernandez	Kopplemann	Rivers
Fisher	Lane	Rizley

Roe, Md.
Rogers, Fla.
Rogers, Mass.
Rogers, N. Y.
Rooney
Rowan
Sabath
Sadowski
Sasser
Savage

Andersen,
H. Carl
Andersen.
August H.
Arends
Arnold
Auchincloss
Barrett, Wyo.
Beall
Bennett, Mo.
Bishop
Bolton
Brown, Ohio
Brumbaugh
Buck
Byrnes, Wis.
Campbell
Canfield
Cannon, Mo.
Case, N. J.
Chapfield
Church
Clason
Clevenger
Cole, Mo.
Cole, N. Y.
Colmer
Corbett
Cunningham
Curtis
D'Ewart
Dirksen
Dolliver
Dworshak
Eberharter
Ellis
Ellsworth
Elsaesser
Fenton
Fuller
Fulton
Gamble
Gavin
Gearhart
Gerlach

Sikes
Smith, Maine
Smith, Va.
Smith, Wis.
Spence
Starkey
Stevenson
Sullivan
Summers, Tex.
Thomas, Tex.

NAYS—129

Gillette
Gillie
Graham
Grant, Ind.
Griffiths
Gross
Gwynne, Iowa
Hagen
Hall
Leonard W.
Hand
Herter
Heseltun
Hoeven
Hoffman, Mich.
Hoffman, Pa.
Hope
Horan
Howell
Jensen
Johnson, Ill.
Johnson, Ind.
Jones
Jonkman
Kean
Kearney
Kinzer
Knutson
Kunkel
LaFollette
Latham
LeCompte
LeFevre
Lemke
Dworshak
Eberharter
Ellis
Ellsworth
Elsaesser
Fenton
Fuller
Fulton
Gamble
Gavin
Gearhart
Gerlach

Thomason
Traynor
Trimble
Voorhis, Calif.
Walter
Weaver
Whitten
Winstead
Woodhouse

Miller, Nebr.
Mundt
Murray, Wis.
Norblad
Norrell
O'Hara
Pittenger
Plumley
Ramey
Reed, N. Y.
Rich
Robertson,
N. Dak.
Rodgers, Pa.
Schwabe, Mo.
Schwabe, Okla.
Scrivner
Schafer
Sharp
Simpson, Ill.
Smith, Ohio
Springer
Stefan
Sumner, Ill.
Sundstrom
Taber
Talbot
Talle
Taylor
Thom
Thomas, N. J.
Tibbott
Towe
Vorys, Ohio
Vursell
Wadsworth
Weichel
Whittington
Wigglesworth
Wilson
Wolcott
Wolverton, N. J.
Woodruff

NOT VOTING—141

Adams	Elston	May
Allen, Ill.	Engel, Mich.	Marrow
Allen, La.	Fellows	Miller, Calif.
Almond	Flood	Morrison
Anderson, Calif.	Gary	Norton
Andrews, N. Y.	Gathings	O'Konski
Angell	Gibson	O'Neal
Baldwin, Md.	Gillespie	Patrick
Baldwin, N. Y.	Gossett	Peterson, Ga.
Barry	Green	Pfeifer
Bates, Ky.	Gwinn, N. Y.	Phillips
Bates, Mass.	Hall	Ploeser
Beckworth	Edwin Arthur	Priest
Bender	Halleck	Rayfield
Bennet, N. Y.	Hancock	Reece, Tenn.
Boren	Hare	Reed, Ill.
Boykin	Harness, Ind.	Rees, Kans.
Bradley, Mich.	Hart	Robertson, Va.
Brooks	Hartley	Robinson, Utah
Bryson	Hébert	Robson, Ky.
Buckley	Heffernan	Rockwell
Buffet	Hendricks	Roe, N. Y.
Bunker	Hess	Russell
Butler	Hill	Ryder
Cannon, Fla.	Hollifield	Sheppard
Carlson	Izac	Sheridan
Case, S. Dak.	Jennings	Short
Chenoweth	Johnson, Calif.	Simpson, Pa.
Clements	Johnson, Okla.	Slaughter
Clippinger	Johnson, Tex.	Somers, N. Y.
Cochran	Keefe	Sparkman
Coffe	Kefauver	Stewart
Cole, Kans.	Keogh	Stigler
Combs	Kerr	Stockman
Cooper	Kilburn	Tarver
Courtney	Kilday	Tolan
Cox	Landis	Torrens
Cravens	Ludlow	Vinson
Crawford	Lynch	Vinsawski
Curley	McGehee	Welch
Daughton, Va.	McKenzie	West
Dawson	McMillan, S. C.	White
Delaney	Mahon	Wickersham
John J.	Maloney	Winter
Domengeaux	Mankin	Wolfenden, Pa.
Earthman	Mansfield,	Wood
Eaton	Mont.	Worley
Elliott	Mansfield, Tex.	Zimmerman

So, two-thirds not having voted in favor thereof, the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Bailey for, with Mr. Short against.

Mr. Kefauver and Mr. Keogh for, with Mr. Elston against.

Mr. Green and Mr. John J. Delaney for, with Mr. Hess against.

Mr. Flood and Mr. Hart for, with Mr. Hartley against.

Mr. Izac and Mr. Pfeifer for, with Mr. Eaton against.

Mrs. Norton and Mr. Sheridan for, with Mr. Harness of Indiana against.

Mr. Heffernan and Mr. Rayfield for, with Mr. Bradley of Michigan against.

Mr. Lynch and Mr. Priest for, with Mr. Clippinger against.

General pairs until further notice:

Mr. Vinson with Mr. Ploeser.
Mr. Wood with Mr. Fellows.
Mr. Barry with Mr. Edwin Arthur Hall.
Mr. Sheppard with Mr. Adams.
Mr. Almond with Mr. Bender.
Mr. Boykin with Mr. Allen of Illinois.
Mr. Sparkman with Mr. Jennings.
Mr. Domengeaux with Mr. Hill.
Mr. Roe of New York with Mr. Halleck.
Mr. Buckley with Mr. Crawford.
Mr. Hare with Mr. Buffet.
Mr. Elliott with Mr. Chenoweth.
Mr. McGehee with Mr. Kilburn.
Mr. Gathings with Mr. Cole of Kansas.
Mr. Mansfield of Montana with Mr. Landis.
Mr. Morrison with Mr. Carlson.
Mr. Bates of Kentucky with Mr. Phillips.
Mr. Mahon with Mr. Rees of Kansas.
Mr. Bunker with Mr. Simpson of Illinois.
Mr. Hollifield with Mr. Reed of Illinois.
Mr. Dawson with Mr. Stockman.
Mr. McKenzie with Mr. Robison of Kentucky.

Mr. Somers of New York with Mr. Anderson of California.

Mr. McMillan of South Carolina with Mr. Gillespie.

Mr. BREHM and Mr. STEVENSON changed their votes from "no" to "aye."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my remarks with regard to the bill H. R. 7063 at the point in today's RECORD following the remarks made by the gentleman from Florida [Mr. SIKES] and to include therein several telegrams.

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

There was no objection.

HOSPITAL SURVEY AND CONSTRUCTION ACT

Mr. BULWINKLE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 191) to amend the Public Health Service Act to authorize grants to the States for surveying their hospitals and public-health centers and for planning construction of additional facilities, and to authorize grants to assist in such construction, as amended.

The Clerk read as follows:

Be it enacted etc., That this act may be cited as the "Hospital Survey and Construction Act."

SEC. 2. The Public Health Service Act (consisting of titles I to V, inclusive, of the act of July 1, 1944, 58 Stat. 682) is hereby amended by adding at the end thereof the following new title:

"TITLE VI—CONSTRUCTION OF HOSPITALS

"PART A—DECLARATION OF PURPOSE

"Sec. 601. The purpose of this title is to assist the several States—

"(a) to inventory their existing hospitals (as defined in section 631 (e)), to survey the need for construction of hospitals, and to develop programs for construction of such public and other nonprofit hospitals as will, in conjunction with existing facilities, afford the necessary physical facilities for furnishing adequate hospital, clinic, and similar services to all their people; and

"(b) to construct public and other nonprofit hospitals in accordance with such programs.

"PART B—SURVEYS AND PLANNING

"Authorization of appropriation

"Sec. 611. In order to assist the States in carrying out the purposes of section 601 (a), there is hereby authorized to be appropriated the sum of \$3,000,000, to remain available until expended. The sums appropriated under this section shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State applications for funds for carrying out such purposes.

"State applications

"Sec. 612. (a) To be approved, a State application for funds for carrying out the purposes of section 601 (a) must—

"(1) designate a single State agency as the sole agency for carrying out such purposes: *Provided*, That after a State plan has been approved under section 623, any further survey or programing functions shall be carried out, pursuant to section 623 (a) (10), by the agency designated in accordance with section 623 (a) (1);

"(2) provide for the designation of a State advisory council, which shall include representatives of nongovernment organizations or groups, and of State agencies, concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services selected from among persons familiar with the need for such services in urban or rural areas, to consult with the State agency in carrying out such purposes;

"(3) provide for making an inventory and survey in accordance with section 601 (a) containing all information required by the Surgeon General, and for developing a program in accordance with section 601 (a) and with regulations prescribed under section 622; and

"(4) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and give the Surgeon General, upon demand, access to the records on which such reports are based.

"(b) The Surgeon General shall approve any application for funds which complies with the provisions of subsection (a).

"Allotments to States

"Sec. 613. (a) Each State for which a State application under section 612 has been approved shall be entitled to an allotment of such proportion of any appropriation made pursuant to section 611 as its population bears to the population of all the States, and within such allotment it shall be entitled to receive 33½ percent of its expenditures in carrying out the purposes of section 601 (a) in accordance with its application: *Provided*, That no such allotment to any State shall be less than \$10,000. The Surgeon General shall from time to time estimate the sum to which each State will be entitled under this section,

during such ensuing period as he may determine, and shall thereupon certify to the Secretary of the Treasury the amount so estimated, reduced, or increased, as the case may be, by any sum by which the Surgeon General finds that his estimate for any prior period was greater or less than the amount to which the State was entitled for such period. The Secretary of the Treasury shall thereupon, prior to audit or settlement by the General Accounting Office, pay to the State at the time or times fixed by the Surgeon General the amount so certified.

"(b) Any funds paid to a State under this section and not expended for the purposes for which paid shall be repaid to the Treasury of the United States.

"PART C—CONSTRUCTION OF HOSPITALS AND RELATED FACILITIES

"Authorization of appropriations

"Sec. 621. In order to assist the States in carrying out the purposes of section 601 (b) there is hereby authorized to be appropriated for the fiscal year ending June 30, 1947, and for each of the four succeeding fiscal years, the sum of \$75,000,000 for the construction of public and other nonprofit hospitals; and there are further authorized to be appropriated for such construction the sums provided in section 624. The sums appropriated pursuant to this section shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for carrying out the purposes of section 601 (b); and for making payments to political subdivisions of, and public or other nonprofit agencies in, such States.

"General regulations

"Sec. 622. Within 6 months after the enactment of this title the Surgeon General, with the approval of the Federal Hospital Council and the Administrator, shall by general regulation prescribe—

"(a) The number of general hospital beds required to provide adequate hospital services to the people residing in a State, and the general method or methods by which such beds shall be distributed among base areas, intermediate areas, and rural areas: *Provided*, That for the purposes of this title the total of such beds for any State shall not exceed 4½ per thousand population, except that in States having less than 12 and more than 6 persons per square mile the limit shall be 5 beds per thousand population, and in States having 6 persons or less per square mile the limit shall be 5½ beds per thousand population; but if, in any area (as defined in the regulations) within the State, there are more beds than required by the standards prescribed by the Surgeon General, the excess over such standards may be eliminated in calculating this maximum allowance.

"(b) The number of beds required to provide adequate hospital services for tuberculous patients, mental patients, and chronic-disease patients in a State, and the general method or methods by which such beds shall be distributed throughout the State: *Provided*, That for the purposes of this title the total number of beds for tuberculous patients shall not exceed two and one-half times the average annual deaths from tuberculosis in the State over the 5-year period from 1940 to 1944, inclusive, the total number of beds for mental patients shall not exceed five per thousand population, and the total number of beds for chronic disease patients shall not exceed two per thousand population.

"(c) The number of public health centers and the general method of distribution of such centers throughout the State, which for the purposes of this title, shall not exceed one per thirty thousand population, except that in States having less than 12 persons per square mile, it shall not exceed one per twenty thousand population.

"(d) The general manner in which the State agency shall determine the priority

of projects based on the relative need of different sections of the population and of different areas lacking adequate hospital facilities, giving special consideration to hospitals serving rural communities and areas with relatively small financial resources.

"(e) General standards of construction and equipment for hospitals of different classes and in different types of location.

"(f) That the State plan shall provide for adequate hospital facilities for the people residing in a State, without discrimination on account of race, creed, or color, and shall provide for adequate hospital facilities for persons unable to pay therefor. Such regulation may require that before approval of any application for a hospital or addition to a hospital is recommended by a State agency, assurance shall be received by the State from the applicant that (1) such hospital or addition to a hospital will be made available to all persons residing in the territorial area of the applicant, without discrimination on account of race, creed, or color, but an exception shall be made in cases where separate hospital facilities are provided for separate population groups, if the plan makes equitable provision on the basis of need for facilities and services of like quality for each such group; and (2) there will be made available in each such hospital or addition to a hospital a reasonable volume of hospital services to persons unable to pay therefor, but an exception shall be made if such a requirement is not feasible from a financial standpoint.

"(g) General methods of administration of the plan by the designated State agency, subject to the limitations set forth in section 623 (a) (6) and (8).

"State plans

"Sec. 623. (a) After such regulations have been issued, any State desiring to take advantage of this part may submit a State plan for carrying out the purposes of section 601 (b). Such State plan must—

"(1) designate a single State agency as the sole agency for the administration of the plan, or designate such agency as the sole agency for supervising the administration of the plan;

"(2) contain satisfactory evidence that the State agency designated in accordance with paragraph (1) hereof will have authority to carry out such plan in conformity with this part;

"(3) provide for the designation of a State advisory council which shall include representatives of nongovernment organizations or groups, and of State agencies, concerned with the operation, construction, or utilization of hospitals, including representatives of the consumers of hospital services selected from among persons familiar with the need for such services in urban or rural areas, to consult with the State agency in carrying out such plans;

"(4) set forth a hospital construction program (A) which is based on a State-wide inventory of existing hospitals and survey of need; (B) which conforms with the regulations prescribed by the Surgeon General under section 622 (a) (b), and (c); (C) which, in the case of a State which has developed a program under part B of this title, conforms to the program so developed except for any modification required in order to comply with regulations prescribed pursuant to section 622 (a), (b), and (c), and except for any modification recommended by the State agency designated pursuant to paragraph (1) of this subsection and approved by the Surgeon General; and (D) which meets the requirements as to lack of discrimination on account of race, creed, or color, and for furnishing needed hospital services to persons unable to pay therefor, required by regulations prescribed under section 622 (f);

"(5) set forth the relative need determined in accordance with the regulations prescribed under section 622 (d) for the several projects

included in such programs, and provide for the construction, insofar as financial resources available therefor and for maintenance and operation make possible, in the order of such relative need;

"(6) provide such methods of administration of State plan, including methods relating to the establishment and maintenance of personnel standards on a merit basis (except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, or compensation of any individual employed in accordance with such methods), as the Surgeon General prescribes by regulation under section 622 (g);

"(7) provide minimum standards (to be fixed in the discretion of the State) for the maintenance and operation of hospitals which receive Federal aid under this part;

"(8) provide for affording to every applicant for a construction project an opportunity for hearing before the State agency;

"(9) provide that the State agency will make such reports in such form and containing such information as the Surgeon General may from time to time reasonably require, and give the Surgeon General, upon demand, access to the records upon which such information is based; and

"(10) provide that the State agency will from time to time review its hospital construction program and submit to the Surgeon General any modifications thereof which it considers necessary.

"(b) The Surgeon General shall approve any State plan and any modification thereof which complies with the provisions of subsection (a). If any such plan or modification thereof shall have been disapproved by the Surgeon General for failure to comply with subsection (a), the Federal Hospital Council shall, upon request of the State agency, afford it an opportunity for hearing. If such Council determines that the plan or modification complies with the provisions of such subsection, the Surgeon General shall thereupon approve such plan or modification.

"(c) No changes in a State plan shall be required within 2 years after initial approval thereof, or within 2 years after any change thereafter required therein, by reason of any change in the regulations prescribed pursuant to section 622, except with the consent of the State, or in accordance with further action by the Congress.

"(d) If any State, prior to July 1, 1948, has not enacted legislation providing that compliance with minimum standards of maintenance and operation shall be required in the case of hospitals which shall have received Federal aid under this title, such State shall not be entitled to any further allotments under section 624.

"Allotments to States

"Sec. 624. Each State for which a State plan has been approved prior to or during a fiscal year shall be entitled for such year to an allotment of a sum bearing the same ratio to the sums authorized to be appropriated pursuant to section 621 for such year as the product of (a) the population of such State and (b) the square of its allotment percentage (as defined in section 631 (a)) bears to the sum of the corresponding products for all of the States. The amount of the allotment to a State shall be available, in accordance with the provisions of this part, for payment of 33 1/3 percent of the cost of approved projects within such State. The Surgeon General shall calculate the allotments to be made under this section and notify the Secretary of the Treasury of the amounts thereof. Sums allotted to a State for a fiscal year for construction and remaining unobligated at the end of such year shall remain available to such State for such purpose for the next fiscal year (and for such year only), in addition to the sums allotted for such State for such next fiscal year. Any

amount of the sum authorized to be appropriated for a fiscal year which is not appropriated for such year, or which is not allotted in such year by reason of the failure of any State or States to have plans approved under this part, and any amount allotted to a State but remaining unobligated at the end of the period for which it is available to such State, is hereby authorized to be appropriated for the next fiscal year in addition to the sum otherwise authorized under section 621.

"Approval of projects and payments for construction

"Sec. 625. (a) For each project for construction pursuant to a State plan approved under this part, there shall be submitted to the Surgeon General through the State agency an application by the State or a political subdivision thereof or by a public or other nonprofit agency. Such application shall set forth (1) a description of the site for such project, (2) plans and specifications therefor in accordance with the regulations prescribed by the Surgeon General under section 622 (e), (3) reasonable assurance that title to such site is or will be vested solely in the applicant, (4) reasonable assurance that adequate financial support will be available for the construction of the project and for its maintenance and operation when completed, and (5) reasonable assurance that the rates of pay for laborers and mechanics engaged in construction of the project will be not less than the prevailing local wage rates for similar work as determined in accordance with Public Law 403 of the Seventy-fourth Congress, approved August 30, 1935, as amended. The Surgeon General shall approve such application if sufficient funds to pay 33 1/3 percent of the cost of construction of such project are available from the allotment to the State, and if the Surgeon General finds (A) that the application contains such reasonable assurance as to title, financial support, and payment of prevailing rates of wages, (B) that the plans and specifications are in accord with the regulations prescribed pursuant to section 622, (C) that the application is in conformity with the State plan approved under section 623 and contains an assurance that the applicant will conform to the applicable requirements of the State plan and of the regulations prescribed pursuant to section 622 (f) regarding the provision of facilities without discrimination on account of race, creed, or color, and for furnishing needed hospital facilities for persons unable to pay therefor, and an assurance that the applicant will conform to State standards for operation and maintenance, and (D) that it has been approved and recommended by the State agency and is entitled to priority over other projects within the State in accordance with the regulations prescribed pursuant to section 622 (d). No application shall be disapproved until the Surgeon General has afforded the State agency an opportunity for a hearing.

"(b) Upon approving an application under this section, the Surgeon General shall certify to the Secretary of the Treasury an amount equal to 33 1/3 percent of the estimated cost of construction of the project and designate the appropriation from which it is to be paid. Such certification shall provide for payment to the State, except that if the State is not authorized by law to make payments to the applicant the certification shall provide for payment direct to the applicant. Upon certification by the State agency, based upon inspection by it, that work has been performed upon a project, or purchases have been made, in accordance with the approved plans and specifications, and that payment of an installment is due to the applicant, the Surgeon General shall certify such installment for payment by the Secretary of the Treasury; except that if the

Surgeon General, after investigation or otherwise, has ground to believe that a default has occurred requiring action pursuant to section 632 (a) he may, upon giving notice of hearing pursuant to such subsection, withhold certification pending action based on such hearing.

"(c) Amendment of any approved application shall be subject to approval in the same manner as an original application. Certification under subsection (b) may be amended, either upon approval of an amendment of the application or upon revision of the estimated cost of a project. An amended certification may direct that any additional payment be made from the applicable allotment for the fiscal year in which such amended certification is made.

"(d) The funds paid under this section for the construction of an approved project shall be used solely for carrying out such project as so approved.

"(e) If any hospital for which funds have been paid under this section shall, at any time within 20 years after the completion of construction, (A) be sold or transferred to any person, agency, or organization, (1) which is not qualified to file an application under this section, or (2) which is not approved as a transferee by the State agency designated pursuant to section 623 (a) (1), or its successor, or (B) cease to be a nonprofit hospital as defined in section 631 (g), the United States shall be entitled to recover from either the transferor or the transferee (or, in the case of a hospital which has ceased to be a nonprofit hospital, from the owners thereof) 33 1/3 percent of the then value of such hospital, as determined by agreement of the parties or by action brought in the district court of the United States for the district in which such hospital is situated."

"PART D—MISCELLANEOUS

"Definitions

"Sec. 631. For the purposes of this title—

"(a) the allotment percentage for any State shall be 100 percent less that percentage which bears the same ratio to 50 percent as the per capita income of such State bears to the per capita income of the continental United States (excluding Alaska), except that (1) the allotment percentage shall in no case be more than 75 percent or less than 33 1/3 percent, and (2) the allotment percentage for Alaska and Hawaii shall be 50 percent each, and the allotment percentage for Puerto Rico shall be 75 percent;

"(b) the allotment percentages shall be promulgated by the Surgeon General between July 1 and August 31 of each even-numbered year, on the basis of the average of the per capita incomes of the States and of the continental United States for the three most recent consecutive years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning July 1 next succeeding such promulgation: *Provided*, That the Surgeon General shall promulgate such percentages as soon as possible after the enactment of this title, which promulgation shall be conclusive for the fiscal year ending June 30, 1947;

"(c) the population of the several States shall be determined on the basis of the latest figures certified by the Department of Commerce;

"(d) the term 'State' includes Alaska, Hawaii, Puerto Rico, and the District of Columbia;

"(e) the term 'hospital' (except as used in section 622 (a) and (b)) includes public health centers and general, tuberculosis, mental, chronic disease, and other types of hospitals, and related facilities, such as laboratories, out-patient departments, nurses' home and training facilities, and central service facilities operated in connection with

hospitals, but does not include any hospital furnishing primarily domiciliary care;

"(f) the term 'public health center' means a publicly owned facility for the provision of public health services, including related facilities such as laboratories, clinics, and administrative offices operated in connection with public health centers;

"(g) the term 'nonprofit hospital' means any hospital owned and operated by a corporation or association, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual;

"(h) the term 'construction' includes construction of new buildings, expansion, remodeling, and alteration of existing buildings, and initial equipment of any such buildings; including architects' fees, but excluding the cost of off-site improvements and, except with respect to public health centers, the cost of the acquisition of land; and

"(i) the term 'cost of construction' means the amount found by the Surgeon General to be necessary for the construction of a project.

"Withholding of certification"

"SEC. 632 (a) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 612 (a) (1), finds that the State agency is not complying substantially with the provisions required by section 612 (a) to be contained in its application for funds under part B, or after reasonable notice and opportunity for hearing to the State agency designated in accordance with section 623 (a) (1) finds (1) that the State agency is not complying substantially with the provisions required by section 623 (a), or by regulations prescribed pursuant to section 622, to be contained in its plan submitted under section 623 (a), or (2) that any funds have been diverted from the purposes for which they have been allotted or paid, or (3) that any assurance given in an application filed under section 625 is not being or cannot be carried out, or (4) that there is a substantial failure to carry out plans and specifications approved by the Surgeon General under section 625, the Surgeon General may forthwith notify the Secretary of the Treasury and the State agency that no further certification will be made under part B or part C, as the case may be, or that no further certification will be made for any project or projects designated by the Surgeon General as being affected by the default, as the Surgeon General may determine to be appropriate under the circumstances; and, except with regard to any project for which the application has already been approved and which is not directly affected by such default, he may withhold further certifications until there is no longer any failure to comply, or, if compliance is impossible, until the State repays or arranges for the repayment of Federal moneys which have been diverted or improperly expended.

"(b) (1) If the Surgeon General refuses to approve any application under section 625, the State agency through which the application was submitted, or if any State is dissatisfied with the Surgeon General's action under subsection (a) of this section, such State may appeal to the United States circuit court of appeals for the circuit in which such State is located. The summons and notice of appeal may be served at any place in the United States. The Surgeon General shall forthwith certify and file in the court the transcript of the proceedings and the record on which he based his action.

"(2) The findings of fact by the Surgeon General, unless substantially contrary to the weight of the evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Surgeon General to take further evidence, and the

Surgeon General may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the transcript and record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive unless substantially contrary to the weight of the evidence.

"(3) The court shall have jurisdiction to affirm the action of the Surgeon General or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended.

"Federal hospital council; administration of title"

"SEC. 633. (a) The Surgeon General is authorized to make such administrative regulations and perform such other functions as he finds necessary to carry out the provisions of this title. Any such regulations shall be subject to the approval of the Administrator.

"(b) In administering this title, the Surgeon General shall consult with a Federal Hospital Council consisting of the Surgeon General, who shall serve as chairman ex officio, and eight members appointed by the Administrator. Four of the eight appointed members shall be persons who are outstanding in fields pertaining to hospital and health activities, three of whom shall be authorities in matters relating to the operation of hospitals, and the other four members shall be appointed to represent the consumers of hospital services and shall be persons familiar with the need for hospital services in urban or rural areas. Each appointed member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and the terms of office of the members first taking office shall expire, as designated by the Administrator at the time of appointment, two at the end of the first year, two at the end of the second year, two at the end of the third year, and two at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms but shall be eligible for reappointment if he has not served immediately preceding his reappointment. The Council is authorized to appoint such special advisory and technical committees as may be useful in carrying out its functions. Appointed Council members and members of advisory or technical committees, while serving on business of the Council, shall receive compensation at rates fixed by the Administrator, but not exceeding \$25 per day, and shall also be entitled to receive an allowance for actual and necessary travel and subsistence expenses while so serving away from their places of residence. The Council shall meet as frequently as the Surgeon General deems necessary, but not less than once each year. Upon request by three or more members, it shall be the duty of the Surgeon General to call a meeting of the Council.

"(c) In administering the provisions of this title, the Surgeon General, with the approval of the Administrator, is authorized to utilize the services and facilities of any executive department in accordance with an agreement with the head thereof. Payment for such services and facilities shall be made in advance or by way of reimbursement, as may be agreed upon between the Administrator and the head of the executive department furnishing them.

"Conferences of State agencies"

"SEC. 634. Whenever in his opinion the purposes of this title would be promoted by a conference, the Surgeon General may invite representatives of as many State agen-

cies, designated in accordance with section 612 (a) (1) or section 623 (a) (1), to confer as he deems necessary or proper. Upon the application of five or more such State agencies, it shall be the duty of the Surgeon General to call a conference of representatives of all State agencies joining in the request. A conference of the representatives of all such State agencies shall be called annually by the Surgeon General.

"State control of operations"

"SEC. 635. Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital with respect to which any funds have been or may be expended under this title."

SEC. 3. Paragraph (2) of section 208 (b) of the Public Health Service Act, as amended, is amended by inserting "(A)" before the words "to assist"; by striking out the word "paragraph" and inserting in lieu thereof the word "clause"; and by striking out the period at the end of such paragraph and inserting in lieu thereof a comma and the following: "and (B) to assist in carrying out the purposes of title VI of this act, but not more than 20 such officers appointed pursuant to this clause shall hold office at the same time."

SEC. 4. Section 1 of the Public Health Service Act is amended to read:

"SECTION 1. Titles I to VI, of this act may be cited as the 'Public Health Service Act.'"

SEC. 5. The act of July 1, 1944 (58 Stat. 682), is hereby further amended by changing the number of title VI to title VII and by changing the number of section 601 to 612, inclusive, and references thereto, to sections 701 to 712, respectively.

The SPEAKER. Is a second demanded?

Mr. WOLVERTON of New Jersey. Mr. Speaker, I demand a second.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

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

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I yield myself 6 minutes.

The SPEAKER. The gentleman from North Carolina is recognized.

Mr. BULWINKLE. Mr. Speaker, the bill, S. 191, which we are now considering is known as the Hospital Survey and Construction Act.

The Subcommittee on Public Health of the Committee on Interstate and Foreign Commerce had hearings upon this bill and gave careful consideration to all of its provisions.

It is a known fact that in every State in the Union there is a lack of hospitals and hospital beds for those who are ill. In order to meet this situation, and in order therefore to encourage the construction of public and nonprofit hospitals, and the construction of public health centers, a grant of Federal funds is proposed through the various States to the sponsors of the projects, amounting to \$75,000,000 per year, for 5 years, and it is hoped to relieve in part the situation that now exists.

It might be well for me to call to your attention that this bill only provides for an appropriation for 5 years, and it does not provide for the maintenance of any

of these institutions. I do this because there is a fear in the minds of many that after the 5-year program is over that Congress will be called upon to extend it for another period of time. Probably it would take Federal appropriations amounting to one and one-half or two billion dollars to provide even at the present time the necessary hospital facilities. I do not think that this program should be carried on indefinitely, nor do I think that the Federal Government should enter into the maintenance of these hospitals after they are constructed.

It is true that there are too many calls upon the Federal Government to assist or to encourage States and communities in various projects. I took this all into consideration, and I weighed the aspects of future demands against the present needs of humanity. There are a great many people in many areas of this country who are unable to obtain hospital care. There are many people who are unable in some of the areas to even obtain medical treatment that they should have. I strongly feel that each and every State in the Union should assist this program and not just place the burden of construction upon the Federal Government and the localities. The House amendments to S. 191 reduced the amount of the grant from the Federal Government to the project down to a fixed sum of 33 1/3 percent.

I know of no organization, or group, that opposes the passage of the bill. It has the unqualified endorsement of the American Medical Association. The doctors realize the necessity for the number of increased hospital beds in the United States. Personally, I feel that there should be a fixed allotment and that the allotment should be more than the 33 1/3 percent, but be that as it may, the payment of one-third of the cost of any hospital, or clinic, will be a great help as well as a great incentive to provide the necessary beds for those who need hospitalization. To those of you who recently voted for a very large appropriation for the Army for next year in order to have proper national defense, may I remind you that the first great fundamental which is necessary in this Nation for national defense, as well as the safety and preservation of the Nation, is the health and happiness of its citizens. In order, therefore, that everyone might have a proper explanation of this bill, I wish to take in part statements from the general statement filed in the report as to this bill:

Basic purpose: The bill would amend the Public Health Service Act so as to authorize Federal grants-in-aid for two purposes:

1. To help the States survey all existing hospitals and public-health centers, determine their adequacy to afford the facilities necessary for adequate service to all the people of the State, and plan State-wide construction programs of the facilities needed, in conjunction with existing facilities, to supply such service, and

2. To assist in the construction of needed facilities for public and other nonprofit hospitals and for public-health centers, which State and local resources can help build and can maintain, and which are in conformity with the approved State construction program and the standards for construction projects required under the bill.

Appropriations: For survey and planning, the bill, as proposed to be amended, authorizes an appropriation of \$3,000,000. For construction, appropriations of \$75,000,000 per year for each of 5 years, beginning with the fiscal year ending June 30, 1947, are authorized.

Administration: Federal administration of the program would be the responsibility of the Surgeon General of the Public Health Service in the Federal Security Agency. A Federal Hospital Council, consisting of the Surgeon General as Chairman and eight members, representative of consumers and producers of hospital and health services, appointed by the Administrator, is given the responsibility of approving the Surgeon General's general regulations governing State construction plans. The Council would also be the body to which an appeal could be taken by States whose construction plans are disapproved by the Surgeon General. The Council's other functions would be advisory.

The bill would require that the State construction plan be administered, or that the administration be supervised, by a single State agency, with consultative assistance from a State advisory council composed of representatives of both professional and consumer interests. For the period of survey and planning, there would be a similar requirement of administration by a single State agency and consultation with a State advisory council.

Allotments and grants: Federal funds for survey and planning would be allotted on a straight population basis and, within its allotment, each State with an approved application would receive a Federal grant, under the bill as proposed to be amended, equal to 33 1/3 percent of its survey and planning expenses.

Federal funds for construction would be allotted annually to the States in accordance with a formula based on relative State populations and average per capita income. Federal grants for construction of individual projects, under the bill as proposed to be amended, would be 33 1/3 percent of construction costs.

Type of program: The type of program set forth in the bill—one of cooperation with State agencies through grants-in-aid and through technical assistance and of similar cooperation with other public and nongovernmental institutions—fits into the general pattern already established by the various programs carried on by the Public Health Service under its basic law, the Public Health Service Act.

In the hearings on the bill, the great need for additional hospital and health-center facilities was described, and the objectives of the bill were strongly supported by representatives of many professional and consumer organizations. Among others, the supporting organizations include the American Hospital Association, Catholic Hospital Association, Protestant Hospital Association, American Medical Association, American Public Health Association, Physicians Forum, National Grange, American Farm Bureau Federation, National Farmers Union, Congress of Industrial Organizations, American Federation of Labor, Cooperative League of the United States of America, National Cooperatives, Inc., and the United States Conference of Mayors.

In conclusion, let me remind you that this bill, S. 191, with the amendments, will do much to alleviate suffering, and to make the lot of many people easier. It will place this Nation of ours in the forefront of all nations in public health and public welfare, so Mr. Speaker, I have requested that the rules be suspended and that the bill be passed as amended. I hope and trust that each

and every Member of the House will vote for it.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Speaker, this measure carries an authorization for \$350,000,000 for the construction of hospitals throughout the several States.

I am wondering if you have examined some of these bills that are presently being called up for consideration under suspension of the rules and if you have noted how many hundreds of millions of dollars are involved in them?

Mr. Speaker, in my experience in the practice of medicine I learned something about the humanitarian end of medical practice and I believe that I can approach this measure without being accused of not sharing an interest in the hospital needs of the country. The fact is that the Federal Government can ill afford to lay out this money. There is not a man in this House who does not know that every State in the Union is better off financially than the Federal Government.

You must first extract this money from the States before you can give it to them. This is another entrenchment on the part of the Federal Government upon the States. It is supposed the States will have control of these funds for the construction of hospitals but it just will not work out that way. The Federal Government will have control. It seems to me to be absurd to think anything else.

Nor should we assume that this would be the end of the program so far as Federal appropriations are concerned. We may be certain that this would only be the beginning. More funds will be asked later.

Not only will the Federal Government have something to say about the construction of these hospitals but it will have much to do with running them.

This bill does not, as I understand, have the full support of the committee. I learned that only six or eight members voted to report it out. I think we ought to go slow in matters of this kind. It is easy for us to spend other people's money; oh, so easy.

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

Mr. SMITH of Ohio. I yield to the gentleman from Illinois.

Mr. MASON. Uncle Sam today is in the red to the tune of \$280,000,000,000. Every State in the Union has a surplus in its treasury. Practically every city in the Union has a surplus in its treasury. Then they come and ask Uncle Sam to hand out Federal aid to educate their children, to feed their children, to build hospitals, houses, and every other thing. Does it make sense?

Mr. SMITH of Ohio. I do not think it does.

Let me say a word about the recommendation of the American Medical Association for the enactment of this legislation. I am a member of the American Medical Association, and I respect its views, but the American Medical Association is not always right, and I think it is altogether wrong in respect to this proposition. The American Medical As-

sociation is not responsible for maintaining the soundness and integrity of the Federal finances.

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

Mr. SMITH of Ohio. I yield to the gentleman from New York.

Mr. RABIN. Will the gentleman be good enough to point out in what respect the Federal Government has any control over the maintenance or operation of these hospitals after the money has been given?

Mr. SMITH of Ohio. The gentleman can answer his own question, for he knows, or ought to know, that Federal control accompanies every Federal dollar that is handed out.

Mr. RABIN. Will the gentleman let me answer it?

Mr. SMITH of Ohio. The Federal Government is not in this business just for its health either.

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

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield the gentleman one additional minute.

Mr. SMITH of Ohio. Let us view this matter in the light of the facts before us. We do not have the money to spend. We speak about inflation. This is an inflationary measure. The OPA has been set up to control prices, but the OPA cannot control the inflationary effect of these expenditures; that is simply out of the question.

I ask the Members of this body to be reasonable. Let us turn this proposition down by all means. The condition of the Treasury prompts us to do this.

The building of hospitals by the Federal Government as proposed in this bill is a long step toward bureaucratizing medicine in the United States. It should be defeated upon that ground if no other.

Mr. BULWINKLE. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, this is a bill in which every prominent humane organization, religious and otherwise, of the country, is deeply interested. This is a bill which has received the deep and profound consideration of outstanding citizens of all walks of life and of all sections of our country. My friend the gentleman from Ohio [Mr. SMITH] is opposed to everything. He opposes any kind of legislation relating to housing, and the gentleman is sincere in his convictions. But I think the gentleman is absolutely wrong in taking the adamant position he does against everything, when we have in mind the complex economic system that envelops the people of our country today. When he says it is another entrenchment on the part of the Federal Government I cannot agree with him. This is absolutely along the line of our road-building program, along the line of Federal aid in other activities. Nobody says that is entrenchment on the part of the Federal Government on the several States.

Who are some of the organizations that are in support of this bill? Among others, the supporting organizations include the American Hospital Association, Catholic Hospital Association, Protestant

Hospital Association, American Medical Association, American Public Health Association, Physicians Forum, National Grange, American Farm Bureau Federation, National Farmers Union, Congress of Industrial Organizations, American Federation of Labor, Cooperative League of the United States of America, National Cooperatives, Inc., and the United States Conference of Mayors. I never thought I would see the day when all those associations would be in support of a bill of this kind.

As we know, this legislation has been discussed for years. To me, the pleasing thing is that after years of consideration and discussion many disturbing details have been ironed out and these various fine American philanthropic and religious organizations, all interested in the welfare of the human being, have agreed in support of this bill.

This bill is a fair bill; this bill is consistent with our scheme of government; this bill is not an entrenchment upon the part of the Federal Government on our several States of the Union; this bill constitutes a strengthening influence; this bill takes into consideration human beings; it stresses human values and uses dollars in order to bring about benefits for sick human beings in the districts of our country which need hospitalization and medical care. I quote from the report:

Of the more than 3,000 counties in the Nation, approximately 40 percent of them, containing some 15,000,000 people, are, according to testimony in the hearing, without any registered hospital.

In the year 1946, with the conditions confronting us economically in particular as they do, I contend that legislation of this kind is proper for the Congress of the United States and the Federal Government to consider and pass. It is legislation aimed to improve the health of human beings. My State may not benefit so much as others and I am not concerned about that, because I view this and other legislation of this kind from the angle of benefit to the people nationally. I am not a sectionalist.

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

Mr. McCORMACK. I yield to the gentleman from Wisconsin.

Mr. HENRY. There are municipalities within my district back home in Wisconsin that are desperately in need of hospital facilities. I like to think of myself as being one who is economy-minded, but as the gentleman says, I do not believe we can be so economy-minded when it comes to matters of human values and human health.

Mr. McCORMACK. I thank the gentleman for his contribution.

Mr. D'ALESSANDRO. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Maryland.

Mr. D'ALESSANDRO. The directors of Johns Hopkins and many other hospitals throughout the State of Maryland urge the passage of this bill.

Mr. McCORMACK. Yes; we have all received letters from outstanding people in all walks of life. This is the first time

that I have ever seen such unanimity on a bill of this kind among people and organizations that we all have profound respect for. As a Catholic, I respect the Protestant Hospital Association. I know non-Catholics respect the Catholic Hospital Association. I respect every one of these fine associations. They are all behind this humane bill. The bill provides \$75,000,000 a year for 5 years in order to provide hospitals in sections of the country where they are needed to bring relief to suffering human beings who, like you and me, are citizens of our country. I hope that two-thirds of the membership will vote to suspend the rules and pass the bill.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 8 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Speaker, as ranking minority member of the subcommittee on public health, I am supporting this legislation. I want to discuss it with you for a few minutes very frankly, if I may, to give you my thoughts on the subject.

I have had considerable doubt in my mind as to the propriety of this legislation, yet I am supporting it because my sympathy, and perhaps my sentiment, overcomes my opposition to the establishment of another Government-sponsored Federal-aid program. This bill, in my opinion, should be enacted into law because of the great need for hospital facilities throughout the United States at this time, and because a great war has created a great emergency. In almost every section of the country there exists a serious shortage of hospital facilities. There has been very little or no construction except for military and naval hospitals during the war, or during the past 5 or 6 years. There are a great many local communities and political subdivisions which have issued bonds in preparation for building additions to existing hospitals or constructing new hospitals as soon as building-supply conditions will permit. Such bonds have already been issued, and taxes have been levied, yet, because of the unexpected and unforeseeable increase in the cost of construction, unless some aid is given, these badly needed hospital facilities may not be constructed. The same situation exists as far as church-supported and charity hospitals are concerned. So this bill is designed by its authors to give a lift, as it were, over this war-created hump so the present great shortage in hospital facilities can be ended at the earliest possible moment.

My sympathy and my heart tell me that this need does exist and that it must be met. On the other hand—and I want to be very frank with you, as I said in the beginning—I see the danger of establishing by this law a program of Federal aid for the construction of hospitals which may become more or less permanent. I realize that the amount of Federal aid included in this bill—\$75,000,000 per year for 5 years—which must be matched by the States, their political subdivisions, or the recipient hospitals, by an amount double that contributed by the Federal Government, or

on a one-third and two-thirds basis, will not meet the present needs, for increased hospital facilities, and that there may be demands in the future for this program to be extended. Therefore, the question comes as to whether or not we can and will, in the future, have the courage and the fortitude to refuse to continue or extend the program, once the present emergency is over.

Mr. SMITH of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BROWN of Ohio. I yield.

Mr. SMITH of Ohio. Is it not a fact that the States are more able to do this work than the Federal Government, financially?

Mr. BROWN of Ohio. Yes; but many States cannot do this work, financially, because of limitations in the State constitutions. There are other reasons as well. For instance, there are some of the States which need and must have this help.

This measure has the support, as Dr. Smith has told you of most of the medical and hospital associations of the Nation. Is has the general support of almost every welfare group and State health organization. Yet I must admit there is a danger that, as a result of the enactment of this legislation, we may create a demand in the future for financial aid from the Federal Government for the maintenance and operation of the hospitals which will be erected under this program.

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

Mr. BROWN of Ohio. I yield.

Mr. JENSEN. Not only that, but there is no question but what the Federal Government will try to control these hospitals in my town and your town. Not only that, you will have State control of these hospitals.

Mr. BROWN of Ohio. Let me say to the gentleman, we have tried to write in every safeguard we could in connection with that particular problem. I realize there is a danger that the Federal Government may try to step into the field of control and operation of these local institutions. Also, there does exist some danger that we may be taking a step toward socialized medicine.

Mr. JENSEN. The gentleman knows wherever Federal dollars go, there goes Federal control, even in our Federal aid to roads.

Mr. BROWN of Ohio. Too often that has been true in the past, yet we are faced today with a situation that there is urgent need, almost beyond estimate, for hospital facilities in this country, especially right in the rural areas such as the gentleman from Iowa represents in the Congress.

The whole question before us today is whether or not we are going to meet the demand and the need, be guided by our hearts and our sympathies and vote for this legislation, or whether we are going to follow only the cold logic which warns us of the danger that threatens from greater Federal control and increased Federal expenditures. That is the decision which each of you must

make. I, myself, knowing of the great need which exists for more hospital facilities, have decided to support this legislation.

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

Mr. BULWINKLE. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. BIEMILLER].

Mr. BIEMILLER. Mr. Speaker, when the Hospital Construction Act, S. 191, left the Senate there were two or three features that I thought were not good. It was my privilege to appear before the subcommittee which handled this measure and discuss those sections. I am happy to note that they have accepted two of the amendments that I suggested at that time.

There is one feature of the bill, however, that I view with great misgiving. I think the creation of an administrative council rather than an advisory council may lead in the long run to a bad governmental structure. It does not seem to me to be good governmental practice to permit part time, practically dollar-a-year persons, who represent outside interests, such as the medical profession, the hospital associations, farm organizations, labor unions, or chambers of commerce, to exert a veto power over the decisions of a Government administrator, particularly when those decisions involve the expenditure of funds voted by the Congress. If this bill were before us under a rule, instead of under suspension, I would certainly offer an amendment and endeavor to correct what I deem to be a very bad practice.

But in spite of the fact that I have strong objections to this one feature of the bill, I think the over-all objectives are so important and so worthy that I sincerely hope the House will see fit today to suspend the rules and pass this very meritorious measure. The need for new hospitals is unquestionable and this splendid humanitarian bill deserves the support of every Member of the Congress.

Mr. BULWINKLE. Mr. Speaker, I yield such time as he may desire to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, I am keenly interested in seeing this bill, S. 191, pass the House today so that it may be sent to conference thereafter and subsequently become the law before the Congress adjourns as scheduled next week. I am also happy in the thought that I have contributed something in my humble way toward seeing that goal accomplished.

When this bill was before the subcommittee of the Committee on Interstate and Foreign Commerce, I appeared before that subcommittee and urged that it be reported to the full committee. Subsequently that was done and the full Committee on Interstate and Foreign Commerce reported the bill. The chairman of that committee with others then appeared before the Rules Committee seeking a rule for the consideration of the bill on the floor of the House. Because of my keen interest in the bill I contributed what I could toward getting a rule, and I get considerable satisfaction

out of the fact that I was authorized on behalf of the Rules Committee to report the rule to the floor of the House. Moreover, I am glad that in the interest of expediting consideration of the bill we have been given this opportunity to suspend the rules and consider the bill today.

Of course, this procedure means that it will be necessary for the friends of this legislation to be on the alert and to be present when the vote is taken, requiring two-thirds vote as it does under this procedure.

Mr. Speaker, the Senate has already passed this bill, and if we can pass this bill today it can be sent to conference and become law.

I dare say that possibly the greatest need in the country today is the need for additional hospital facilities. While this bill is not all that could be desired, it will go a long way toward meeting the needs.

The bill amends the Senate bill in some respects, but this can be ironed out in conference. In the main the bill would help the States conduct a survey of all existing hospitals and public health centers, determine their adequacy to afford the facilities necessary for adequate service to all the people of the State, and plan State-wide construction programs of the facilities needed in conjunction with existing facilities to supply such service.

It would assist in the construction of needed facilities for public health centers.

It authorizes an appropriation of \$3,000,000 for these surveys and \$75,000,000 per year for 5 years beginning with the fiscal year beginning June 30, 1947, for assisting the States in construction of the needed hospitals.

It would authorize a 33½ percent Federal contribution to the funds raised by States, counties, or other subdivisions of government to bring about this needed construction. The bill would set up a Federal Hospital Council consisting of the Surgeon General, as chairman, and eight members which would be the Federal administrative body, but the administration of the hospitals themselves would be under the State agency.

Federal funds for survey and planning would be allotted on a straight population basis and within its allotment each State with an approved application would receive a Federal grant under the bill equal to 33½ percent of its survey and planning expenses. Federal grants for construction of the individual projects under the bill would be 33½ percent of the construction cost.

The bill, if it becomes law, will prove to be one of the greatest steps in our public health program yet undertaken. Moreover, this program, as provided for in this bill, will take cognizance for the first time of the fact that the rural States are in the greatest need of an expanded hospitalization program. It will prove a great boon to those States like Mississippi.

Mr. Speaker, as I stated a moment ago, when this matter was before the subcommittee of the Interstate and Foreign Commerce Committee of the House in March of this year, I appeared before that committee and urged that the bill

be reported favorably. The statement I made then was as follows:

STATEMENT OF HON. WILLIAM M. COLMER,
MEMBER OF CONGRESS FROM THE STATE OF
MISSISSIPPI

Mr. COLMER. Mr. Chairman and members of the committee, I am very grateful for the opportunity to appear before your committee in behalf of S. 191. I am in accord with the objectives of this bill. The Senate has already in its wisdom seen fit to pass the bill, and I am very much in hopes that this subcommittee will see fit to make an early endorsement of the bill to the full committee and that that committee will in turn report the bill favorably. In that connection I assure you that as a member of the Rules Committee when you apply for a rule for the consideration of this measure you will find a sympathetic reception awaits you.

There is nothing more important in the life of our citizens than the necessity for adequate medical care. In fact, life itself is dependent upon the benefits of such care. The United States has long been the leader in the world not only in political advancement but for advancement in the standards of living and medical care. However, during the war it must be realized that the health of our civilian population has of necessity been neglected. So many of our doctors were called into the service to minister to those who fought the country's battles abroad, as well as those who were preparing in camps for that objective, that our civilian population did not always have the proper medical attention.

It is obvious also that during the past 5 years our efforts have been largely to win that war. The result has been that hospitals, both public and private, for the reception of our unfortunate ill have not been constructed as during the peacetime period. In other words, few hospitals, except for military personnel, were with rare exceptions constructed during the war period. The result has been that our hospital facilities have not been expanded along with our normal population increase; construction materials, labor, and other necessities for construction have been unavailable during that period. As a result our hospital facilities have lagged behind the rest of our program. Moreover, there is an ever-increasing demand, which goes hand in hand with our advancement in civilization, for new hospital facilities.

In addition thereto, heretofore communities, counties, and States have had to depend upon their own resources for the construction of public hospital facilities. This bill offers an opportunity to these various subdivisions of government to have their own funds locally raised augmented by Federal funds on the theory that the public health is in the interest of the public welfare.

In my own section of the country this will prove a great boon. For, unfortunately, in many agricultural sections of the South the revenue secured by the various governmental subdivisions is not sufficient to bring about the desired facilities for hospitalization. In my own congressional district there are many communities which would like to take advantage of the provisions of this bill. For instance, in Jones County, Miss., the enlightened and progressive people of that county have long been striving to provide adequate hospital facilities for that community. The largest city in that county is Laurel, with a population of some 30,000. In the several counties surrounding that county there is only one county with hospital facilities. The hospital at Laurel has a capacity of only approximately 50 beds, and yet the people of the surrounding counties with no hospital facilities and numbering some 100,000 are dependent upon this small hospital for their medical treatment. If this bill is enacted into law, the people of that county will go

forward with their plans to erect a modern construction, which will prove a boon to 100,000 people in that vicinity.

I sincerely hope, Mr. Chairman and members of the committee, that you will see fit to report this bill.

Mr. BULWINKLE. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. Mr. Speaker, I am very much interested in this bill. Several privately endowed hospitals in my district will be greatly assisted in their plans to expand their present facilities if this measure is adopted. Similar institutions all over the country have funds on hand to commence new building operations and to provide urgently needed additional facilities. At the time these funds were accumulated, in many cases they were sufficient for the purposes intended, but as was brought out by my distinguished colleague from Ohio, the rapidly advancing postwar costs in building construction require that these funds be supplemented by Federal grants. This measure will afford necessary assistance for this worthy and humane work and will enable publicly supported and privately endowed hospitals all over the Nation to set up vitally, and not infrequently desperately, needed hospital facilities.

There is no question of overextended or intrusive Federal control, Federal manipulation, or Federal influence involved in this bill in my opinion; and I urge and plead with the House that we may suspend the rules and pass the bill.

Let me thank the committee, particularly the distinguished gentleman from North Carolina, for expediting action on this measure which I regard to be so very vital to the public welfare, and let me especially acknowledge with great approval and deep gratitude the brilliant and persuasive speech of my good friend, the majority leader, which has contributed so materially and, I believe, effectively, to this discussion.

Mr. BULWINKLE. Mr. Speaker, I yield such time as he may desire to the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Speaker, I shall support this bill wholeheartedly.

Mr. BULWINKLE. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, 25 years ago people did not go to a hospital except to die. Today, when people get ill they want to go to hospitals. It is for that reason I feel this bill should be supported—more beds must be available to the public.

While I am generally opposed to Federal participation of this type. I think that when you read the hearings and the bill you will find that the purpose of the bill is to take care of those thinly populated communities that need hospital facilities but do not have them now. I know something about the problems of small hospitals, for I operated a small hospital in Kimball, Nebr., the first in the county, 27 years ago.

I recommend this bill to you. The State legislatures must have enabling legislation. The procedure remains un-

der State control. The Federal Government matches one-third of the funds. I do feel that it will make it possible for sparsely settled communities to have public-health facilities that they could not otherwise have. Those counties, cities, and nonprofit hospitals that have little bonded indebtedness and a healthy financial condition should build their own hospitals without Federal assistance. That detail is left to the States. This bill has sufficient merit to have my support.

Mr. BULWINKLE. Mr. Speaker, I yield such time as he may desire to the gentleman from Mississippi [Mr. WHITTINGTON].

Mr. WHITTINGTON. Mr. Speaker, I favor the passage of the pending measure. It was passed by the Senate and was reported to the House after careful consideration by the Committee on Interstate and Foreign Commerce on July 13, 1946. The bill authorizes appropriations for Federal aid to hospitals amounting to \$75,000,000 annually for a period of 5 years. The Senate bill provided for the Federal Government paying one-half of the costs. The House bill, which under the rules cannot be amended, provides for the Federal Government contributing one-third of the cost of the hospitals. The bill also provides for Federal aid in planning for construction.

There is widespread need for additional hospitals, especially in the agricultural and rural areas. In some counties there are no hospitals. The bill will enable several counties to cooperate and thus provide hospitalization on more reasonable terms. Many of the States provide for aid in hospitalization. With Federal and State aid, hospitals should be widely constructed.

There is an inadequacy of hospital and health facilities in many of the States. The lack is not due to the want of interest or initiative. Rural and other relatively poor areas are unable to construct their hospitals. There is an opportunity for the demonstration of the principle of Federal aid to promote health not only in the rural, but in the urban areas.

The bill does not contemplate Federal supervision. It is planned to leave to the State and local agencies, including not only public but private nonprofit hospitals, the supervision and control of these hospitals. I believe that the public interest will be promoted by the passage of the bill to enable the Federal Government to make grants and to provide aid in the planning and construction of hospitals where there are no existing adequate hospital facilities.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield such time to the gentleman from Pennsylvania [Mr. BRUMBAUGH] as he may desire.

Mr. BRUMBAUGH. Mr. Speaker, I am wholeheartedly in favor of the enactment of S. 191 because of its far-reaching benefits to the American people.

There is no doubt that the hospitals in the United States are facing difficulties that are a menace to the health and welfare of our citizens. Because of overcrowded conditions, obsolete equipment, old buildings, and increased operating expenses the care of medical and surgical

patients has been carried on under difficult conditions.

In the past decade mounting taxes have been a factor in the loss of contributions to hospitals by industrial concerns and private benefactors. Many community hospitals depended upon these annual contributions as an aid in meeting the operating expenses. They have had to rely on State aid as the only means of outside revenue.

The cost of maintaining old buildings is in itself a great hardship and prevents hospital authorities from expanding the facilities of these important institutions.

The great strides made in the field of medicine and surgery have revealed new and revolutionary methods of caring for the sick and wounded. Modern apparatus is needed that cannot be purchased by hospitals that are faced with the difficult task of keeping their doors open.

I am certain that when we approved the grant of \$20,000,000 for hospitals in the District of Columbia we were conscious of the dilapidated buildings and outmoded equipment that hospital staffs are forced to use in the Nation's Capital. The same situation prevails in every State of the Union.

Therefore, in the interest of the health and welfare of the American people I am in favor of prompt approval of S. 191.

Certainly if we can open the Nation's purse to foreign countries on the plea that we should aid our neighbors overseas with unsecured loans, we should consider our obligation to the people of the United States by recognizing the immediate need for adequate hospital facilities in promoting the health of our own American citizens.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. BUCK].

Mr. BUCK. Mr. Speaker, are there no limits to these new and unusual drains upon the Federal Treasury? Here, it seems to me, is the most startling one yet. More than a third of a billion dollars, only 40 minutes to consider it, and the bill reaches the floor on the vote of only 8 out of the 26 members of the committee. Even if we could afford it, this would be a bad bill.

And this is a strange aspect of the matter: Every State in the country is better off financially than the Federal Government. Yet it remains for us here in Washington, in our great wisdom, to recognize crying hospital needs in the far reaches of the country when local and State communities do not feel those needs sufficiently to spend their own money for that purpose.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Speaker, I am supporting this bill for the benefit of those municipalities and those hospitals that do not have the financial ability to finance the building of such hospitals. I do not support it on the theory that we ought to build hospitals all over the country at Government expense. I say that in view of the fact that the Federal Government on a matching basis of only 33 1/3 percent is reducing what was passed by the Senate in S. 191. I believe the

subcommittee of the House Interstate and Foreign Commerce Committee have improved this bill otherwise. It is in such shape and upon the condition that we will not be asked again to go into the hospital business that I am supporting this bill.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. HOWELL].

Mr. HOWELL. Mr. Speaker, as a member of the Committee on Interstate and Foreign Commerce who had the opportunity to learn as much about this bill as most Members of the House of Representatives, I am supporting it. The gentleman who preceded me, my colleague the gentleman from Minnesota [Mr. O'HARA], mentioned the fact that the Federal contribution has been reduced in the House version of this bill to 33 1/3 percent. It was my privilege to offer this amendment and it was done for the specific purpose of making the program a little more all inclusive, a little more expansive than where the States were required to put up only 50 percent of the matched funds. Under the House version the program can be expanded to \$225,000,000 annually with the States contributing two-thirds of the total and the Federal Government only one-third.

Another feature of the House measure, something everyone should be interested in who is opposed to Federal control of hospitals, is section 635. The committee has gone just as far as possible to insure the fact that there will be no Federal control by providing:

Except as otherwise specifically provided, nothing in this title shall be construed as conferring on any Federal officer or employee the right to exercise any supervision or control over the administration, personnel, maintenance, or operation of any hospital with respect to which any funds have been or may be expended under this title.

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

Mr. HOWELL. I yield to the gentleman from Minnesota.

Mr. JUDD. What does it mean when it says that the plan must meet specified minimum standards for maintenance and operation? Does that mean the Federal Government can decide how they shall operate and maintain a hospital?

Mr. HOWELL. No; not in my opinion. It is assumed that the States will have a responsible agency that is qualified to judge just what the minimum standards for the efficient maintenance and operation of hospitals ought to be.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, now is the time to stop, look, and think what we are doing here today. This bill S. 191, is a part of the Wagner-Murray-Dingell cradle-to-the-grave bill. We are legislating that socialized-medicine bill into law piecemeal. Our New Deal planners hope finally to get the cradle-to-the-grave bill made law in toto by this scheme. But if this bill S. 191 is made law we will have taken a big step toward socialized medicine, that is a certainty. With rare exceptions every doctor and nurse in my district who has studied

this bill is opposed to its adoption. Let us stop this mad rush to socialism or worse before it is too late. Certainly, if the people of America have lost that sense of neighborly feeling and benevolence toward their loved ones, their friends, and their neighbors to the end that they refuse to provide adequate hospital facilities for their own sick and suffering, then this Nation is in a mighty bad fix. I cannot believe they have come to that yet, unless we wish it upon them.

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

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Speaker, as a general rule I have opposed Federal subsidies to the States, as my voting record will show, but I am fully in accord with the objectives of this bill and believe that it should be enacted without delay.

I know of several instances in my own district where hospital facilities are urgently required and cannot be provided without the assistance contemplated in this measure. I am sure that many other sections of the country are in a similar position with respect to such facilities and that this legislation will be a godsend to them.

There is nothing more important to the welfare of the Nation than adequate medical care. Our country has always been a world leader in the advancement of standards of living and medical assistance. However, during the war, our medical program was necessarily neglected. Many communities suffered due to the calling into service of young physicians. Hospital construction virtually ceased, with the exception of military construction.

The result has been that hospital facilities in most communities have been badly neglected and are in great need of expansion and repair. Local communities, in many instances, do not have the financial resources to bring their hospital facilities up to minimum standards, and there is a very definite need for Federal help in the form of grants in aid.

I believe that it is incumbent upon the people of the United States, through their Congress, to rectify this situation by means of the logical and well-planned program proposed in this legislation. I am not in favor of socialized medicine in any form, but I do believe that the Federal Government should lend financial assistance to public hospitals served by individual doctors operating under a system of free enterprise.

Mr. WOLVERTON of New Jersey. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, when considering this legislation we should remember that \$75,000,000 per year, when divided by 435, which is the number of congressional districts and hence a proper measure of apportionment of the funds, will yield about \$172,000 a year for 5 years to each district. Everyone should know that the cost of building hospitals and equipping them is somewhere in the neighborhood of \$3,500 to \$4,000 per bed, which means that this

bill provides about 40 or 50 beds for each congressional district. To my congressional district that is important, but it does not mean too much.

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

Mr. HINSHAW. I yield to the gentleman from Iowa.

Mr. JENSEN. This is simply a means of getting the camel's nose under the tent.

Mr. HINSHAW. It will have to be \$500,000,000 in another year.

Mr. BULWINKLE. Mr. Speaker, I yield 5 minutes to the gentleman from Kentucky [Mr. CHAPMAN].

Mr. CHAPMAN. Mr. Speaker, the gentleman from Iowa is right in saying that the people in these small towns and rural communities are neighborly and generous, and are actuated by humanitarian impulses. But the fact remains that they are unable to provide these hospitals for themselves. As the distinguished majority, the gentleman from Massachusetts said, 40 percent of the more than 3,000 counties in the United States have no hospital facilities at all. We know that the scarcity of physicians is in almost direct ratio to the scarcity of hospital beds. For example, up to the time of the World War, when so many of our doctors answered the call to the colors and put on the uniform of the Army and the Navy, in communities having 4.6 hospital beds per 1,000 population, there was 1 doctor for every 600 people. In communities—and there are many of them—where there was less than 1 hospital bed per 1,000 population there was 1 doctor for every 1,350 people.

Infant mortality, because of medical progress and sanitary improvement, has been reduced in this country until there are about 40 deaths to every 1,000 births, but in communities that do not have adequate hospitals the infant mortality rate is appalling. We must not permit this condition to continue anywhere in the United States.

There are three kinds of hospitals: Proprietary, which are privately owned and operated for profit; public, which are supported at public expense, and the voluntary nonprofit hospitals, which include most of the hospitals operated by churches of various denominations, fraternal organizations, and local nonprofit hospital associations, in which classification probably the major portion of hospitals belong. This bill would grant aid to the public hospitals and to all of these nonprofit voluntary hospitals, the ones that serve most of our country. For rural communities unable to support a hospital this bill makes provision for grants in aid for the establishment of local health centers, which would be of incalculable benefit to millions of our fellow citizens "far from the maddening crowd's ignoble strife."

The old-fashioned country doctor, who visited alike the hovels of the poor and the mansions of the rich, ministered to all classes and conditions of society, and alleviated the pains of suffering humanity, with or without hope of remuneration, was more than a great personality.

He was a great and beloved American institution. Now, with rare exceptions, he has become a part of the history and folklore of America, and is a tender memory of this generation of American people. Yes, Mr. Speaker, but the doctor of the future is going to practice his profession where he has laboratory and hospital facilities, and can make the best of modern equipment and well-trained nurses available for the treatment of his patients.

Many great hospitals have been endowed by the possessors of large personal fortunes, but our present and prospective economic system and tax structure indicate that there will be fewer such fortunes in the future than in the past. This measure would induce endowments, and would be an incentive to communities to wage subscription campaigns and issue bonds for 66⅔ percent of the hospital cost in order to make available the 33⅓-percent Federal grant. It is expressly and explicitly written in this bill that there shall be no Federal control when this grant is made to a local organization to build a hospital. That local hospital organization will have control of that hospital and will operate it without Federal supervision or Federal dictation. It is provided that if within a period of 20 years the hospital should pass into the hands of an agency not authorized to accept this grant, such as a hospital company operating for profit, a refund would have to be made to the Government of the money that had been advanced for the construction of the hospital.

In passing this bill we are answering the call of humanity.

Years ago in France a referendum was held to determine which was the greatest name in French history. The people of France in that referendum did not select the name of one of the literary geniuses whose names illumine the pages of French literature. They did not go into the field of French statesmanship. They did not even select that renowned soldier "who born no king made monarchs draw his car," whose stakes were empires, whose dice were human bones, the first Napoleon. Rather, by a majority of millions the people of the French Republic selected as the greatest name in the annals of France the name of the man of science, the man who labored through long hours, day and night, in the laboratories, evolving formulas, not to kill people but to save lives, the father of modern medicine, Louis Pasteur.

Mr. Speaker, let us find our just reward in serving humanity, in answering suffering humanity's crying need. Let us pass this bill by the necessary two-thirds majority, to relieve suffering and save lives.

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the Record on the bill now under consideration.

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

There was no objection.

Mr. McDONOUGH. Mr. Speaker, I am in favor of S. 191 which will provide funds

to build hospitals in States, counties, and cities on a matching basis of one-third by the Federal Government and two-thirds by the States, counties, and cities.

I favor the bill especially because of the urgent need for additional hospitals in southern California and in Los Angeles County in particular, where thousands of people from all States in the Union have come to live since the war, which has overtaxed the capacity of all facilities including hospitals. We need more hospitals in Los Angeles County. I know this bill will help us get them. Therefore I urge that S. 191 be passed.

Mr. SAVAGE. Mr. Speaker, I realize the time for discussing this bill is very short and I will not take much time. However, I want to point out that I approached the study of this legislation with a background of several years' experience as a member of the board of directors of the General Hospital, a nonprofit institution, in Mason County, in my congressional district.

First, the depression left many communities short of hospital facilities and by the time they had begun to get on their feet again the defense program began to absorb building materials. Then came the war, which not only prevented the building of hospitals, but actually aggravated the already great need for more hospital facilities. Furthermore, we on the west coast have an influx of additional population to care for.

This bill is as free from Federal control as it is possible to make it and see that high standards are maintained. It appropriates \$75,000,000 a year for the next 5 years. This isn't much but will help considerably and should be passed.

Mr. BYRNES of Wisconsin. Mr. Speaker, when are we going to recognize that the United States Government is broke?

When are we going to recognize that the Federal Government is the unit of government in this country least able at this time to embark on programs involving the expenditure of money?

Mr. Speaker, I am opposed to this bill. The local units of government in those localities where an emergency exists are much better able to finance such a program as is contemplated by this bill than can the Federal Government.

With the expenditure of Federal dollars goes Federal control. I am unalterably opposed to the continuation of that trend which would concentrate control over local affairs and local problems in Washington. With the passage of this bill the door will be opened for socialized medicine. This is unwise and unsound Federal legislation. I must vote against this bill.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 191, as amended?

The question was taken; and on a division (demand by Mr. Buck) there were—ayes 136, noes 28.

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

House Resolution 718 was laid on the table.

DISPOSAL OF SURPLUS PROPERTY
ABROAD

Mr. MANASCO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1636) to amend the Surplus Property Act of 1944 to designate the Department of State as the disposal agency for surplus property outside the continental United States, its Territories and possessions, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 10 of the Surplus Property Act of 1944, as amended, is hereby amended by adding a new subsection (c) to read as follows:

"(c) Except as provided in subsection (b) of this section, the Department of State shall be the sole disposal agency for surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, and with respect to such property the Secretary of State shall exercise the functions heretofore conferred upon the Surplus Property Administrator by Public Law 181, Seventy-ninth Congress. The Secretary of State shall, subject to the provisions of the War Mobilization and Reconversion Act of 1944, have sole responsibility for carrying out the provisions of the Surplus Property Act of 1944, with respect to surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands."

Sec. 2. Section 32 (b) of such act, as amended, is hereby amended to read as follows:

"(b) (1) The provisions of this act shall be applicable to disposition of property within the United States and elsewhere, but the Secretary of State may exempt from some or all of the provisions hereof dispositions of property located outside of the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, whenever he deems that such provisions would obstruct the efficient and economic disposition of such property in accordance with the objectives of this act. In addition to the authority conferred by section 15 of this act, the Department of State may dispose of surplus property located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, for foreign currencies or credits, or substantial benefits or the discharge of claims resulting from the compromise or settlement of such claims by any Government agency in accordance with the law, whenever the Secretary of State determines that it is in the interest of the United States to do so and upon such terms and conditions as he may deem proper. Any foreign currencies or credits acquired by the Department of State pursuant to this subsection shall be administered in accordance with procedures that may from time to time be established by the Secretary of the Treasury and, if and when reduced to United States currency, shall be covered into the Treasury as miscellaneous receipts.

"(2) In carrying out the provisions of this section, the Secretary of State is hereby authorized to enter into an executive agreement or agreements with any foreign government for the use of currencies, or credits for currencies, of such government acquired as a result of such surplus property disposals, for the purpose of providing by the formation of foundations or otherwise, for (A) financing studies, research, instruction, and other educational activities of or for American citizens in schools and institutions of higher learning located in such foreign country, or of the citizens of such foreign country in American schools and institutions of higher learning located outside the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Vir-

gin Islands, including payment for transportation, tuition, maintenance, and other expenses incident to scholastic activities; or (B) furnishing transportation for citizens of such foreign country who desire to attend American schools and institutions of higher learning in the continental United States, Hawaii, Alaska (including the Aleutian Islands), Puerto Rico, and the Virgin Islands, and whose attendance will not deprive citizens of the United States of an opportunity to attend such schools and institutions: *Provided, however,* That no such agreement or agreements shall provide for the use of an aggregate amount of the currencies, or credits for currencies, of any one country in excess of \$20,000,000 or for the expenditure of the currencies, or credits for currencies of any one foreign country in excess of \$1,000,000 annually at the official rate of exchange for such currencies, unless otherwise authorized by Congress, nor shall any such agreement relate to any subject other than the use and expenditure of such currencies or credits for currencies for the purposes herein set forth: *Provided further,* That for the purpose of selecting students and educational institutions qualified to participate in this program, and to supervise the exchange program authorized herein, the President of the United States is hereby authorized to appoint a Board of Foreign Scholarships, consisting of 10 members, who shall serve without compensation, composed of representatives of cultural, educational, student, and war veterans groups, and including representatives of the United States Office of Education, the United States Veterans' Administration, State educational institutions, and privately endowed educational institutions: *And provided further,* That in the selection of American citizens for study in foreign countries under this paragraph preference shall be given to applicants who shall have served in the military or naval forces of the United States during World War I or World War II, and due consideration shall be given to applicants from all geographical areas of the United States. The Secretary of State shall transmit to the Congress not later than the 1st day of March of each year a report of operations under this paragraph during the preceding calendar year. Such report shall include the text of any agreements which have been entered into hereunder during the preceding calendar year, and shall specify the names and addresses of American citizens who are attending schools or institutions of higher learning in foreign countries pursuant to such agreements, the names and locations of such schools and institutions, and the amounts of the currencies or credits for currencies expended for any of the purposes under this paragraph in each such foreign country during the preceding calendar year."

The SPEAKER. Is a second demanded?

Mr. JUDD. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second is considered as ordered.

There was no objection.

Mr. MANASCO. Mr. Speaker, this bill makes the State Department the disposal agency for surplus property in foreign countries. As a matter of fact, they have already been designated by the War Assets Administrator as the disposal agency in foreign countries; but this does it by law. The other principal feature of this bill is that it permits the State Department to use the currency of foreign countries for educational purposes in permitting American students to go into those foreign countries and attend schools there. At the present time, it is almost impossible to get dol-

lars in many foreign countries where we have tremendous amounts of surplus property. If we can use this educational feature and permit those countries to pay our American students in their currency, we feel it will do much to further the good relationship between our Government and the governments of other countries. It will also work to the advantage of many veterans who are anxious to go to those countries to study. That is the principal feature of this bill.

Mr. WHITTINGTON. Mr. Speaker, will my chairman yield?

Mr. MANASCO. I yield.

Mr. WHITTINGTON. As I understand, the gentleman's motion is to suspend the rules and pass the Senate bill as amended by the House Committee on Expenditures so as to embody in the bill that we ought to pass the amendments of our committee?

Mr. MANASCO. That is correct.

Mr. JUDD. Mr. Speaker, I demanded a second in order to be sure that the House understands this bill because I think it is very worth while. We have a lot of surplus property in many foreign countries that do not have dollar exchange and that cannot pay us in American dollars. It would cost too much to bring the property back to this country, so the bill allows those countries to buy the surplus property with their own currency and since it cannot be converted into ours, we will use it to pay the expenses of selected Americans who want to go to those countries to study their civilization or their culture, or their economy, or what not, with the idea of helping build better understanding and better relations between those countries and ours.

It is in a sense a Boxer indemnity in reverse. Never in history has any nation made a greater or better-paying investment than the United States made when it allowed the Chinese to use their indemnity to us of about \$30,000,000 after the Boxer Rebellion, to send almost 5,000 selected Chinese students to this country during the last 40 years to study in our universities. Almost every one of them went back completely sold on the United States and our type of government. They naturally achieved positions of influence in China, and perhaps more than any other single factor, were responsible for holding their country on our side in this war, even when we were helping Japan.

I hope there will be no objection to this bill. It does not cost us a cent. It enables us to salvage something out of surplus property abroad which otherwise would be total loss.

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

Mr. JUDD. I yield.

Mr. MUNDT. Is there anything in this legislation which would also help students in countries which lack dollar exchange, which students want to come to this country to pursue their education?

Mr. JUDD. No.

Mr. MUNDT. Is there anything that would provide for the necessary financial transfer to give them credit so that they can come over here?

Mr. JUDD. No. If they can get dollar exchange it has to go into the Federal Treasury in payment for the surplus

property purchase. What you mention would be covered in the Bloom bill as I understand it, which came out of your own committee and was passed the other day. If students wanted to come to this country traveling in a ship of their own land and using its currency, that could be done. But if they wanted to travel in an American ship which requires American dollars to pay for their passage, they could not do that. That is, the bill protects our taxpayers. If anyone can get American dollars to pay for our surplus property, the money must go into the United States Treasury. But if they cannot get American dollars, they can buy our property with their own currency and it is used for the support and training of our students over there.

Mr. MUNDT. That is right, and I am for it as far as it goes, but it still leaves unsolved the problem of a large number of students in countries like Egypt and Iraq who want to come to this country and attend the colleges and universities and who have resources enough of their own in their own currency and yet do not have any way in which they can get the required dollar exchange to spend their currency in this country and, consequently, are denied an American education.

Mr. JUDD. This bill does not provide America educations for those individuals.

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

Mr. JUDD. I yield.

Mr. WHITE. Is this property to be disposed of in any countries outside of the so-called sterling area?

Mr. JUDD. Yes; wherever the State Department and the Secretary of the Treasury determine that a nation where we have surplus property does not have American dollars and cannot get exchange with which it can pay us in our own currency, it applies to any such country.

Mr. WHITE. From the record made by the State Department, I regret to say I am going to vote against this bill. I think this is detrimental to the best interests of the people of this country.

Mr. JUDD. Whether a nation's unfavorable exchange position makes it eligible or not is to be determined by the Secretary of the Treasury.

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

Mr. JUDD. I yield.

Mr. WHITTINGTON. It must be understood that there is no question of donation.

Mr. JUDD. That is right.

Mr. WHITTINGTON. Donation to foreign governments or to institutions in foreign lands.

Mr. JUDD. That is right.

Mr. WHITTINGTON. The purpose of this bill as recommended by the State Department is to utilize foreign currencies that are received in the purchase of surplus property in those countries for education of Americans in those countries who desire to go there.

Mr. JUDD. That is right.

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

Mr. JUDD. I yield.

Mr. MANASCO. It may be added, it would cost the taxpayers more to bring

this property back here. If it is not brought back it will be abandoned.

Mr. JUDD. Yes. Everything we get under this bill is to the good. If the bill is passed we get a great deal of educational service for our citizens. If it is not passed, we get nothing.

Mr. MANASCO. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 1636, as amended?

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMENDING THE FIRST WAR POWERS ACT, 1941

Mr. CELLER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 6890) to amend the First War Powers Act, 1941, as amended.

The Clerk read the title of the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the First War Powers Act, 1941 (55 Stat. 838), as amended, is hereby further amended by adding at the end of title III thereof the following:

"Sec. 305. The Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended by inserting after section 32 thereof, and before the section added by Public Law 382, Seventy-ninth Congress, the following sections:

"Sec. 33. No return may be made pursuant to section 9 (a) or 32 (a) unless notice of claim for return has been filed within 2 years from the seizure by or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which the claim is made or within 2 years from the date of enactment of this section, whichever is later. No suit pursuant to section 9 (a) may be instituted after the expiration of 2 years from the date of seizure by or vesting in the Alien Property Custodian, as the case may be, of the property or interest in respect of which relief is sought or from the date of enactment of this section, whichever is later, but in computing such 2 years there shall be excluded any period during which there was pending a claim for return pursuant to section 9 (a) or 32 hereof.

"Sec. 34. (a) Any property or interest vested in or transferred to the Alien Property Custodian (other than any property or interest acquired by the United States prior to December 18, 1941), or the net proceeds thereof, shall be equitably applied by the Custodian in accordance with the provisions of this section to the payment of debts owed by the person who owned such property or interest immediately prior to its vesting in or transfer to the Alien Property Custodian. No debt claim shall be allowed under this section if it was not due and owing at the time of such vesting or transfer, or if it arose from any action or transactions prohibited by or pursuant to this act and not licensed or otherwise authorized pursuant thereto, or (except in the case of debt claims acquired by the Custodian) if it was at the time of such vesting or transfer due and owing to any person who has since the beginning of the war been convicted of violation of this act, as amended, sections 1-6 of the Criminal Code (18 U. S. C. 1-6), title I of the act of June 15, 1917 (ch. 30, 40 Stat. 217), as amended; the act of April 20, 1918 (ch. 59, 40 Stat. 534), as amended; the act of June 8, 1934 (ch. 327, 52 Stat. 631), as amended; the act of January 12, 1938 (ch. 2, 52 Stat. 3); title I, Alien Registration Act, 1940 (ch. 439, 54 Stat. 670); the act of October 17, 1940

(ch. 897, 54 Stat. 1201); or the act of June 25, 1942 (ch. 447, 56 Stat. 390). Any defense to the payment of such claims which would have been available to the debtor shall be available to the Custodian, except that the period from and after the beginning of the war shall not be included for the purpose of determining the application of any statute of limitations. Debt claims allowable hereunder shall include only those of citizens of the United States or of the Philippine Islands; those of corporations organized under the laws of the United States or any State, Territory, or possession thereof, or the District of Columbia or the Philippine Islands; those of other natural persons who are and have been since the beginning of the war residents of the United States and who have not during the war been interned or paroled pursuant to the Alien Enemy Act (50 U. S. C. 21); and those acquired by the Custodian. Legal representatives (whether or not appointed by a court in the United States) or successors in interest by inheritance, devise, request, or operation of law of debt claimants, other than persons who would themselves be disqualified hereunder from allowance of a debt claim, shall be eligible for payment to the same extent as their principals or predecessors would have been.

"(b) The Custodian shall fix a date or dates after which the filing of debt claims in respect of any or all debtors shall be barred, and may extend the time so fixed, and shall give at least 60 days' notice thereof by publication in the Federal Register. In no event shall the time extend beyond the expiration of 2 years from the date of the last vesting in or transfer to the Custodian of any property or interest of a debtor in respect of whose debts the date is fixed, or from the date of enactment of this section, whichever is later. No debt shall be paid prior to the expiration of 120 days after publication of the first such notice in respect of the debtor, nor in any event shall any payment of a debt claim be made out of any property or interest or proceeds in respect of which a proceeding pursuant to this act for return or for just compensation is pending and was instituted prior to the expiration of such 120 days.

"(c) The Custodian shall examine the claims, and such evidence in respect thereof as may be presented to him or as he may introduce into the record, and shall make a determination, with respect to each claim, of allowance or disallowance, in whole or in part.

"(d) Payment of debt claims shall be made only out of such money included in, or received as net proceeds from the sale, use, or other disposition of, any property or interest owned by the debtor immediately prior to its vesting in or transfer to the Alien Property Custodian, as shall remain after deduction of (1) the amount of the expenses of the Office of Alien Property Custodian (including both expenses in connection with such property or interest or proceeds thereof, and such portion as the Custodian shall fix of the other expenses of the Office of Alien Property Custodian), and of taxes, as defined in section 36 hereof, paid by the Custodian in respect of such property or interest or proceeds, and (2) such amount, if any, as the Custodian may establish as a cash reserve for the future payment of such expenses and taxes. If the money available hereunder for the payment of debt claims against the debtor is insufficient for the satisfaction of all claims allowed by the Custodian, ratable payments shall be made in accordance with subsection (g) hereof to the extent permitted by the money available and additional payments shall be made whenever the Custodian shall determine that substantial further money has become available, through liquidation of any such property or interest or otherwise. The Custodian shall not be required through any judgment of

any court, levy of execution, or otherwise to sell or liquidate any property or interest vested in or transferred to him, for the purpose of paying or satisfying any debt claim.

"(e) If the aggregate of debt claims filed as prescribed does not exceed the money from which, in accordance with subsection (d) hereof, payment may be made, the Custodian shall pay each claim to the extent allowed, and shall serve by registered mail, on each claimant whose claim is disallowed in whole or in part, a notice of such disallowance. Within 60 days after the date of mailing of the Custodian's determination, any debt claimant whose claim has been disallowed in whole or in part may file in the District Court of the United States for the District of Columbia a complaint for review of such disallowance naming the Custodian as defendant. Such complaint shall be served on the Custodian. The Custodian, within 45 days after service on him, shall certify and file in said court a transcript of the record of proceedings in the Office of Alien Property Custodian with respect to the claim in question. Upon good cause shown such time may be extended by the court. Such record shall include the claim as filed, such evidence with respect thereto as may have been presented to the Custodian or introduced into the record by him, and the determination of the Custodian with respect thereto, including any finding made by him. The court may, in its discretion, take additional evidence, upon a showing that such evidence was offered to and excluded by the Custodian, or could not reasonably have been adduced before him or was not available to him. The court shall enter judgment affirming, modifying, or reversing the Custodian's determination, and directing payment in the amount, if any, which it finds due.

"(f) If the aggregate of debt claims filed as prescribed exceeds the money from which, in accordance with subsection (d) hereof, payment may be made, the Custodian shall prepare and serve by registered mail on all claimants a schedule of all debt claims allowed and the proposed payment to each claimant. In preparing such schedule, the Custodian shall assign priorities in accordance with the provisions of subsection (g) hereof. Within 60 days after the date of mailing of such schedule, any claimant considering himself aggrieved may file in the District Court of the United States for the District of Columbia a complaint for review of such schedule, naming the Custodian as defendant. A copy of such complaint shall be served upon the Custodian and on each claimant named in the schedule. The Custodian, within 45 days after service on him, shall certify and file in said court a transcript of the record of proceedings in the Office of Alien Property Custodian with respect to such schedule. Upon good cause shown such time may be extended by the court. Such record shall include the claims in question as filed, such evidence with respect thereto as may have been presented to the Custodian or introduced into the record by him, any findings or other determinations made by the Custodian with respect thereto, and the schedule prepared by the Custodian. The court may, in its discretion, take additional evidence, upon a showing that such evidence was offered to and excluded by the Custodian or could not reasonably have been adduced before him or was not available to him. Any interested debt claimant who has filed a claim with the Custodian pursuant to this section, upon timely application to the court, shall be permitted to intervene in such review proceedings. The court shall enter judgment affirming or modifying the schedule as prepared by the Custodian and directing payment, if any be found due, pursuant to the schedule as affirmed or modified and to the extent of the money from which, in accordance with subsection (d) hereof, payment may be

made. Pending the decision of the court on such complaint for review, and pending final determination of any appeal from such decision, payment may be made only to an extent, if any, consistent with the contentions of all claimants for review.

"(g) Debt claims shall be paid in the following order of priority: (1) Wage and salary claims, not to exceed \$600; (2) claims entitled to priority under sections 191 and 193 of title 31 of the United States Code, except as provided in subsection (h) hereof; (3) all other claims for services rendered, for expenses incurred in connection with such services, for rent, for goods and materials delivered to the debtor, and for payments made to the debtor for goods or services not received by the claimant; (4) all other debt claims. No payment shall be made to claimants within a subordinate class unless the money from which, in accordance with subsection (d) hereof, payment may be made permits payment in full of all allowed claims in every prior class.

"(h) No debt of any kind shall be entitled to priority under any law of the United States or any State, Territory, or possession thereof, or the District of Columbia, solely by reason of becoming a debt due or owing to the United States as a result of its acquisition by the Alien Property Custodian.

"(i) The sole relief and remedy available to any person seeking satisfaction of a debt claim out of any property or interest which shall have been vested in or transferred to the Alien Property Custodian (other than any property or interest acquired by the United States prior to December 18, 1941), or the proceeds thereof, shall be the relief and remedy provided in this section, and suits for the satisfaction of debt claims shall not be instituted, prosecuted, or further maintained except in conformity with this section: *Provided*, That no person asserting any interest, right, or title in any property or interest or proceeds acquired by the Alien Property Custodian, shall be barred from proceeding pursuant to this act for the return thereof or for just compensation in respect hereof, by reason of any proceeding which he may have brought pursuant to this section; nor shall any security interest asserted by the creditor in any such property or interest or proceeds be deemed to have been waived solely by reason of such proceeding. The Alien Property Custodian shall treat all debt claims now filed with him as claims filed pursuant to this section. Nothing contained in this section shall bar any person from the prosecution of any suit at law or in equity against the original debtor or against any other person who may be liable for the payment of any debt for which a claim might have been filed hereunder. No purchaser, lessee, licensee, or other transferee of any property or interest from the Alien Property Custodian shall, solely by reason of such purchase, lease, license, or transfer, become liable for the payment of any debt owed by the person who owned such property or interest prior to its vesting in or transfer to the Alien Property Custodian. Payment by the Alien Property Custodian to any debt claimant shall constitute, to the extent of payment, a discharge of the indebtedness represented by the claim.

"Sec. 35. The officer or agency empowered to entertain claims under sections 9 (a), 32, and 34 hereof shall have power to hold such hearings as may be deemed necessary; to prescribe rules and regulations governing the form and contents of claims, the proof thereof, and all other matters related to proceedings on such claims; and in connection with such proceedings to issue subpoenas, administer oaths, and examine witnesses. Such powers, and any other powers conferred upon such officer or agency by sections 9 (a), 32, and 34 hereof may be exercised through subordinate officers designated by such officer or agency.

"Sec. 36. (a) The vesting in or transfer to the Alien Property Custodian of any property or interest (other than any property or interest acquired by the United States prior to December 18, 1941), or the receipt by him of any earnings, increment, or proceeds thereof shall not render inapplicable any Federal, State, Territorial, or local tax for any period prior or subsequent to the date of such vesting or transfer, nor render applicable the exemptions provided in title II of the Social Security Act with respect to service performed in the employ of the United States Government or of any instrumentality of the United States.

"(b) The Alien Property Custodian shall, notwithstanding the filing of any claim or the institution of any suit under this act pay any tax incident to any such property or interest, or the earnings, increment, or proceeds thereof, at the earliest time appearing to him to be not contrary to the interest of the United States. The former owner shall not be liable for any such tax accruing while such property, interest, earnings, increment, or proceeds are held by the Alien Property Custodian, unless they are returned pursuant to this act without payment of such tax by the Alien Property Custodian. Every such tax shall be paid by the Alien Property Custodian to the same extent, as nearly as may be deemed practicable, as though the property or interest had not been vested in or transferred to the Alien Property Custodian, and shall be paid only out of the property or interest, or earnings, increment, or proceeds thereof, to which they are incident or out of other property or interests acquired from the same former owner, or earnings, increment, or proceeds thereof. No tax liability may be enforced from any property or interest or the earnings, increment, or proceeds thereof while held by the Alien Property Custodian except with his consent. Where any property or interest is transferred, otherwise than pursuant to section 9 (a) or 32 hereof, the Alien Property Custodian may transfer the property or interest free and clear of any tax, except to the extent of any lien for a tax existing and perfected at the date of vesting, and the proceeds of such transfer shall, for tax purposes, replace the property or interest in the hands of the Alien Property Custodian.

"(c) Subject to the provisions of subsection (b) hereof, the manner of computing any Federal taxes, including without limitation by reason of this enumeration, the applicability in such computation of credits, deductions, and exemptions to which the former owner is or would be entitled, and the time and manner of any payment of such taxes and the extent of any compliance by the Custodian with provisions of Federal law and regulations applicable with respect to Federal taxes, shall be in accordance with regulations prescribed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury to effectuate this section. Statutes of limitations on assessment, collection, refund, or credit of Federal taxes shall be suspended, with respect to any vested property or interest, or the earnings, increment or proceeds thereof, while vested and for 6 months thereafter; but no interest shall be paid upon any refund with respect to any period during which the statute of limitations is so suspended.

"(d) The word "tax" as used in this section shall include, without limitation by reason of this enumeration, any property, income, excess-profits, war-profits, excise, estate and employment tax, import duty, and special assessment; and also any interest, penalty, additional amount, or addition thereto not arising from any act, omission, neglect, failure, or delay on the part of the Custodian.

"(e) Any tax exemption accorded to the Alien Property Custodian by specific provision of existing law shall not be affected by this section.

"SEC. 37. The Alien Property Custodian may procure insurance in such amounts, and from such insurers, as he believes will adequately protect him against loss in connection with property or interests or proceeds held by him."

SEC. 2. Subdivisions (C) and (D) of section 32 (a) (2) of the Trading With the Enemy Act are hereby amended to read as follows:

"(C) an individual voluntarily resident at any time since December 7, 1941, within the territory of such nation, other than a citizen of the United States or a diplomatic or consular officer of a nation with which the United States has not at any time since December 7, 1941, been at war: *Provided*, That an individual who, while in the territory of a nation with which the United States has at any time since December 7, 1941, been at war, was deprived of life or substantially deprived of liberty pursuant to any law, decree, or regulation of such nation discriminating against political, racial, or religious groups, shall not be deemed to have voluntarily resided in such territory; or

"(D) an individual who was at any time after December 7, 1941, a citizen or subject of a nation with which the United States has at any time since December 7, 1941, been at war, and who on or after December 7, 1941, and prior to the date of the enactment of this section, was present (other than in the service of the United States) in the territory of such nation or in any territory occupied by the military or naval forces thereof or engaged in any business in any such territory: *Provided*, That notwithstanding the provisions of this subdivision (D), return may be made to an individual who, as a consequence of any law, decree, or regulation of the nation of which he was then a citizen or subject, discriminating against political, racial, or religious groups, has at no time between December 7, 1941, and the time when such law, decree, or regulation was abrogated, enjoyed full rights of citizenship under the law of such nation; or."

SEC. 3. The section added to the Trading With the Enemy Act by Public Law 382, Seventy-ninth Congress, is hereby amended by inserting "38" after "Sec."

The SPEAKER. Is a second demanded?

Mr. MICHENER. Mr. Speaker, I demand a second.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. The purpose of this bill, Mr. Speaker, among other things, is to provide machinery for paying the claims of American creditors against the former owners of property vested in the Alien Property Custodian's Office, vested because the property belonged to enemy aliens or their allies or their stooges and cloaks. At the present time there is something like \$113,000,000 worth of claims filed for American citizens against property seized and vested by the Alien Property Custodian's Office. A recent decision coming from the district court, provides that if any debt claimant against that property brings suit it is within the power of that claimant to exhaust the entire property to the detriment of other claimants; that is, the claimant would recover upon a "first come, first served" basis. Such an arrangement might preclude other claimants and is more unjust. The bill before us provides that the Alien Property Custodian takes the property and sells it and

divides the proceeds equitably among all creditors as *pari passu*, in bankruptcy.

In addition, this bill provides that the Alien Property Custodian shall have authority to pay taxes. Under present conditions it is questionable whether he has the right to pay taxes. Municipalities, States, and the Federal Government suffer for the lack of those taxes, as well as for lack of payment of penalties added to the taxes.

This bill also provides authority to the Alien Property Custodian to insure the property that he has under his control. It has been stated that the United States Government, which is represented by the Alien Property Custodian, is a self-insurer, and need not take out insurance. Therefore, if some property is destroyed, the claimant or claimants against this property may be deprived of their rightful dues. Since the property, say, was totally burned, the claims cannot attach to anything. Since the claimants cannot sue the vested owner, the United States, he is without remedy.

In addition thereto, there is set up a statute of limitations, 2 years for the purpose of filing claims and 2 years for the purpose of filing suits. Under the old Alien Property Custodian Act after the last war there was no statute of limitations. The result was that that office continued for over 20 years.

The present Alien Property Custodian is anxious to wind up his affairs in short order and asks, therefore, for this 2-year period.

Furthermore, this bill would authorize the Alien Property Custodian to set up rules and regulations governing the procedure of filing claims and the hearing of claims in his office. There is an amendment which would give a section number to Public Law 382 which we passed permitting the shipment of relief supplies to enemy countries. We passed that bill which amended the Trading With the Enemy Act without any number. This bill would provide a number for that section.

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

Mr. CELLER. I yield.

Mr. SPRINGER. Under the Alien Property Custodian Act following World War I how long a period of time did the Alien Property Custodian operate in winding up his business matters?

Mr. CELLER. I think he turned over eventually this authority to the Department of Justice 4 years ago. He continued his activities from the time of the ending of the war until the Department of Justice took on—after a period exceeding 20 years.

Mr. SPRINGER. In other words, the Alien Property Custodian operated for more than 20 years following World War I.

Mr. CELLER. Correct.

Mr. SPRINGER. Under this particular act the Alien Property Custodian will have a 2-year period in which to close up all matters.

Mr. CELLER. At least 2 years' time within which claims must be filed, but suitably thereafter he would wind up his affairs.

I may say, Mr. Speaker, that this bill was reported out of the Judiciary Com-

mittee unanimously. It has the support of the State Department, the Department of Justice, the Treasury Department, and the Alien Property Custodian's office.

Mr. Speaker, I send to the Clerk's desk amendments which will make this bill conform to the bill as reported by—

The SPEAKER. That is not the way to pass a bill under suspension. There is no amendment period; under a motion to suspend the rules the bill is reported as amended by the Committee.

Mr. MICHENER. Mr. Speaker, I think this is the situation. This bill, H. R. 6890, was favorably reported by the Judiciary Committee. A similar bill was presented to the Senate and reported with section 33 beginning on line 11, page 1, stricken out.

This is a very important bill. It has to do largely with the Alien Property Custodian. Extensive, and I mean extensive, hearings have been held before the subcommittee of the Judiciary Committee and the full Committee considered it. All the departments interested are in agreement, the Attorney General, the War Department, Navy Department, everybody; but the Senate committee struck out section 33. If we get anything at this session, therefore, it will not be this bill with section 33 included.

I talked this morning with the Alien Property Custodian and with Mr. Cutler, the very capable counsel for the Alien Custodian, who is very much interested in this.

I understood that the gentleman from New York would move to pass the bill, H. R. 6890, with an amendment to strike out section 33. Am I correct?

Mr. CELLER. The gentleman is correct.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the RECORD be modified so that the request of the gentleman from New York will read accordingly.

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

Mr. CELLER. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. My understanding of the matter is that there was some controversy over the first section, which is section 33, and that the amendment of the gentleman from New York would strike that section out, which is the controversial section.

Mr. CELLER. It is not controversial so far as the Judiciary Committee is concerned.

Mr. McCORMACK. Yes, but there was some controversy.

Mr. CELLER. There was some question.

Mr. MICHENER. We must take the bill without section 33. Every department, including the Justice Department, is asking for this legislation. They want this passed without 33 if that is necessary.

Mr. McCORMACK. That is my understanding.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the request of the gentleman from New York [Mr. CELLER] be modified so that it will be: "I move to suspend the rules and pass H. R. 6890 with amendments."

Mr. CELLER. It is not an amendment but several amendments, because if you strike out 33 you would have to renumber the other sections.

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

Mr. PHILBIN. Mr. Speaker, reserving the right to object, if section 33 is eliminated from this bill, then the law as then written would give to foreign friendly nationals the right to be sued and to sue in our courts and have their rights adjudicated?

Mr. CELLER. I may say to the gentleman that the elimination of section 33 gives the right to a foreign national to sue for the return of his property, either in law or in equity. That does not apply to an enemy alien, only to a friendly foreign national. That right remains unchanged if we eliminate section 33.

Mr. PHILBIN. Under this bill foreign friendly nationals would no longer be prohibited from being sued or bringing suit in law or equity.

Mr. CELLER. No. But the court has held that the suit cannot result in a judgment against the United States.

Mr. VOORHIS of California. Mr. Speaker, reserving the right to object, I merely want to observe that I am very sorry myself that this section has been stricken from the bill. It is a section of great importance if an effective job is to be done with regard to German external assets. That is all I have to say. I realize you have to do what you are doing, but I regret it very sincerely.

Mr. CELLER. In the interest of getting something done, we had to eliminate it.

Mr. MICHENER. I think the entire committee regrets it. It is a half loaf or no loaf at all, and the Alien Property Custodian needs as much of this bill as he can get now.

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

There was no objection.

The SPEAKER. The question is on suspending the rules and passing the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

House Resolution 705 was laid on the table.

A motion to reconsider was laid on the table.

NEW CONFEREES APPOINTED ON TERMINAL LEAVE PAY BILL

Mr. THOMASON. Mr. Speaker, one of the conferees the Chair appointed on the terminal-leave pay bill, H. R. 4051, the gentlemen from Kentucky [Mr. MAY], is ill. Another conferee on the same bill, the gentleman from Louisiana [Mr. BROOKS] is out of the city. I ask unanimous consent that they may be excused from serving and that the Chair appoint other conferees in their stead.

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

There was no objection.

The SPEAKER. The Chair appoints as conferees the gentleman from North Carolina [Mr. DURHAM] and the gentleman from Florida [Mr. SIKES].

HOUSE OF MEETING TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet tomorrow at 11 o'clock.

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

There was no objection.

SUSPENSION OF THE RULES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to recognize Members tomorrow to suspend the rules.

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

There was no objection.

FARMERS' HOME CORPORATION ACT OF 1946

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent that the conferees on the bill (H. R. 5991) may have until midnight tomorrow night to file a conference report.

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

There was no objection.

TEMPORARY EDUCATIONAL FACILITIES FOR VETERANS

Mr. MANASCO. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2085) to amend title V of the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, to authorize the Federal Works Administrator to provide needed educational facilities, other than housing, to educational institutions furnishing courses of training or education to persons under title II of the Servicemen's Readjustment Act of 1944, as amended, with amendments.

The Clerk read as follows:

Be it enacted, etc., That (a) subsection (a) of section 502 of the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, is amended by striking out "this title V," and inserting in lieu thereof "sections 501, 502, and 503 of this title."

(b) Subsection (b) of section 502 of such act, as amended, is amended by inserting after the word "institutions" the words "or for members of faculties (including the families of such members) of educational institutions furnishing education and training to veterans under title II of the Servicemen's Readjustment Act of 1944, as amended."

(c) Subsection (c) of such section is amended by inserting after the word "institutions" the words "or for members of faculties (including the families of such members) of educational institutions furnishing education and training to veterans under title II of the Servicemen's Readjustment Act of 1944, as amended."

(d) Subsection (e) of section 502 of such act, as amended, is amended by striking out "title V," and inserting in lieu thereof "section."

SEC. 2. Title V of such act, as amended, is amended by adding at the end thereof the following new section:

"Sec. 504. (a) At any educational institution including any educational facility operated by the Indian Service where the Commissioner of Education shall find that there exists or impends an acute shortage of educational facilities, other than housing, required for persons engaged in the pursuit of courses of training or education under title II of the Servicemen's Readjustment Act of 1944, as amended, the Federal Works Administrator is authorized, upon request of such educational institution, to provide such educational facilities (1) by the use or reuse (including disassembling, transporting, and reerecting) of structures or facilities (including improvements, equipments, materials, or furnishings but not including site acquisition and preparation or the installation of streets and utility mains) under the jurisdiction or control of any Federal agency which are no longer required by such agency and which, in the determination of said Administrator can be utilized to provide the needed educational facilities and which, in the determination of the War Assets Administrator are available for such use or reuse and (2) by connecting utilities from buildings to mains. Upon request of the Federal Works Administrator any Federal agency having jurisdiction or control of any such structure or facilities may, with the approval of the War Assets Administrator, notwithstanding any other provisions of law, transfer such structures or facilities to the Federal Works Administrator, without reimbursement, for such use or reuse. Without regard to the provisions of any other law, said Administrator is authorized to transfer to any educational institution any educational facilities provided for such educational institution under this subsection.

"(b) In carrying out the provisions of this section, said Administrator is authorized to exercise all the powers contained in sections 202 (a) and (b) and title III of this act, subject to all the limitations contained in sections 203 (a) and (b) and title III of this act: *Provided*, That nothing herein shall exclude the Indian Service from participation in the educational benefits provided by this act.

"(c) To carry out the provisions of this section, and for administrative expenses in connection therewith, any funds made available under title II of this act are hereby made available, and for such purposes there is also authorized to be appropriated the sum of \$100,000,000.

"(d) Nothing in this section 504 shall affect the transfer to the National Housing Administrator of any structures or facilities requisitioned by him pursuant to section 502 (b) of this act, for housing for veterans and distressed families of servicemen prior to any request therefor made by the Federal Works Administrator pursuant to the authority contained in said section 504.

"(e) Except with respect to contracts previously entered into and court proceedings then pending, this section shall cease to be effective on the last date on which courses of education or training may be provided under title II of the Servicemen's Readjustment Act of 1944, as amended.

"(f) As used in this act the term 'educational institution' shall mean (a) any public educational institution or (b) any private educational institution, no part of the net earnings of which shall inure to the benefit of any private shareholder or individual.

"(g) Nothing in this section shall authorize the transfer of any property to the Federal Works Administrator until the preference to veterans provided by section 16 of the Surplus Property Act of 1944, as amended, has been fully satisfied in accordance with its

terms; and for the purposes of such section 16 transfers to such Administrator under this section shall not be considered as transfers to a Government agency."

The SPEAKER. Is a second demanded?

Mr. MARTIN of Massachusetts. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. MANASCO. Mr. Speaker, the purpose of this bill is to provide classrooms, dormitories, and other facilities for veterans in colleges and universities and other nonprofit educational institutions in the training program under the GI bill of rights.

Our committee held hearings on this bill and we found that thousands upon thousands of veterans are being turned away from schools because they do not have classroom and other facilities to give them an opportunity to instruct these boys. This bill received the unanimous report of our committee and it has the support of the Veterans' Administration, the Office of Education, and the representatives of all of the colleges and universities of the United States.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MANASCO. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. Is this a unanimous report?

Mr. MANASCO. Yes.

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

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

Mr. MCGREGOR. I just want to concur in the statement made by my distinguished colleague and add that in the various hearings that were held there was not a single person or group of persons or individuals that appeared against this particular legislation. I concur in this statement that it was passed by the unanimous vote of our committee.

Mr. MARTIN of Massachusetts. Mr. Speaker, if the gentleman will yield further, is this in conflict with any other housing legislation?

Mr. MANASCO. No.

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

Mr. MANASCO. I yield to the gentleman from Georgia.

Mr. PACE. Does the gentleman know how soon this money will become available?

Mr. MANASCO. The funds are available now. There was \$75,000,000 appropriated in the last deficiency bill, and it has already been signed by the President.

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MANASCO. I yield to the gentleman from Wisconsin.

Mr. SMITH of Wisconsin. Does this legislation in any way overlap any of the other numerous building programs that we have appropriated money for?

Mr. MANASCO. No; it does not.

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

Mr. MANASCO. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. Does this embrace the amendment that was adopted by the committee?

Mr. MANASCO. Yes. It protects the veterans under the Surplus Property Act.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill S. 2085, as amended?

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

VOCATIONAL EDUCATIONAL ACT OF 1946

Mr. BARDEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 619) to amend the act of June 8, 1936, relating to vocational education, so as to provide for the further development of vocational education in the several States and Territories, as amended.

The Clerk read as follows:

Be it enacted, etc., That the act approved June 8, 1936, entitled "An act to provide for the further development of vocational education in the several States and Territories" (49 Stat. 1488, ch. 541), is amended to read as follows:

"SHORT TITLE

"SECTION 1. This act may be cited as the 'Vocational Education Act of 1946.'

"DEFINITIONS

"SEC. 2. As used in this act—

"(1) the term 'States and Territories' means the several States, the Territories of Alaska and Hawaii, the island of Puerto Rico, and the District of Columbia;

"(2) the terms 'State plan' and 'State board' shall have the meaning which said terms have in the Smith-Hughes Vocational Education Act; and

"(3) the term 'Smith-Hughes Vocational Education Act' means the act approved February 23, 1917 (39 Stat. 929, ch. 114).

"AUTHORIZATION FOR APPROPRIATION FOR VOCATIONAL EDUCATION

"SEC. 3. (a) For the purpose of assisting the several States and Territories in the further development of vocational education, there is authorized to be appropriated for the fiscal year beginning July 1, 1946, and annually thereafter—

"(1) \$10,000,000 for vocational education in agriculture, including supervision by the vocational agriculture teachers of the activities, related to vocational education in agriculture, of the Future Farmers of America and the New Farmers of America, to be apportioned for expenditure in the several States and Territories in the proportion that their farm population bears to the total farm population of the States and Territories, according to the last preceding United States census;

"(2) \$8,000,000 for vocational education in home economics, to be apportioned for expenditure in the several States and Territories in the proportion that their rural population bears to the total rural population of the States and Territories, according to the last preceding United States census;

"(3) \$8,000,000 for vocational education in trades and industry, to be apportioned for expenditure in the several States and Territories in the proportion that their nonfarm population bears to the total nonfarm population of the States and Territories, according to the last preceding United States census; and

"(4) \$2,500,000 for vocational education in distributive occupations, to be apportioned for expenditure in the several States and

Territories in the proportion that their total population bears to the total population of the States and Territories, according to the last preceding United States census;

"(b) The funds appropriated under authority of paragraphs (1) to (4), inclusive, of subsection (a) of this section may be used for assisting the several States and Territories, for the purposes therein specified, in the maintenance of adequate programs of administration, supervision, and teacher-training; for salaries and necessary travel expenses of teachers, teacher-trainers, vocational counselors, supervisors and directors of vocational education and vocational guidance; for securing necessary educational information and data as a basis for the proper development of programs of vocational education and vocational guidance; for training and work-experience training programs for out-of-school youth; for training programs for apprentices; for purchase or rent of equipment and supplies for vocational instruction: *Provided*, That all expenditures for the purposes as set forth in this section shall be made in accordance with the State plan for vocational education.

"(c) Notwithstanding the provisions of subsection (a), the amount to be available for expenditure in any State or Territory shall be not less, for any fiscal year, than \$40,000 each for vocational education in agriculture, in home economics, and in trades and industry; \$15,000 for vocational education in distributive occupations and there is hereby authorized to be appropriated for the fiscal year beginning July 1, 1946, and annually thereafter, such additional sums as may be needed for the purpose of providing such minimum amounts.

"REQUIREMENTS AS TO MATCHING OF FUNDS

"SEC. 4. The several States and Territories, in order to receive the benefits of this act, shall be required to match by State and local funds or both 100 percent of the appropriations made under authority of section 3.

"MAKING OF PAYMENTS

"SEC. 5. The Secretary of the Treasury, through the Fiscal Service of the Treasury Department, shall, upon the certification of the United States Commissioner of Education, pay, in equal semiannual payments, on the 1st day of July and January of each year, to the custodian for vocational education of each State and Territory designated in the Smith-Hughes Vocational Educational Act, the moneys to which the State or Territory is entitled under the provisions of this act.

"AVAILABILITY OF FUNDS FOR SALARY AND EXPENSES OF STATE DIRECTORS

"SEC. 6. Funds appropriated under authority of section 3 shall be available, on a prorated basis determined by the State board, for the salary and necessary travel expenses of a State director of vocational education selected by the State board, in accordance with the requirements of the State plan, on the basis of his technical and professional qualifications, including experience in vocational education.

"APPLICABILITY OF SMITH-HUGHES VOCATIONAL EDUCATION ACT

"SEC. 7. The appropriations made under authority of this act shall be in addition to, and shall be subject to the same conditions and limitations as, the appropriations made to carry out the Smith-Hughes Vocational Education Act; except that (1) the appropriations made under authority of this act for home economics shall be subject to the conditions and limitations applicable to the appropriation for agricultural purposes under the Smith-Hughes Vocational Education Act, with the exception of that part of section 10 thereof which requires directed or supervised practice for at least 6 months per year;

(2) such moneys as are provided under authority of this act for trade and industrial subjects, and public and other service occupations, may be expended for part-time classes operated for less than 144 hours per year; (3) the provisions of section 11 of the Smith-Hughes Vocational Education Act, requiring at least one-third of the sum appropriated to any State to be expended for part-time schools or classes shall be held to include any part-time day-school classes for workers 16 years of age and over, and evening-school classes for workers 16 years of age and over; (4) the appropriations made by this act for distributive occupational subjects shall be limited to part-time and evening schools as provided in the Smith-Hughes Vocational Education Act, for trade, home economics, and industrial subjects and as qualified by the provisions of this section; (5) preemployment schools and classes organized for persons over 16 years of age or who have left the full-time school may be operated for less than 9 months per year and less than 30 hours per week and without the requirement that a minimum of 50 percent of the time must be given to shop work on a useful or productive basis; and (6) the appropriations available under section 9 of this act shall be available for expenses of attendance at meetings of educational associations and other organizations and for expenses of conferences called to meet in the District of Columbia or elsewhere, which, in the opinion of the Commissioner, are necessary for the efficient discharge of the provisions of this act.

"RESTRICTIONS AND CONDITIONS"

"SEC. 8. (a) No part of the appropriations made under authority of this act shall be expended in industrial-plant training programs, except such industrial-plant training be bona fide vocational training, and not a device to utilize the services of vocational trainees for private profit.

"(b) After June 30, 1951; not more than 10 percent of the amount appropriated for each of the purposes specified in section 3 (a) shall be used for the purchase or acquisition of equipment.

"APPROPRIATIONS FOR OFFICE OF EDUCATION"

"SEC. 9. For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated to the Office of Education, Federal Security Agency, for vocational education, for the fiscal year beginning July 1, 1937, and annually thereafter the sum of \$350,000, to be expended for the same purposes and in the same manner as provided in section 7 of the Smith-Hughes Vocational Education Act, as amended October 6, 1917."

The SPEAKER. Is a second demanded?

Mr. DONDERO. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. BARDEN. Mr. Speaker, this is a piece of legislation that I am quite sure the entire House is familiar with. It expands the program carried on under the Smith-Hughes and George-Deen Acts. Those acts have been in operation for a number of years. We do not materially change the basic law of either one of these acts. It is principally an increase in the authorization. The present authorization stands at approximately \$22,000,000, and this increases it to approximately \$36,000,000.

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

Mr. BARDEN. I yield to the gentleman from Iowa.

Mr. JENSEN. In what respect does it expand the Smith-Hughes Act?

Mr. BARDEN. It authorizes more funds.

Mr. JENSEN. There is no change in the method? There is no more control than we have had? We just spend more money?

Mr. BARDEN. Absolutely no more control. As I said a minute ago, the basic law with regard to the present State set-up is not changed.

Mr. JENSEN. Why is it necessary to spend more money, to have more money appropriated?

Mr. BARDEN. That is a very appropriate question. It is for the simple reason that the program has been such a tremendous success throughout the Nation over many, many years.

Mr. JENSEN. I will agree with the gentleman on that score.

Mr. BARDEN. The number of those enrolling in the schools has been on an upward trend. At this time the veterans are almost taking over. I have telegrams from virtually every State in the Union saying that this number is tremendously increased, and I have statistics that I have just gathered showing the number of thousands that are now taking this training. At the present time 165,982 veterans are taking the training, and there is a long waiting list.

Let me give a brief history of this legislation. Back in February a bill was introduced in the Senate by Senator GEORGE, S. 619, and one was drawn and introduced by me in the House, H. R. 4384, on the same subject matter. The House Committee on Education conducted rather extensive hearings on this subject and so did the Senate. The Senate after its hearings adopted the House bill, H. R. 4384, almost verbatim. It cut out a few paragraphs, but it otherwise adopted the House bill and passed it unanimously and sent it to the House. Of course, the bill was then referred to the Committee on Education. We, having held hearings on exactly the same subject matter, did not see any necessity for continued hearings, and this bill was reported out from the Committee on Education unanimously. I do not think there is one particle of controversy over it, because we do not affect the set-up as it relates to the States.

Mr. JENSEN. This bill does not come in the category of some of the rest of the bills that they are now trying to shove through the House?

Mr. BARDEN. I will say to the gentleman that this gentleman is not in the habit of indulging in that practice with the House.

Mr. JENSEN. I know the gentleman is not. I have a great respect for the gentleman. For that reason I shall not object to this bill.

Mr. BARDEN. I might say to the gentleman that in 1937 the matching started with the Federal Government furnishing \$2 and the State \$1, and it went up 5 percent a year. It has now reached the 100-percent basis. The principal difference between the Senate bill and the House bill is that the Senate went back to the 50-percent matching basis, that is, the Federal Government providing \$2 and the State \$1, and we of the Committee on Education in the House set it back on a 100-percent

matching basis, where the State puts up a dollar for every dollar the Federal Government puts up.

Briefly, S. 619 as amended provides additional Federal grants-in-aid for the purpose of taking care of the expanding need and of stimulating the extension of the present program in vocational education in the following fields of training, particularly in communities not now being served:

- (a) Agriculture.
- (b) Home economics.
- (c) Trades and industry.
- (d) Distributive occupations.

The public vocational schools, in peacetime and in wartime, have demonstrated their ability to train people for gainful and useful employment. The availability of additional funds provided by S. 619 will make it possible for the public vocational schools to make a necessary contribution to the Nation's postwar reconversion program.

New occupational fields in industry requiring new skills, new tools requiring the development of other new skills, new materials, and new processes will require additional vocational and technical knowledge and skills. Many of the new developments of wartime production will be applied to peacetime pursuits if there are persons sufficiently trained to make the applications to the economy of the world of peace. The vocational training program is one for both the in-school and out-of-school older youth group and adults—it is a program of training and retraining and reeducation.

At the urgent request of the Future Farmers of America and the New Farmers of America, this bill provides for the supervision of their local chapters by the teacher of vocational agriculture located in that particular school. This requirement is already in the charters of these organizations and this has been the accepted practice and responsibility of the local vocational teacher since the organization of the Future Farmers of America and the New Farmers of America. These organizations are for students enrolled in vocational agriculture classes. Briefly discussing the Future Farmers of America, this organization has a motto worth noting, "Learning to do, doing to learn, earning to live, and living to serve." This organization has 6,502 local chapters and a membership of 204,175 active members. The teacher of vocational agriculture serves as local adviser to these boys. Two of the officers of this national organization appeared before the committee and presented some very wholesome, typically American philosophy regarding thrift and work. There has been a lot of talking about the American way of life. This bill provides a way to encourage it. This is building and doing in the American way by Americans.

Mr. JENSEN. The main reason for asking for the additional appropriation is because of the fact that so many veterans want to take this educational and vocational training.

Mr. BARDEN. That is one thing. Another is the natural popular demand for it. Another is that in virtually every State in the Union they are woefully

short of vocational schools. They are doing the finest job, I know, and it is an inexpensive operation when compared with the accomplishments. This will provide for more of these schools which are operated in connection with the established high schools and provide some facilities where they are not now accessible.

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

Mr. BARDEN. I yield.

Mr. JUDD. Is it not true that this is not in any sense setting up a new program, but merely makes available the same program we have had hitherto, to a good many districts where they either have not taken advantage of it or did not previously have the resources to take advantage of it?

Mr. BARDEN. Absolutely.

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

Mr. BARDEN. I yield.

Mr. VOORHIS of California. I want to thank the gentleman and his committee for bringing up this bill. It has very strong and widespread support in my State. I believe, as the people of my State believe, that it is very greatly needed at the present time in order to take care of vocational and educational demands.

Mr. BARDEN. I thank the gentleman. I want to encourage this program by giving more funds and more equipment—every dollar invested in this program is a sound investment backed by the youth of America.

Mr. DONDERO. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, this bill comes to the House, as the chairman of the Committee on Education has indicated, by a unanimous vote of the committee. The Smith-Hughes Act has been in effect since 1917 and the George-Deen Act since 1936. The amount of money appropriated under both of those acts is approximately \$21,000,000 annually. If this bill is passed, it will add about \$15,000,000 for the same program now being carried on in this country under the two acts which I have mentioned. It provides a 50-50 matching with the States. While there were some of us who thought that the expansion might be a little more than it should be at the present time, nevertheless I recognized, and I think every member of the committee did, that the demand on the part of the veterans for the program set forth in this proposed legislation is so great that it justifies us in expanding the program 75 percent of the present program in accordance with the terms of the bill. I think it is a good bill, and I hope it will pass the House unanimously.

Mr. Speaker, I yield one-half minute to the gentleman from New York [Mr. Buck].

Mr. BUCK. Mr. Speaker, I hope the Members will prepare themselves for a shock: I am in favor of this expenditure.

The SPEAKER. The question is on suspending the rules and passing the bill as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

MINERAL LEASING ACT

Mr. FERNANDEZ. Mr. Speaker, I call up the conference report on the bill S. 1236, an act to amend the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of oil and gas on the public domain, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1236) to amend the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of oil and gas on the public domain, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its amendments numbered 7, 8, 20, and 21.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 5, 10, 11, 12, 14, 15, 16, 17, and 18, and agree to the same.

Amendment numbered 6: That the Senate recede from its disagreement to the amendment of the House numbered 6, and agree to the same with an amendment as follows: Restore the language stricken out and omit the language inserted; and on page 7 of the Senate engrossed bill strike out the matter in lines 16 through 19 and insert in lieu thereof the following: "Act, and (2) any production on a lease from an oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled within the boundaries of the lease, and which is determined by the Secretary to be a new deposit; and (3) any production on or allocated to a lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered after May 27, 1941, on land committed to such agreement, and which is determined by the Secretary to be a new deposit, where such lease, or a lease for which it is exchanged, was included in such agreement at the time of discovery, or was included in a duly executed and filed application for the approval of such agreement at the time of discovery."

And the House agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the House numbered 9, and agree to the same with an amendment as follows: At the end of the matter inserted by the House amendment insert a colon and the following: "Provided, That the total acreage so held in common by two or more persons shall not exceed, in the aggregate, an amount equivalent to the maximum number of acres of the respective kind of minerals allowed to any one lessee or permittee under this Act."

And the House agree to the same.

Amendment numbered 13: That the Senate recede from its disagreement to the amendment of the House numbered 13, and agree to the same with an amendment as follows: At the end of the matter inserted by the House amendment insert a period and add the following: "Upon approval of any assignment or sublease, the assignee or sublessee

shall be bound by the terms of the lease to the same extent as if such assignee or sublessee were the original lessee, any conditions in the assignment or sublease to the contrary notwithstanding." And the House agree to the same.

Amendment numbered 19: That the Senate recede from its disagreement to the amendment of the House numbered 19, and agree to the same with an amendment as follows: Restore the language stricken out and omit the language inserted. On page 20 of the Senate engrossed bill strike out the matter in line 24, and on page 21, strike out the matter on lines 1 to 4, inclusive, and insert in lieu thereof the following: "Limits exist on the effective date of this Act, and (2) any production on a lease from an oil or gas deposit which was discovered after May 27, 1941, by a well or wells drilled within the boundaries of the lease, and which is determined by the Secretary to be a new deposit; and (3) any production on or allocated to a lease pursuant to an approved unit or cooperative agreement from an oil or gas deposit which was discovered after May 27, 1941, on land committed to such agreement, and which is determined by the Secretary to be a new deposit, where such lease, or a lease for which it is exchanged, was included in such agreement at the time of discovery, or was included in a duly executed and filed application for the approval of such agreement at the time of discovery." And the House agree to the same.

J. HARDIN PETERSON,
ANTONIO M. FERNANDEZ,
COMPTON I. WHITE,
K. M. LECOMPTTE,
FRANK A. BARRETT,

Managers on the Part of the House.

JOSEPH C. O'MAHONEY,
ROBERT F. WAGNER,
JAMES E. MURRAY,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1236) to amend the Mineral Leasing Act of February 25, 1920, as amended, in order to promote the development of oil and gas on the public domain, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment strikes out a provision of the Senate bill which was intended to authorize the leasing for oil and gas on certain lands adjacent to the Navajo Indian Reservation in New Mexico. It is the understanding of the conferees that these lands are already subject to leasing by the Secretary of the Interior and that the provision of the Senate bill is, accordingly, unnecessary. The Senate recedes.

Amendment No. 2: This amendment corrects a typographical error. The Senate recedes.

Amendments Nos. 3, 4, and 5: These amendments are intended to further effectuate the purposes of the legislation, namely, to provide an incentive for exploration on the peripheral areas believed to contain oil and gas. Encouragement is needed to stimulate prospecting and the drilling of exploratory wells. The Senate recedes.

Amendments Nos. 6, 7, and 8: The conference agreement substitutes for these amendments language which clarifies the objectives sought to be obtained by the amendment and will tend to facilitate administration of these provisions.

Amendment No. 9: The conference agreement accepted this amendment with an addition which is intended to assure that the acreage limitations for holdings under the Mineral Leasing Act will not be exceeded by individuals.

Amendments Nos. 10, 11, and 12: These amendments clarify the assignment provisions of the bill. The Senate recedes.

Amendment No. 13: The conference agreement accepts the House amendment with an amendment which is intended to assure that the assignee will carry out and fulfill those obligations important to the development of oil and gas resources which are the responsibility of the assignor.

Amendment No. 14: This is a technical clarifying amendment. The Senate recedes.

Amendment No. 15: This amendment corrects a clerical error in the Senate bill. The Senate recedes.

Amendments Nos. 16, 17, and 18: These amendments are counterparts of amendments Nos. 3, 4, and 5, and are disposed of by the conference agreement in the same manner.

Amendments Nos. 19, 20, and 21: These amendments are counterparts of amendments Nos. 6, 7, and 8, and are disposed of by the conference agreement in the same manner.

J. HARDIN PETERSON,
COMPTON I. WHITE,
ANTONIO M. FERNANDEZ,
K. M. Lecompte,
FRANK A. BARRETT,

Managers on the Part of the House.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman explain the conference report?

Mr. FERNANDEZ. Mr. Speaker, this bill, S. 1236, as now approved by the conferees is the culmination of long and diligent work on the part of the Senate and House Committees on Public Lands during the last 2 or 3 years. It constitutes the first general revision of the oil and gas provisions of the Mineral Leasing Act since the act of August 21, 1935. The changes which have occurred since that date have demonstrated the need for the general revision of the Mineral Leasing Act. In the words of Senator O'MAHONEY, in reporting the bill out:

The bill is designed to stimulate the discovery of new petroleum reserves; to promote the development of oil and gas on the some 300,000 square miles of potential oil lands of the public domain; to grant incentives which will bear as their rewards American leadership in industry and world affairs.

When the Senate bill came to the House, our committee requested the Department of the Interior for additional comment on the bill as enacted by the Senate. A number of suggestions were made to our committee by the Department of the Interior designed to improve the language of the bill and to safeguard the public interest against possible misinterpretation of some of the language contained in the Senate bill.

Our committee adopted a number of amendments in the light of the recommendations of the Department of the Interior, which were incorporated in the bill as it passed the House.

We were happy to find the Senate conferees well disposed to accept the House amendments, and they will report to the Senate, as we did to the House, that the Senate recede and concur with nearly all of our amendments as described in the report made to the House on passage of the bill. Only three amendments were changed.

The conferees on the part of the House, finding that there was still some apprehension on the part of the Department

of the Interior with respect to three of these amendments, met with representatives of the Department of the Interior, and worked out additional language to the first two of these amendments.

It was provided in the bill that two or more persons may hold leases as tenants in common to facilitate exploration and development. To safeguard against monopoly in the industry, the law has always limited the acreage which may be held by any one person, and we amended the bill so as to require that each person holding lands in common should be charged with his pro rata share of the acreage so held. At the suggestion of the Department, the conferees on the part of the House worked out an amendment further providing that the aggregate holdings under such arrangement should not exceed the total permitted to any one person, and this amendment was submitted to the Senate conferees, and was accepted by them. It is now incorporated in the amendment as adopted here today.

The second of these amendments did not meet with the full approval of the Department. The amendment was intended to facilitate the assignment of leases in order to relieve the bottleneck in the Department of the Interior, which has created a backlog of unapproved leases and which necessarily tends to impede and delay discovery of new petroleum reserves. The Department was fearful that assignments could be so conditioned as to relieve assignees from some of the obligations of the original lessee, and to fully safeguard the Government and to meet the criticism of the Department, the conferees on the part of the House drafted an amendment providing that upon approval of any assignment, the assignee must be bound by the obligations of the lease to the same extent as if he were the original lessee. This latter amendment was approved by the Department and was accepted by the Senate conferees and is now incorporated in the amendments.

The third and perhaps the most important amendment made by the House was with respect to clause (2) in sections 4 and 12 of the bill. The Department, as well as some commentators familiar with the oil industry, feared that this clause could be so interpreted as to reduce certain royalties on producing fields to the detriment of the Reclamation fund and the States.

The House committee, having worked closely with the Senate committee in the investigation of the problem, realized that no such purpose was intended and we amended the language on passage of the Senate bill in the House. The Department of the Interior submitted additional modifications of the language in clause (2) to further guard against any such interpretation, and this modification, divided in two parts as clauses (2) and (3), was accepted by the House and Senate conferees and is now incorporated in the bill.

In concluding, I desire, on behalf of the House committee, to express our appreciation, for the close and valuable cooperation received from the Department of the Interior, and, also, to the clerks in the House and Senate commit-

tees for the excellent manner in which they arranged and rearranged the many suggested amendments to the bill, so as to keep before the committees at all times during the progress of the work a clear picture of the many suggested changes necessary to an intelligent and effective revision of this complicated law.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. BARRETT of Wyoming. Mr. Speaker, I rise merely to clarify certain of the provisions of sections 4 and 12 of the act. In addition to other leases that may be entitled to a 12½-percent royalty, it was intended to grant a 12½-percent royalty as an incentive for exploratory wells drilled outside of the known productive limits of a field or deposit for the purpose of increasing development and production on the flanks of a known producing structure or down structure from the crest of a producing oil or gas field. I might state that drilling operations under such conditions, generally speaking, are as big a risk as a wholly wildcat operation. For the purpose of encouraging new production, it is just as important to encourage such operations as it is to promote the drilling of ordinary wildcat wells.

CITIZENS ENGAGED IN CONSTRUCTION OF THE PANAMA CANAL

Mr. PETERSON of Florida submitted a conference report and statement on the bill (H. R. 3748) to amend an act entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal," approved May 29, 1944.

MEDAL OF HONOR TO THE LATE WILLIAM MITCHELL

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the House vacate the proceedings whereby the bill (S. 881) authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell, was amended and read the third time and passed on yesterday.

The Clerk read the title of the bill.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, is that the General Mitchell award?

Mr. SIKES. Yes. I would like to state to my distinguished friend that the House Military Affairs Committee had intended to report a bill providing that the medal for General Mitchell be given to his son, the namesake of General Mitchell, but through an error the bill was passed yesterday containing another name. We did not notice it until this morning. We are asking that the House vacate its proceedings so that we can correct the bill and place General Mitchell's medal in the hands of his son.

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

Mr. SIKES. I yield.

Mr. BIEMILLER. Do I understand the committee will report the bill in an-

other form immediately, or what is the plan?

Mr. SIKES. I will offer an amendment at this time to correct the situation so that the bill can be passed. All of us, I believe, realize the importance of General Mitchell's great work and we want him to be honored accordingly.

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

There was no objection.

Mr. SIKES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 881) authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President is authorized to award posthumously, in the name of Congress, a Medal of Honor to the late William Lendrum Mitchell, formerly a colonel, United States Army, in recognition of his outstanding pioneer service and foresight in the field of American military aviation. The President may present such Medal of Honor to Mrs. Martin Fladoes, of Milwaukee, Wis., sister of the said William Lendrum Mitchell.

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

The Clerk read as follows:

Committee amendment offered by Mr. SIKES: Strike out all after the enacting clause and insert the following: "That the President of the United States is requested to cause a gold medal to be struck, with suitable emblems, devices, and inscriptions, to be presented to the late William Mitchell, formerly a colonel, United States Army, in recognition of his outstanding pioneer service and foresight in the field of American military aviation.

"Sec. 2. When the medal provided for in section 1 of this act shall have been struck the President shall transmit the same to William Mitchell, Jr., son of the said William Mitchell, to be presented to him in the name of the people of the United States.

"Sec. 3. A sufficient sum of money to carry this act into effect is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated."

The amendment was agreed to.

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

EXTENSION OF REMARKS

Mr. TALBOT (at the request of Mr. MARTIN of Massachusetts) was granted permission to extend his own remarks in the RECORD.

Mrs. LUCE (at the request of Mr. MARTIN of Massachusetts) was granted permission to extend her remarks in the RECORD and include several excerpts and letters.

Mr. GARDNER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from the chairman of the Middletown Town Meeting Committee notwithstanding the fact that the estimate of the printer is that it will cost \$345.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

Mr. BARRETT of Pennsylvania was given permission to extend his remarks in the RECORD on the deplorable registration situation in Pennsylvania and insert a letter which was sent to him.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD and include an editorial from the Washington Post of today.

Mr. HAYS asked and was given permission to extend his remarks in two instances in the RECORD and include a short editorial.

Mr. LINK asked and was given permission to extend his own remarks in the RECORD.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances, in one to include some articles written by Ruth Kreuger, of the New York Post, foreign correspondent on Palestine, and in the other to include a resolution.

Mr. AUGUST H. ANDRESEN asked and was given permission to extend his remarks in the RECORD on the subject of social medicine, including therein a statement of an eminent doctor of Minnesota.

Mr. STEVENSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement prepared by him entitled "The Stevenson Antidisease Bill Provides Research for the Cure of Incurable Diseases."

PROGRAM FOR SATURDAY, JULY 27, 1946

Mr. MARTIN of Massachusetts. 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 Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Will the gentleman from Massachusetts [Mr. McCORMACK] tell us what bills have been scheduled for consideration tomorrow?

Mr. McCORMACK. There is one bill that was not reached today.

As the Speaker has stated, of course, the question of recognition for suspension rests with the Speaker, and we always respect that, but there are certain bills which I would recommend to the Speaker that he recognize to be called up under suspension of the rules tomorrow. In addition to whatever others the Speaker has in mind, one I would recommend is a bill out of the World War Veterans' Committee providing automobiles for amputees. I have just conferred with the gentlewoman from Massachusetts [Mrs. ROGERS], and it is agreeable to her that it be brought up under suspension.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. MILLER of Nebraska. Mr. Speaker, I thought that bill was before the Rules Committee for consideration.

Mr. McCORMACK. There is a bill coming out of the Committee on World

War Veterans' Affairs relating to Filipinos who served during the war.

Then there is a bill that comes out of the Committee on the Judiciary in relation to establishing a commission with reference to the claims of certain companies.

There is the bill S. 2127, establishing a commission to pass upon Japanese claims, create an Evacuation Claims Commission under the general supervision of the Secretary of the Interior, and to provide for the powers, duties, and functions thereof.

That is the tentative program.

Mr. MARTIN of Massachusetts. Is it expected to take up the RFC and the Philippine loan bills also?

The SPEAKER. Yes; tomorrow in some form.

Mr. MARTIN of Massachusetts. Does the gentleman know anything about the program for next week yet?

Mr. McCORMACK. Not now.

Mr. MARTIN of Massachusetts. The gentleman is not ready to announce any additional program now?

Mr. McCORMACK. No.

The SPEAKER. The Chair desires to dispose of the RFC bill and the Philippine loan bill tomorrow and trusts that the members of the Committee on Banking and Currency can get together and agree on a bill that can be called up by unanimous consent. Otherwise, the Chair will recognize someone to call them up under a suspension of the rules.

Mr. MARTIN of Massachusetts. We can take it pretty much for granted that no other matters will be called up under suspension so far as the gentleman from Massachusetts knows?

Mr. McCORMACK. That is all I know about. On yesterday, I believe, the Speaker mentioned something about consideration of a Senate amendment to the tidelands bill, sending the bill to conference. I do not know what action will be taken on that.

There is also the matter of whether or not the Public Buildings bill will come up under a rule, but that has not been determined as yet.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. Can the gentleman tell us when he thinks we will be through with legislative matters?

Mr. McCORMACK. I think about the latter part of next week. The difficulty, of course, in connection with that is the exigencies that confront the other body.

Mr. MARTIN of Massachusetts. What are those exigencies?

Mr. McCORMACK. There is legislation over there that the Senate has to pass upon.

The SPEAKER. Under previous order of the House, the gentleman from Washington [Mr. DE LACY] is recognized for 30 minutes.

AMERICA'S RESPONSIBILITY FOR CIVIL WAR IN CHINA

Mr. DE LACY. Mr. Speaker, on November 26, 1945, six Members of this House introduced identical resolutions calling for the immediate withdrawal of all troops, transports, and supplies from

China and urging that America use every effort to bring together the contending parties there in a representative coalition government, based upon free elections and dedicated to popular land, tax, and governmental reforms.

Although former Ambassador Hurley's angry resignation the next day led to the sending of General Marshall to China and the announcement by President Truman of a policy identical in important respects with that urged in our resolutions and in my speech, to this day, with all the national and international interest there is in heading off civil war in China, it has proved impossible to get hearings on House Resolution 408.

It is in the hope that airing on this floor the extent of America's responsibility for the present civil war in China may be of some small help in arousing the American people to stop our shameful military intervention against the forces of Chinese democracy that I address these words to my colleagues and invite participation of other interested Members.

If you are not too sure of your argument—

The distinguished newspaper columnist, Marquis Childs, once observed—the easiest way to dispose of your opponent is to yell Communist.

Such yells have tended to obscure the real nature of the conflict in China.

In a hush-hush State Department document, prepared by its Interim Research and Intelligence Service, entitled "Economy of Communist North China," is to be found an objective assessment by hard-headed Americans of the main difference between the Kuomintang and Communist policies.

The Kuomintang—

Says this report—page 13—

also endorses this principle of "land-to-the-tillers" but differs with the Communists as to its interpretation. . . . The Kuomintang, which is dominated by big landholders . . . advocates making more land available to the people as tenants rather than as owners.

The decisive dividing line between the Kuomintang and the Communists may be drawn between a Kuomintang policy of safeguarding the emoluments of land ownership and the Communist policy of demanding enough land to guard the economic security of the peasant.

The Communists—

Says this State Department report—have clearly identified the Chinese Communist Party as the party of the peasants. Its present program—reduction of rent and interest, progressive taxation, assistance to production, promotion of cooperatives, and institution of popularly elected governments—is designed to meet needs felt by the peasants and to bring about their participation in the solution of their problems (p. 26).

The Kuomintang and the Communists are also at odds on the course each recommends for China's future industrial development. Chiang and his official family dream of a state-controlled heavy industry, run of course, by the present corrupt officialdom, with a light consumers' goods industry part owned by government and part by private Chinese capital, to utilize cheap labor and ex-

port into world markets to build up credits.

The Communists, according to this unpublished State Department report, "argue that the Kuomintang policy of controlling completely the course of economic development will limit foreign participation and adversely affect China's industrial growth." They "consequently inveigh against 'bureaucratic capitalism,' which they contend discourages private enterprise and the initiative needed in China's further growth"—pages 29-30.

These conclusions as to the respective economic aims of the Chinese Communists and the Kuomintang are confirmed by Owen Lattimore and Laurence Salisbury, editor of *Far Eastern Survey*, in conversations with me; by Gunther Stein, former correspondent in China for the *Manchester Guardian* and the *Christian Science Monitor*; by Lawrence Rosinger, in China's Crisis, and by Phillip Jaffee's *Frontiers in Asia*.

The Kuomintang is thus the party of the big Chinese landholder. It resists agrarian reform. Proclaiming a necessary period of party tutelage, the Kuomintang's reactionary leadership rejects elections, appoints all officials, including university professors, and maintains three large secret-service systems which employ concentration camps, kidnappings, torture, and murder as political weapons. It is now trying to conquer Manchuria, which was never previously under Kuomintang rule.

The Chinese Communists, although the only other armed group, are not alone in opposing Chiang's dictatorship. The Democratic League, composed of six minor groups, though not large in membership, has great influence among China's professional and intellectual class. It demands political liberty, a representative coalition government, the adoption of a democratic constitution, cessation of the civil war, and withdrawal of American aid to Chiang and his war-makers.

Two of the leaders of the Democratic League were recently assassinated in Kunming by Kuomintang gangsters. On July 11 Li Kung-po, a liberal writer and educator, was shot while out on a walk with his wife and children, and on July 17, Prof. Wen I-tu, of the Southwest Associated University, was killed in front of the office of Kunming's Democratic Weekly.

It is not only the Communists, therefore, who are fighting and dying in the cause of freedom and progress in China. As Prof. J. Spencer Kennard, Jr., teacher of history and resident in China for 26 years, wrote the *New York Tribune*:

It is not just Communists who are crying imperialism to America's policies in China, but every Chinese patriot of whatever party affiliation. I except only the cliques whose rule we are now fastening upon a resentful people by force of American arms.

Referring to the anti-civil war demonstration of 100,000 which swept through the streets of Shanghai on June 23 demanding peace and that America get its troops and supplies out of China, Professor Kennard said:

By no stretch of the imagination can "Communist" be pinned to the 69-year-old

Professor Ma Hsu-lin, formerly of Chekiang University, and to the 50-year-old Dr. Lei Chieh-chuen, woman professor in Soochow University, who headed the delegation expressing these demands to Generalissimo Chiang Kai-shek and to our American Embassy.

The whole world—

He adds—

was horrified by the brutality with which the hoodlums, incited by the Nanking Gestapo, slugged them and their companions, some into unconsciousness.

On November 28, 2 days after the introduction of House Resolution 408 and 10 days before President Truman issued his statement on China policy, Kunming students from 30 schools appealed to President Truman.

Today we witness—

These students said—

that your Government is practicing various policies that entirely transgress the spirit of Roosevelt's Atlantic Charter, annihilate the welfare of the Chinese people, and hinder the establishment of a new democratic China. . . .

We . . . humbly propose . . . that your Government reconsider the policy toward China . . . evacuate American soldiers in China and stop supplying the Chinese Government with weapons to carry on the civil war.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DE LACY. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman spoke about the Atlantic Charter. That was the "four freedoms" business, as I remember it. Does the gentleman think it is consistent with the principles of that Charter for the CIO-PAC to charge veterans—according to the letter I put in the RECORD from that young man—\$5 special assessment for propaganda purposes to reestablish the OPA and \$5 for their campaign to organize the South and \$2 toward flow-ers for Hilman?

Mr. DE LACY. I think the distinguished gentleman from Michigan is well aware that those issues are not involved in the speech which I am making.

Mr. HOFFMAN of Michigan. The gentleman was talking about the Atlantic Charter. Does that not apply to all Americans?

Mr. DE LACY. I decline to yield further to the distinguished gentleman.

Mr. HOFFMAN of Michigan. Of course, if the gentleman thinks it is just for foreigners; that is all right, but I thought he wanted liberty for the Americans.

Mr. DE LACY. In the same vein, 19 prominent Chinese professors wrote General Marshall, expressing their people's opposition to civil war, urging the United States to stop transporting Kuomintang troops and stop equipping them for civil war; demanding that the Kuomintang government release all political prisoners, punish those who have massacred innocent people, remove its reactionaries from office, permit consideration of the draft constitution written by the All-Party Political Consultative Council; and urging America not to loan money to the present Chinese

Government until it takes the road to democratic reform.

Mr. HOFFMAN of Michigan. Mr. Speaker, if the gentleman will yield further, I just want to make one other inquiry. Would the gentleman like to have a quorum present so that the other Members could hear his remarks?

Mr. DE LACY. I think the distinguished gentleman will have to follow his own best advice in that respect.

Mr. HOFFMAN of Michigan. I do not want one, but it is just an act of kindness on my part, that is all.

Mr. DE LACY. And only a few days ago the calm and powerful voice of Mme. Sun Yat-sen appealed to America to stop supporting the reactionaries in her brother-in-law's government. She warned that the Kuomintang leadership, flirting with American reactionaries, was gambling on a war in Asia between the United States and the Soviet Union.

So the picture in China emerges: On the one side a powerful, oppressive, landholding, grafting clique, maintaining itself by terror, by force of arms, and by wily anti-Soviet diplomacy; on the other side the educators, the intellectuals, the liberals among the businessmen, merchants, and landlords, the peasants, and the Communists, demanding political liberty, agrarian reform, coalition government looking to the adoption of a basic constitution with government by law.

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

Mr. LE LACY. I yield to the gentleman from Iowa.

Mr. JENSEN. I have listened to the gentleman with interest, and I have not yet decided what point the gentleman is trying to make. I am wondering what interest the people of the United States have in the gentleman's remarks.

Mr. DE LACY. If the gentleman will have a little patience, I think he will understand, and I will say to the gentleman that all I can do is to furnish the facts as I see them. The gentleman will have to interpret them himself.

Mr. JENSEN. Are we supposed to take sides in that fight over there?

Mr. DE LACY. We have taken sides, and I am pointing out how we are taking sides.

Mr. JENSEN. I have been listening very attentively and I do not know which side the gentleman is supporting.

Mr. DE LACY. There is no doubt, either, as to which side the American Government is supporting. Although President Truman's statement of December 15 pledged "As China moves toward peace and unity, the United States would be prepared to assist the National Government in every reasonable way," in actual fact, we have continued to place vast quantities of arms and supplies at Chiang's disposal, and have transported not five central government armies into Manchuria, as agreed at the January 10 meeting under General Marshall's guidance, but nine armies, at a reported cost to the American taxpayer of well over \$300,000,000.

These nine armies, carried into Manchuria by American warships are the new Sixth, the new First, the Seventy-

first, Sixtieth, Ninety-third, Ninety-ninth, Fifth, Eleventh, and Fifty-third, according to the July bulletin of the Committee for a Democratic Far Eastern Policy.

Plans are also under way, this bulletin reports, for transporting three more Kuomintang Party armies, the Fifty-fourth, Forty-third, and Sixteenth, into Manchuria or North China.

Chiang's government has also had, since VJ-day, \$602,000,000 in lend-lease. This compares with \$631,000,000 in lend-lease to China before VJ-day.

The Kuomintang government has gotten tremendous quantities of American military surplus, more than \$500,000,000 worth in the India-Burma theater, it is reported, including 700 planes.

We have also trained and equipped 40 divisions since VJ-day, as compared to the 20 divisions trained and equipped to fight the Japs.

And even UNRRA shipments have been distributed to strengthen Chinese reaction. As William Newton wrote from Yangchow June 7, in an article appearing in the Washington Daily News:

Thirteen barge loads of American wheat destined for the starving people of Communist-controlled towns * * * have been refused passage * * * by the National Government military commander here.

But the most ironic perversion of all is to be found in the conclusion, to which we are reluctantly driven, that the chief result of General Marshall's labors has been to win time for Chiang's clique to pile up supplies and get their armies moved into position, by American ships, for further fighting.

Mr. Speaker, there is only one way to stop the spreading civil war in China. There is only one way to prevent that war from involving other powers and lighting the flames of another world war.

We must stop helping one side. We must get our troops and our supplies and our ships out of China.

Let the Chinese parties find their own natural level of political strength. Then Chiang will be compelled to bargain in good faith with his opposition. Then he will be compelled to make concessions to the nearly universal cry in China for freedom and economic justice. Then there will be hope for a representative people's government, friendly to the United States, friendly to the Soviet Union, raising its peoples' living standards, making them more able to absorb American exports, a great and growing market, a flourishing center for world trade, a bulwark for world peace.

The very least we can do here is to have hearings even at this late date on House Resolution 408, so that all views can be heard and the public can be acquainted with the grave threat which China's civil war and our responsibility for feeding its flames present to world peace.

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

Mr. DE LACY. I yield to the gentleman from Ohio.

Mr. RAMEY. Just last night I talked with Roger Kerr, a soldier just returned from China. He informed me that they

purchased meals for 60 cents, steak and everything. He told of the deplorable conditions there. He said right out on the street were children being hauled away, completely starved. They could get no food whatsoever, and the American boys could not remedy it. There was nothing they could do.

Mr. DE LACY. Yes. I think the gentleman also knows that until UNRRA was recently stopped the relief supplies we were contributing were not going to those starving people but into the pockets of the selfish few.

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

Mr. DE LACY. I yield.

Mr. WHITE. The gentleman speaks about Chiang Kai-shek, the present dictator in China. As a matter of fact, he is closely related to the famous Soong family, the great capitalists over there. There is little to be expected in the way of real democracy in China as long as those capitalists and the Soongs dominate the affairs of China.

Mr. DE LACY. I thank the gentleman for his contribution.

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

Mr. DE LACY. I yield.

GENERAL MARSHALL'S MISSION AND THE CIVIL WAR IN CHINA

Mr. PATTERSON. Mr. Speaker, the American people placed great hope in General Marshall, when he left for China early last December. I was a little doubtful and desired the appointment of General Stillwell or J. Atimer.

I would like to review briefly the circumstances under which General Marshall departed on his mission to assist in the democratic unification of China, the instructions given him by our President, and the events which have taken place since he undertook his onerous duties.

Members of the House will recall that when Ambassador Hurley exploded and resigned on November 27, 1945, President Truman immediately telephoned General Marshall at his home in Leesburg, Va., and asked him to go to China as his special envoy "to handle a particular job that needs to be done." On November 29 the President proclaimed in his press conference that General Marshall would receive his specific instructions before he leaves for China and that these instructions would be made public. So on December 15, 1946, when General Marshall was on his way to China, the President issued a public statement on the United States policy toward China, which clearly declared:

The United States is cognizant that the present National Government of China is a one-party government and believes that peace, unity, and democratic reform in China will be furthered if the basis of this Government is broadened to include other political elements in the country. Hence, the United States strongly advocates that the national conference of representatives of major political elements in the country agree upon arrangements which would give those elements an effective representation in the Chinese National Government. It is recognized that this would require modification of the one-party political tutelage established as an interim arrangement in the progress of

the nation toward democracy by the father of the Chinese Republic, Dr. Sun Yat-sen.

With the institution of a broadly representative government, autonomous armies should be eliminated as such and all armed forces in China integrated effectively into the Chinese National Army.

As China moves toward peace and unity along the lines described above, the United States would be prepared to assist the National Government in every reasonable way to rehabilitate the country, improve the agrarian and industrial economy, and establish a military organization capable of discharging China's national and international responsibilities for the maintenance of peace and order.

In furtherance of such assistance, it would be prepared to give favorable consideration to Chinese requests for credits and loans under reasonable conditions for projects which would contribute toward the development of a healthy economy throughout China and healthy trade relations between China and the United States.

It is clear from this public statement of policy, which was announced to the people of the United States and other peoples of the world, that the United States considers the Kuomintang one-party dictatorship as incompatible with peace and unity in China and that therefore such a government must be reorganized so as to give other political parties and groups an effective voice in the new democratic coalition. The statement also made it clear that the reorganization of the Communist and Kuomintang Party armies would take place upon the institution of a broadly represented democratic coalition government, and that loans and credits for China would only be considered after the establishment of peace and unity in China.

On December 18 the State Department, through Michael J. McDermott, public-relations officer, disclosed that it had directed the War Department to obtain approval from General Marshall, special envoy to China, before giving any further assistance to northward-moving Chinese Central Government forces.

The Big Three Conference of Foreign Ministers in Moscow announced in a night communiqué on December 27 that they agreed on "the need for a unified and democratic China under the National Government, for broad participation by democratic elements in all branches of the National Government, and for a cessation of civil strife." In addition, they "reaffirmed their adherence to the policy of noninterference in the internal affairs of China."

And as part of the over-all arrangement James F. Byrnes and V. M. Molotov reached an understanding for the withdrawal of both American and Russian forces from China "at the earliest practicable moment consistent with the discharge of their obligations and responsibilities."

Armed with the Truman and Moscow statements, together with the unprecedented power vested in him by the State and War Departments, General Marshall succeeded in bringing about a truce between the Kuomintang and Communist factions on January 10, 1946, exactly 19 days since his arrival at

Chungking, where he immediately began conferences with all political groups.

On the same day that the truce was proclaimed the Political Consultative Conference of all political parties and groups was called. At the opening session Chiang Kai-shek pledged to carry out instantly four measures to protect the civil rights of the people:

First. To insure freedom of person, of conscience, of publication, and of assembly.

Second. To abrogate secret policy activity, assure that rulings were being made under which only proper judicial and police authorities would be permitted to arrest, try, or punish individuals.

Third. Equality of all legal parties before the law and their right to open activity within the law.

Fourth. Release of all political prisoners except traitors and those found to have committed definite acts injurious to the Republic.

After 3 weeks of conferences, the PCC unanimously came to an agreement on the establishment of a democratic coalition government. The following were the principal results of the conference:

First. It was agreed to set up an interim government, pending the establishment of a permanent constitutional government. This interim government, which was to be composed of representatives of all the major political groups, was to be formed through the expansion of the state council.

Second. It was agreed to set up a multiparty review committee to revise the draft constitution. The new draft was to be submitted to a national assembly in approximately 2 months.

Third. Agreement was reached on the composition of this national assembly. At the same time an understanding was reached—outside the formal agreements—regarding the changes to be made in the current draft of the constitution and these changes, it was also agreed would be approved by the national assembly. The latter, in other words, by common understanding was to provide merely a formal method for ratification of the new constitution.

Fourth. Following the adoption of a constitution, the interim government would give way to a permanent constitutional government. This new government, it was generally understood, would take over in the fall of 1946.

Fifth. Principals were adopted regarding the unification and nationalization of all armies in China, including a program for gradual demilitarization and civilian control. Military reorganization was to be conditional upon the carrying out of the political agreements.

Not one of the pledges contained in Chiang Kai-shek's opening speech nor one of the provisions of the PCC agreements has been carried out. On the contrary on every single point the situation has worsened.

The attitude of Kuomintang leaders in sabotaging these pledges and agreements is seen not only in assassinations, terrorization, renewed civil-war provocations, and failure to implement the PCC agree-

ments, but also in the official position of the Kuomintang Party. This point has been little understood in the United States.

The central committee of the Kuomintang was convened, purportedly to ratify the PCC agreements, in the middle of March. After a 15-day session the central committee announced unanimous acceptance of the unity agreements. What the Kuomintang failed to publicize was the fact that these agreements had been accepted only after being subjected to such drastic amendments as to alter their meaning altogether.

The first change made by the central committee was in the terms of the establishment of a coalition government as worked out by the PCC. The Kuomintang central committee voted that all members of any new government, including non-Kuomintang ones, would have to be appointed by the Kuomintang. Thus the essence of the one-party dictatorship, the right to form governments and veto any unacceptable candidates, was perpetuated.

The second change was made in the procedure of constitution-making. The Kuomintang draft constitution prepared in 1936 gave dictatorial powers to the President between meetings of the national assembly, which were to take place only once in 3 years and last not more than 1 month. It also denied the principle of local self-government. The PCC in January agreed to form a special committee representative of all groups to redraft the constitution to eliminate all such undemocratic features.

The Kuomintang central committee, however, bypassed this agreement as well as the PCC agreement to call a new national assembly and voted to submit the old draft constitution directly to the national assembly, which had been hand-picked by the Kuomintang 10 years before, had never met, and contained a large majority of unreconstructed reactionaries.

The third change made by the Kuomintang central committee had to do with the reorganization of the Army. The original PCC agreement provided for the early reduction of the whole Army to 90 divisions and a further reduction to 60 divisions—48 Kuomintang and 12 Communist—within a year and a half, prior to merging into a single national force.

The central committee decided to keep 60 more of its divisions under arms, giving it a total of 108 against the Communists' 12.

Thus the highest body of the Kuomintang repudiated the PCC January agreements.

That this sabotage of Chinese unity, democracy, and cessation of civil war got the official encouragement of the American Government is clear.

While the Kuomintang central committee was still in session—March 20—General Marshall, then in Washington, called for a \$500,000,000 credit to the Chiang Kai-shek government.

Throughout this period, the United States was supplying the Kuomintang armies with extensive lend-lease. It was

training Kuomintang divisions—40 have been trained and equipped by the United States since VJ-day in contrast to only 20 during the war. It was transporting Kuomintang armies to north China and to Manchuria. American marines were on active patrol duty in the north. American naval craft and airplanes were placed at the disposal of the Kuomintang.

On June 14 President Truman announced the continuation of lend-lease to China.

On June 13, S. 2337 was introduced in the Senate and on June 14 the identical bill, H. R. 6795, was introduced in the House. This administration bill would authorize virtually unlimited military aid to China as well as the establishment of an extensive United States military mission to the Chinese Government.

In July the Kuomintang was further encouraged by passage of the bill authorizing transfer of an additional 271 United States Navy vessels to Chiang Kai-shek.

If there was any doubt left in the minds of Kuomintang reactionaries as to the true intent of American policy it was dissipated by the growing official American antagonism to the U. S. S. R., and by other events in the international area all of which confirmed the strong antidemocratic and preimperialist orientation of United States foreign policy.

We cannot but conclude from all of the foregoing that our hopes for the successful outcome of General Marshall's mission have been tragically frustrated.

The present National Government of China is still "a one-party government"; the basis of this government has not been "broadened to include other political elements in the country," and therefore "peace, unity, and democratic reform in China" have not been furthered but retarded since General Marshall's arrival in that land.

The whole program for the peaceful development of China, toward unification, democracy, agrarian, and industrial reform—which President Truman instructed General Marshall to further—has been obstructed and set back by American policies in China.

We must ask ourselves who is responsible for the tragic failure of the Marshall mission, from which such great gains, both for China and world peace, were anticipated.

It is my conviction, Mr. Speaker, that evil forces both in China and in this country have taken shameful advantage of the Marshall mission to advance their private interests at the expense of Chinese democracy, American security, and world peace.

Whenever a new crisis has arisen in the Chinese situation, General Marshall, faithful to his mission, has demanded a truce in hostilities. The central government has repeatedly agreed to a truce—only to use the lull in fighting to regroup and augment its forces for a new attack on the Chinese Communists and Nanking's other democratic opponents. These same periods of truce have been utilized by certain circles in the United States to increase and improve the

quantity and quality of United States aid to the central government. And thus, as soon as full advantage has been extracted from the successive periods of peace in China by the central government and its allies in this country—the armies of Nanking have returned to more violent and brutal civil warfare.

This is the tragedy of General Marshall's failure. It is now, I think, quite clear that his mission cannot any longer be expected to succeed. The time has come to serve notice on the central government that it can look for no further help from the United States until it has fundamentally changed its own character, along the lines indicated in the President's statement of last December 15. The recall of General Marshall, together with that of American troops and the termination of all American military and economic aid to the Nanking government would constitute such notice. Without any reflection either on the good intentions or great ability of General Marshall, I believe that he can now only accomplish his mission, and serve both the interests of China and of our own country by publicizing his failure and returning home. It may well be that by such unprecedentedly frank and courageous action our former Chief of Staff would achieve what he has not achieved by other means in the furthering of Chinese peace and democracy and the unification of our great wartime ally.

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

Mr. DE LACY. I yield to the gentleman from Washington.

Mr. SAVAGE. Mr. Speaker, in light of the present crucial situation in China where thousands of our armed forces are stationed at present, I think it important to review the conduct of our policy on military supplies, loans, and credits from the United States to China. The differences between our words on policy and our acts are, I believe, responsible to a great degree for the confidence with which the present central government is spreading the civil war and refusing to form a democratic coalition.

The basic United States policy on these matters was laid down by President Truman in his statement of December 15, 1945, when he said:

United States support will not extend to United States military intervention to influence the course of any Chinese internal strife.

As China moves toward peace and unity along the lines described above, the United States would be prepared to assist the National Government in every reasonable way to rehabilitate the country, improve the agrarian and industrial economy, and establish a military organization capable of discharging China's national and international responsibilities for the maintenance of peace and order. In furtherance of such assistance, it would be prepared to give favorable consideration to Chinese requests for credits and loans under reasonable conditions for projects which would contribute toward the development of a healthy economy throughout China and healthy trade relations between China and the United States.

The practice of American policy has been at sharp variance with the above statement. It will be noted that with

respect to the financial and military aid, President Truman established three conditions, namely: First, that United States support would not be used to influence the course of the Chinese internal struggle; second, that United States aid would be conditional upon China moving toward internal peace and unity; and third, that United States credits and loans would be granted for specific, not general, projects.

What has happened since the enunciation of that policy which met with such broad approval among the people of the United States and China?

Following VJ-day, lend-lease was canceled to all countries except China, which received a special extension of 6 months. That 6-month period ended in March 1946. Yet, it was not until June 14 that President Truman revealed that lend-lease operations to China had continued beyond that date and were still continuing. Under what authority was this further extension carried out? Certainly the matter had not come before Congress. During the months which elapsed between March and June 14, this matter was apparently kept secret not only from the American people but from Members of Congress as well.

In his June 14 quarterly report on lend-lease, President Truman indicated that China had received \$602,045,000 since VJ-day to last December 31. If to this sum is added funds which are commonly supposed to have been earmarked for China lend-lease, though not expended at the time of President Truman's report, funds amounting to another two hundred and fifty-million-odd dollars, and the amount shipped since the first of the year, the total lend-lease aid to China after VJ-day considerably exceed such aid China received prior to the war's end.

At the same time, President Truman indicated lend-lease operations had virtually ceased. Informed Washington correspondents have indicated that lend-lease to China was terminated by June 30 and infer that this information came from official sources. In the July 23 Herald Tribune, for instance, James E. Warner, writing from Washington, reports that—

Shipments of arms and ammunition under lend-lease to the Chinese National Government forces ceased before June 30, and no more will be shipped until Congress approves a bill calling for American aid in training a unified National-Communist Chinese Army.

Yet, in the New York Times of July 25, a dispatch from Hulutac, Manchuria, by Benjamin Welles, asserts that—

Since the end of April, between 75,000 and 100,000 tons of American lend-lease have been landed for the use of the northeast China command.

The dispatch states further:

On April 27, the first lend-lease shipment arrived and further shipments continued to arrive steadily thereafter, both by American-manned vessels and also by American-built, but Chinese-operated ships. These shipments covered a wide range of military and medical equipment.

At no place does this dispatch suggest that lend-lease shipments have stopped.

As all of these lend-lease activities have gone exclusively to the Kuomintang forces—which, incidentally, were transported into Manchuria and North China by American planes and ships—how can this activity be reconciled with President Truman's declaration on December 15, 1945, that—

United States support will not extend to United States military intervention to influence the course of any Chinese internal strife?

How can it be reconciled with the other two conditions set down by the President? How can it be said that lend-lease activities have virtually ceased when on-the-spot evidence indicates the contrary?

The same course of action that has enabled lend-lease to be used as a tool by the Kuomintang forces, charged by Mme. Sun Yat-sen this week with fomenting another world war, has been followed in the case of loans and credits to the Chinese Government.

On February 7, 1942, a stabilization credit of \$500,000,000 was granted to the Chinese Government by the Export-Import Bank. An estimated \$300,000,000 of this was unused and available to the Chinese on VJ-day.

During and immediately after the war, various Kuomintang officials are said to have deposited to their personal accounts in the United States an aggregate sum estimated to be between one and two billion American dollars. The larger part of these funds are hidden in various dummy corporations, financial syndicates, and so forth. It is believed that the Treasury Department has pretty accurate estimates of the exact amount involved and they show totals near the higher estimate.

The Treasury Department should make public the facts and answer these questions: First, what happens to money advanced to the Chinese Government? Second, Why does not the Chinese Government use the balances in the personal accounts of its officials before appealing for further credits? And, third, is there any point in advancing further funds to the Kuomintang regime merely to line the pockets of its corrupt officialdom?

In light of the unused credits available to China on VJ-day and the Chinese officials' deposits here, and particularly in view of the conditions set by President Truman before further aid would be granted, it is noteworthy that on March 20, 1946, General Marshall made a strong plea for an additional \$500,000,000 credit to the Chinese Government.

At this point the chronology of events must be borne in mind. The military truce of early January between the Kuomintang and the Communists had been broken long before General Marshall's March 20 appeal for more funds for Chiang Kai-shek. Furthermore, the central committee of the Kuomintang later repudiated the series of agreements reached among all Chinese parties at the end of January.

There could have been no doubt as to this action by the Kuomintang. If any advance warning was needed it was dramatically furnished immediately following the January agreements when the

right-wing Kuomintang elements savagely attacked and beat members of the Democratic League who were celebrating this victory for Chinese democracy. These same right-wing elements were known to control the Kuomintang central committee.

The question naturally arises. Why at the very time when there were unmistakable signs of a break-down of Chinese unity and a return to civil warfare did President Truman's special envoy to China give encouragement to one side—the Kuomintang—by publicly advocating credits under conditions completely different from those set down in December by the President?

The facts regarding our handling of lend-lease aid, loans, and credits to the Chinese Government, in direct contradiction to the stated policy of this Government, are certainly not calculated to inspire the people of China, the United States, and the rest of the world with confidence in our wisdom or diplomatic integrity.

The same pattern of uttering hopeful words for unity and democracy in China and then turning around to perform deeds with the exact opposite results is also shaping up in reference to our disposal of military surpluses in the Pacific.

Over and above the tremendous amount of lend-lease military equipment sent exclusively to the Kuomintang armies, we have turned over additional equipment through surplus disposal. And present plans call for a much larger deal of the same kind in the near future.

Immediately after VJ-day practically all United States Army equipment in inland China was turned over to the Kuomintang. At the same time, much equipment was rushed to the China coast. Little, if any, of this has been declared surplus. United States Army equipment on Okinawa—enough to equip 1,000,000 men—and on other Pacific bases has likewise been withheld from surplus disposal.

First-hand information from both American and Chinese sources indicate that the United States Government has been working out a deal with the Kuomintang dictatorship whereby the Chiang Kai-shek government will acquire all of these military supplies, including what is left in the India-Burma area. This would be accomplished through the granting of an additional five- to six-hundred-million-dollar credit—this to be in addition to the one Marshall requested on March 20.

One might make excuses for these variations from policy were he to take each of them individually and separate them from the warp and whoof of our entire maneuvering in China. But the evidence piles up higher and higher to convict those responsible for a criminal policy of aiding the spread of civil war in China and threatening the peace and security of our own Nation and the world.

For instance, how can we explain the transfer of naval vessels to China before proper congressional authority. On July 16, 1946, President Truman signed the bill authorizing the transfer of 27 naval vessels to the Chinese Government. Yet, a wire dated June 9 from Honolulu to the New York Times, reported the arrival of

six former United States naval vessels on their way to China under Chinese commanders.

This one-sided playing of the military and diplomatic games can have nothing but disastrous effects for ourselves and the people of China. By our overwhelming military aid through lend-lease, naval and surplus turn-overs to the Kuomintang armies, we are adding fuel to fires of civil war that are ravaging that unfortunate land. We are building up one side to a strength that encourages it to seek a solution by force instead of unity to the political crisis that faces that country. By our extension of credits and military assistance before the Kuomintang effectuates the political democracy it promised, we are declaring to China and the world that the statements of our President are not to be taken at their face value. We are proclaiming our active intervention in a boiling, internal fight and casting our influence in favor of a government that is strongly opposed in many quarters in its own country.

I say this two-faced policy must stop. I say our support of civil war must stop and the Chinese people must be left to find a democratic solution by themselves. I say there is no need for 75,000 American troops in a land where 10,000 were all we thought necessary when a major war was being fought. We must withdraw our troops from China. We must cease this mad and entangling financial aid that is draining our Treasury to line the pockets of corrupt Chinese officials. President Truman's enunciated policy of December 15, 1945, must be the basis for our acts in China. I repeat it so that it may stand as a guide to our Nation's actions in the interests of Chinese democracy and world peace:

First, United States support would not be used to influence the course of China's internal struggle.

Second, United States aid would be conditional upon China moving toward internal peace and unity.

Third, United States credits and loans would be granted for specific, not general, projects.

Gentlemen, either we return to this policy in deeds as well as words or we take on ourselves the responsibility for a bloody civil war.

EXTENSION OF REMARKS

Mr. WHITE asked and was given permission to extend his remarks in the RECORD in two instances and include certain extracts.

The SPEAKER pro tempore (Mr. HAYS). Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 15 minutes.

MERRIMACK VALLEY AUTHORITY

Mr. LANE. Mr. Speaker, in the valley of the Merrimack River, which runs through Massachusetts and New Hampshire, is the heart of our Nation's textile industry. The city of Lawrence, in Massachusetts, has the largest mill devoted to the manufacture of woolen woads in the world.

The industry settled here, because of the abundance of cheap water power

fed directly to the mills which line the banks of the Merrimack. Time, however, brought technological changes, and the mills now generate most of their own power from coal and oil which is hauled in from great distances.

In the early days, the War Department made surveys, with a view toward extending the navigability of this industrial river. But the question of navigability and the question of power, as matters of public concern, were too long neglected.

Then, in the spring of 1936, a disastrous flood swept through the valley, causing millions of dollars of damage. Subsequently, the War Department, in cooperation with the States, worked on projects to prevent a recurrence of the ruinous flood of 1936.

The people of this valley, noting the success of the Tennessee Valley Authority, want a similar project for this area. Though the TVA is primarily a power project, we seek one on the basis of flood control, navigability—and cheaper power for the farmers and mill workers of the Merrimack Valley as a byproduct.

The Beards, in their history of America in Midpassage, referring to the second regular session of the Seventy-fifth Congress—1938—write:

Authorization was given for a system of flood-control works extending from the Merrimack River to the lower Mississippi Valley and westward to the basin of the Willamette.

During the war, President Roosevelt told the Congress that he thought there should be more TVA's.

The people of the Merrimack Valley are thinking in the same manner.

In conformity with their interest, I am introducing the following measure:

A bill to establish a Merrimack Valley Authority to provide for unified control and resources development on the Merrimack River and surrounding region, to promote navigation, to prevent floods, to encourage family-type farming, to develop the recreational possibilities and general welfare of this area, to strengthen our national defense, and for other related purposes.

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

Mr. LANE. I yield.

Mr. GORE. In connection with the President's statement that he thought there should be more TVA's, I wonder if the gentleman recalls the very long editorial in the Times-Herald of this city, whose political leanings are well known, in which they said that what we needed were more TVA's.

Mr. LANE. I thank the gentleman from Tennessee for his contribution.

Mr. GORE. I congratulate the distinguished and able gentleman for his foresight, courage, and vision in introducing this measure. If this dream and this plan of his come to fruition, it will redound to the great benefit of his people. As a representative of an area which is served by the TVA, I know it has served the people well and has been most beneficial to them and to the upbuilding of that entire region.

I hope some benefits can be brought to the gentleman's State, and his efforts will do much to bring that about.

Mr. LANE. I thank the gentleman from Tennessee.

Bear in mind, that the textile industry was attracted to and developed in this area by the availability of cheap water power. Today, however, that is not the case. Some of this power at the headwaters is in the control of a private monopoly. The rest of the potential power in the river is not being utilized to provide the cheap energy which will cut the operating costs of present industries and serve to attract new ones.

In textile manufacturing, the workers, periodically, suffer from lay-offs and slack times. To provide economic security on a self-sustaining basis, it is wise to encourage family-type farming on a small-unit scale, so that the workers may be able to tide themselves over these gaps in employment.

This was originally a farming region. The countryside is dotted with unused farming lands whose impoverished soil has been abandoned. If we bring fertilizer and cheap power within reach of the rural districts, we shall help to revive local small-scale farming as insurance against the uncertainties of textile employment. No less an authority than Henry Ford has advocated such a plan. Apart from its economic advantages, it will bring spiritual and social gains to our people. Industrial employment, complemented by part-time farming, will return to the people some measure of the economic independence which they have lost, and the individual dignity which they have lost to the collectivist power of private monopoly.

As Senator O'MAHONEY, of Wyoming, said:

What we need is an economic constitution just as 160 years ago America needed a political constitution. Modern America requires public management and it requires private management. The economy in which most men use their own capital and manage their own business in their own localities is completely different from the interlocking combination of capital and industry which has raised huge economic empires controlled by a few men who have more power over the people than the Government of their choice.

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

Mr. LANE. I yield.

Mr. SAVAGE. I just want to say the gentleman is certainly advocating something that can be of great benefit to his people. I have noticed the electric rates, for instance, in that part of the country. Just at this moment I cannot recall the rates in the gentleman's district, but in Pawtucket, for instance, I notice that electricity which costs \$90, the people in my State could buy for \$17.50. So if the gentleman can help cut the rates to the point where his people can use more electricity for production, for farming, and for homes, he will certainly raise the standard of living and the happiness of his people.

Mr. LANE. I thank the gentleman. Of course, that is the purpose of filing this bill, with the hope in mind that perhaps we can get some relief in power and electric rates.

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

Mr. LANE. I yield.

Mr. GORE. I would like to point out the difference in the cost of electricity in the Tennessee Valley area. Before the TVA came, the average domestic consumer used 600 kilowatt-hours of electricity per year. That cost an average of \$35 per consumer. Now the average domestic consumer uses almost three times that much, 1,780 kilowatts, and he gets this three times as much for \$2 less.

Mr. LANE. I thank the gentleman. Those figures are very interesting. I know the gentleman knows whereof he speaks.

Some measure of Government control is necessary. The people must be alert to preserve a balance and prevent excesses, whether committed by public or private managers.

The interstate waterways properly belong to the people, under State control, coordinated by the Federal Government. Various Federal agencies, directed from Washington, already control various aspects of the problem. There is a certain hit-and-miss cooperation but no uniform control on the spot to secure complete and effective utilization of these waters in the public interest.

Flood control is, essentially, a function of Government. It also has the right and authority to enter upon and undertake improvements in and on our rivers, in order to make them more navigable. The advantages of this for industry, for recreation and for national defense are too obvious for argument.

In our time, we have gone further. As democracy grows, we have had to make certain adjustments to safeguard the public's interest. We have come to the conclusion that the resources of our waterways must not be neglected or exploited by the few at the expense of the many. In 1933, the Congress took the first, decisive step in this direction. The Tennessee Valley Authority was created and was authorized to issue securities; to construct dams, reservoirs, powerhouses, transmission lines, and incidental works on the Tennessee River and its tributaries; to contract with commercial concerns or produce fertilizers and ingredients; to cooperate with agricultural experiment stations and farmers; and to produce, distribute, and sell electric power to private corporations, individuals, States, counties, and municipalities. In arranging for the sale of power to private concerns for redistribution, the authority was required to make sure that the electrical rates to ultimate consumers were reasonable, just, and fair.

There were individual precedents for this consolidated project, scattered from the old Muscle Shoals plant to Boulder Dam and Alaska. In 1936 the Supreme Court decided that Congress had the power to construct the Wilson Dam for war purposes and other constitutional ends and to sell surplus power to the Alabama Power Co.

The TVA began as an experiment. It is now an established success. There is almost no debate about this project among the people of the Tennessee Valley. Businessmen, labor leaders, farmers, and consumers agree that it has made for a better distribution of power, has developed navigation, promoted new

industries, and has given fair rates to the people. They like the decentralization under which the TVA has put democracy to work. Rather than set up a bureaucracy of its own, it has used the local agencies in the State and in the community, the land-grant colleges, the Extension Service, and all other interested parties, so that there has been a true meeting of the minds. State and local governments have joined with the Federal Government in a common effort which has produced an harmonious development of the Valley's resources.

Patterned on this, the Merrimack Valley Authority, which I propose, will cost far, far less than the TVA. It will be much simpler, embracing portions of only two States—New Hampshire and Massachusetts. The Merrimack River is polluted by industrial and human waste, yet it is from this river that some cities must take and purify the water for drinking purposes. Under a coordinated Federal plan which gives voice to the States and communities concerned I foresee a solution to this part of the overall problem. It will promote the health of the people, restore fish life to the river, and open up untold recreational opportunities for the workers in this valley.

To extend navigation, to insure flood control, to encourage small-scale farming by industrial workers, and to reduce power rates for all, I ask for the Congress to approve the bill which establishes the Merrimack Valley Authority.

A greater diversification of industrial activity, attracted by the fullest and fairest use of the water-power resources of the Merrimack Valley, is an economic necessity for this region.

The key to it is the MVA.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. ELSTON, for 10 days, on account of official business.

RAINEY NOT RAMEY

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

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

Mr. RAMEY. Mr. Speaker, I have received not too many phone calls but several that make it necessary perhaps to state that my name is not Homer Rainey, it is R-A-M-E-Y.

The retired university president running for Governor of Texas is Homer P. Rainey not HOMER A. RAMEY.

The reason for this explanation is that I am not a carpet-bagger running for the governorship of Texas. I love Texas, I like to visit Texas, and I admire all the gentlemen from Texas in this body. However, having been accused of running for the governorship of that State also that I have been the president of the University of Texas and wrote sex books may I say that although I have taught school, I have never written a book, I know nothing about advanced sex or any other kind of sex either in theory or in practice.

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

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

Mr. GORE. We have every confidence that the gentleman from Ohio would be very proficient in all fields and subjects.

Mr. RAMEY. I thank the gentleman.

EXTENSION OF REMARKS

Mr. SCHWABE of Missouri asked and was given permission to extend his remarks in the RECORD in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2359. An act to close the Office of the Recorder of Deeds on Saturdays; to the Committee on the District of Columbia.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 388. An act to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601);

H. R. 2091. An act to confer jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim, or claims, of Joseph E. Bennett, doing business as Joseph E. Bennett Co.;

H. R. 2192. An act for the relief of Andre Dacharry;

H. R. 3543. An act for the relief of Elmer D. Thompson and the legal guardian of James Thompson;

H. R. 5311. An act to amend Revised Statutes, 4921 (U. S. C. A., title 35, Patents, sec. 70), providing that damages be ascertained on the basis of compensation for infringement;

H. R. 5590. An act to provide for the uniform administration of efficiency ratings;

H. R. 5911. An act to establish an Office of Naval Research in the Department of the Navy; to plan, foster, and encourage scientific research in recognition of its paramount importance as related to the maintenance of future naval power, and the preservation of national security; to provide within the Department of the Navy a single office, which, by contract and otherwise, shall be able to obtain, coordinate, and make available to all bureaus and activities of the Department of the Navy, world-wide scientific information and the necessary services for conducting specialized and imaginative research; to establish a Naval Research Advisory Committee consisting of persons preeminent in the fields of science and research to consult with and advise the Chief of such Office in matters pertaining to research;

H. R. 6528. An act to authorize the coinage of 50-cent pieces to commemorate the life and perpetuate the ideals and teachings of Booker T. Washington; and

H. J. Res. 305. Joint resolution providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 162. An act for the relief of Walter S. Faulkner;

S. 496. An act to make it a criminal offense for certain escaped convicts to travel from one State to another;

S. 1235. An act to authorize the use of the funds of any tribe of Indians for insurance premiums;

S. 1477. An act to authorize relief in certain cases where work, supplies, or services have been furnished for the Government under contracts during the war;

S. 1549. An act for the relief of the legal guardian of Duane N. Thompson;

S. 1561. An act to amend the act entitled "Compensation for injury, death, or detention of employees of contractors with the United States outside the United States," as amended, for the purpose of making the 100-percent earning provisions effective as of January 1, 1942;

S. 1573. An act for the relief of James H. Wilkinson;

S. 1640. An act to provide for the acquisition by the United States of certain real property in the District of Columbia;

S. 1674. An act for the relief of Michael Joseph Bennett, a minor;

S. 1731. An act for the relief of Lester A. Dessez;

S. 1751. An act for the relief of Wayne Parker;

S. 1880. An act for the relief of the Crosby Yacht Building & Storage Co., Inc.;

S. 1910. An act for the relief of George D. King;

S. 2036. An act granting the consent of Congress to the State of Rhode Island to construct, maintain, and operate a free highway bridge across the Sakonnet River between the towns of Tiverton and Portsmouth in Newport County, R. I.;

S. 2247. An act to permit the Secretary of the Navy to delegate the authority to compromise and settle claims against the United States caused by vessels of the Navy or in the naval service, or for towage or salvage services to such vessels, and for other purposes;

S. 2253. An act to further amend the act of January 16, 1936, as amended, entitled "An act to provide for the retirement and retirement annuities of civilian members of the teaching staff at the United States Naval Academy and the Postgraduate School, United States Naval Academy";

S. 2259. An act to amend the Philippine Rehabilitation Act of 1946, for the purpose of making a clerical correction;

S. 2260. An act for the relief of Roy M. Davidson;

S. 2349. An act to permit the Secretary of the Navy to delegate the authority to compromise and settle claims for damages to property under the jurisdiction of the Navy Department, and for other purposes;

S. 2369. An act for the relief of Col. S. V. Constant, General Staff Corps; and

S. 2405. An act to define the area of the United States Capitol Grounds, to regulate the use thereof, and for other purposes.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 388. An act to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601);

H. R. 2091. An act to confer jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claim, or claims, of Joseph E. Bennett, doing business as Joseph E. Bennett Co.;

H. R. 2192. An act for the relief of Andre Dacharry;

H. R. 3543. An act for the relief of Elmer D. Thompson and the legal guardian of James Thompson;

H. R. 5311. An act to amend Revised Statutes 4921 (U. S. C. A., title 35, Patents, sec. 700), providing that damages be ascertained on the basis of compensation for infringement;

H. R. 5590. An act to provide for the uniform administration of efficiency ratings;

H. R. 5911. An act to establish an Office of Naval Research in the Department of the Navy; to plan, foster, and encourage scientific research in recognition of its paramount importance as related to the maintenance of future naval power, and the preservation of national security; to provide within the Department of the Navy a single office, which, by contract and otherwise, shall be able to obtain, coordinate, and make available to all bureaus and activities of the Department of the Navy, world-wide scientific information and the necessary services for conducting specialized and imaginative research; to establish a Naval Research Advisory Committee consisting of persons preeminent in the fields of science and research, to consult with and advise the Chief of such Office in matters pertaining to research;

H. R. 6528. An act to authorize the coinage of 50-cent pieces to commemorate the life and perpetuate the ideals and teachings of Booker T. Washington; and

H. J. Res. 305. Joint resolution providing for membership and participation by the United States in the United Nations Educational, Scientific, and Cultural Organization, and authorizing an appropriation therefor.

ADJOURNMENT

Mr. GORE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p. m.), under its previous order, the House adjourned until tomorrow, Saturday, July 27, 1946, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1499. A communication from the President of the United States, transmitting drafts of proposed provisions pertaining to existing appropriations for the fiscal year 1947 of the Military Establishment of the War Department (H. Doc. No. 747); to the Committee on Appropriations and ordered to be printed.

1500. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1947, in the amount of \$250,000,000, for the Treasury Department (H. Doc. No. 748); to the Committee on Appropriations and ordered to be printed.

1501. A letter from the Comptroller General of the United States, transmitting report on the audit of United States Spruce Production Corporation for the fiscal year ended June 30, 1945 (H. Doc. No. 750); to the Committee on Expenditures in the Executive Departments and ordered to be printed.

1502. A letter from the Director, Office of War Mobilization and Reconversion, transmitting the second report of the Interagency Policy Committee on Rubber; to the Committee on Agriculture.

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. SPENCE: Committee on Banking and Currency. House Joint Resolution 388. Joint resolution to authorize the Secretary

of the Treasury to render financial aid to the Republic of the Philippines, and for other purposes; without amendment (Rept. No. 2671). Referred to the Committee of the Whole House on the State of the Union.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 66. Concurrent resolution authorizing the printing of the pamphlet entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for All Persons Who Are, or Have Been, Members of the Armed Forces of the United States and of Those Dependent Upon Them" as a House document, and providing for additional copies thereof; without amendment (Rept. No. 2672). Referred to the House Calendar.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 163. Concurrent resolution authorizing the printing of a revised edition of the Biographical Directory of the American Congress up to and including the Eightieth Congress; without amendment (Rept. No. 2673). Referred to the House Calendar.

Mr. HEALY: Committee on the District of Columbia. S. 2125. An act to amend the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplementary thereto; without amendment (Rept. No. 2674). Referred to the Committee of the Whole House on the State of the Union.

Mr. HEALY: Committee on the District of Columbia. S. 2359. An act to close the office of the Recorder of Deeds on Saturdays; without amendment (Rept. No. 2675). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLIOTT: Committee on Accounts. House Resolution 744. Resolution granting 6 months' salary and \$250 funeral expenses to Mrs. Agnes H. Hartman, mother of Martena R. Ambrose, late an employee of the House; without amendment (Rept. No. 2676). Referred to the House Calendar.

Mr. HEALY: Committee on the District of Columbia. H. R. 7114. A bill to amend the act entitled "An act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes," approved February 27, 1925; without amendment (Rept. No. 2677). Referred to the Committee of the Whole House on the State of the Union.

Mr. HEALY: Committee on the District of Columbia. H. R. 7126. A bill to amend section 2 of the act of July 16, 1946 (Public Law 514, 79th Cong.), relating to the establishment and operation in the District of Columbia of nurseries and nursery schools, so as to permit payment of compensation for services rendered after June 30, 1946, and prior to the enactment of such act; without amendment (Rept. No. 2678). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 6780. A bill to create an Evacuation Claims Commission under the general supervision of the Secretary of the Interior, and to provide for the powers, duties, and functions thereof, and for other purposes; without amendment (Rept. No. 2679). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELLIOTT: Committee on the Public Lands. S. 1602. An act to confirm title to certain railroad-grant lands located in the county of Kern, State of California; without amendment (Rept. No. 2681). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOBBS: Committee on the Judiciary. H. R. 7147. A bill to repeal certain statutes relating to the war and emergencies; with amendment (Rept. No. 2682). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FORAND:

H. R. 7163. A bill to provide annuities under section 1 (e) of the Civil Service Retirement Act of May 29, 1930, as amended, to certain officers and employees under the age of 55; to the Committee on the Civil Service.

By Mr. JOHNSON of Illinois:

H. R. 7164. A bill to provide equitable relief to contractors supplying dairy products to the armed forces; to the Committee on the Judiciary.

By Mr. LAFOLLETTE (by request):

H. R. 7165. A bill to establish a national program and policy for full employment and full production in a fully democratic society, by means of democratically operated production facilities financially assisted by a Federal Government lending agency; to the Committee on Banking and Currency.

By Mr. MAY:

H. R. 7166. A bill to establish the Women's Army Corps in the Regular Army, in the Officers' Reserve Corps, and in the Enlisted Reserve Corps, and for other purposes; to the Committee on Military Affairs.

H. R. 7167. A bill to create the Medical Service Corps in the Medical Department of the Army, and for other purposes; to the Committee on Military Affairs.

H. R. 7168. A bill to establish the Army Nurse Corps, the Dietitian Corps, the Physical Therapist Corps, and the Occupational Therapist Corps in the Medical Department of the Regular Army and in the Officers' Reserve Corps, and for other purposes; to the Committee on Military Affairs.

By Mr. PETERSON of Florida:

H. R. 7169. A bill to authorize the transfer of the *Joseph Conrad* to the city of St. Petersburg, Fla., for museum purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. POWELL:

H. R. 7170. A bill to amend the Civil Service Retirement Act of May 29, 1930, to provide for return of amounts deducted from compensation in all cases of separation from positions within the purview of such act; to the Committee on the Civil Service.

By Mr. RANKIN (by request):

H. R. 7171. A bill to authorize the payment by the Administrator of Veterans' Affairs of the purchase price of automobiles or other conveyances purchased by certain disabled veterans, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. PIÑERO:

H. R. 7172. A bill to amend the Organic Act of the Virgin Islands of the United States to provide for a Resident Commissioner from the Virgin Islands; to the Committee on Insular Affairs.

By Mr. FULTON:

H. R. 7173. A bill to provide for the establishment of the Indian Mound National Park in the State of Pennsylvania, and for other purposes; to the Committee on the Public Lands.

By Mr. JACKSON:

H. R. 7174. A bill to amend section 23 of the Internal Revenue Code to permit deductions from gross income by corporations that turn over their facilities for a period of time to veterans' organizations; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 7175. A bill to establish a Merrimack Valley Authority to provide for unified water control and resource development on the Merrimack River and surrounding region in the interest of the control and prevention of floods, the promotion of navigation and reclamation of the public lands, the promotion of family-type farming, the development of

the recreational possibilities, and the promotion of the general welfare of the area, the strengthening of the national defense, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. McCORMACK:

H. R. 7176. A bill to authorize the attendance of the Marine Band at the National Encampment of the Veterans of Foreign Wars of the United States to be held in Boston, Mass., September 1 to 6, inclusive, 1946; to the Committee on Naval Affairs.

By Mr. PATTERSON:

H. Con. Res. 164. Concurrent resolution relative to the political situation in Greece; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. EBERHARTER:

H. R. 7177. A bill for the relief of Constantino Peribolares (also known as Constantinos Perivolaris or Gust Aspiotes); to the Committee on Immigration and Naturalization.

By Mr. FARRINGTON:

H. R. 7178. A bill for the relief of Ruby Mui Sing Chang Inn; to the Committee on Immigration and Naturalization.

H. R. 7179. A bill for the relief of Mrs. Wei-Hue Huang Mau; to the Committee on Immigration and Naturalization.

H. R. 7180. A bill for the relief of Mona Florence Ching; to the Committee on Immigration and Naturalization.

By Mr. GRANAHAN:

H. R. 7181. A bill for the relief of Samuel Augenblick; to the Committee on Immigration and Naturalization.

By Mr. LATHAM:

H. R. 7182. A bill for the relief of John Schneider and his wife, Elizabeth Schneider; to the Committee on Immigration and Naturalization.

By Mr. MANSFIELD of Montana:

H. R. 7183. A bill for the relief of H. C. Blering; to the Committee on Claims.

By Mr. O'BRIEN of Michigan:

H. R. 7184. A bill for the relief of Georgios Ecaterinis; to the Committee on Immigration and Naturalization.

By Mr. PATRICK:

H. R. 7185. A bill for the relief of Moody L. Smitherman, Jr., a minor, and Moody L. Smitherman; to the Committee on Claims.

By Mr. RESA:

H. R. 7186. A bill for the relief of Emma Thompson Martinez; to the Committee on Claims.

By Mr. SCHWABE of Oklahoma:

H. R. 7187. A bill for the relief of Harry Paalberg, Ellen Paalberg, Jutta Paalberg, Mina Paalberg, Maia Andre, Julianna Altenburn, Arvid Kuun, Elenora Kuun, Aime Kuun, Inga Kuun, Ulla Kuun, Valdermar Veendam, Lembit Rheinholm, Paul William Rheinholm, Helno Alfred Lutts, and Roman Ubalkivi; to the Committee on Immigration and Naturalization.

By Mr. THOMAS of New Jersey:

H. R. 7188. A bill for the relief of Carlos S. De Marco; to the Committee on World War Veterans' Legislation.

PETITIONS, ETC.

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

2127. By Mr. COLE of Missouri: Petition of Rev. Tom E. Bray and 32 other citizens of Clarksdale, Stewartville, and St. Joseph, Mo., to pass the Voorhis resolution (H. J. Res. 325), which provides that as long as famine conditions exist, no grain shall be allowed for

the manufacture of liquor or other nonessential purposes; to the Committee on Agriculture.

2128. By Mr. HANCOCK: Petition signed by Mr. H. Weiss and other residents of Onondaga County, N. Y., protesting against the reduction in the amount of grain allocated to the brewing industry; to the Committee on Agriculture.

2129. By Mr. VOORHIS of California: Petition of Mrs. F. S. Woody and 221 others, all citizens of Doniphan, Mo., urging passage of legislation by Congress (H. J. Res. 325), which would authorize the President and Secretary of Agriculture to issue directives preventing the use of grain for beverage purposes until the world's food shortage is relieved; to the Committee on Agriculture.

2130. By the SPEAKER: Petition of the Boston City Council, petitioning consideration of their resolution with reference to endorsement of Senate bill 1592; to the Committee on Banking and Currency.

SENATE

SATURDAY, JULY 27, 1946

(Legislative day of Friday, July 5, 1946)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Dr. James H. Phillips, professor of religion, the American University, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, we lift voices of prayer to Thee from this place hallowed by the events of the past. For those decisions which have promoted the general welfare of the people of this dear land, we give Thee thanks, for Thou art the source of all true justice. But we do not pray merely because of the past. The pressing needs of our time, of this day, cause us to turn to Thee in this moment of prayer.

We pray especially for Thy blessing upon this body of the people's representatives. Sustain them in their many tasks with Thy wisdom and courage. Whenever the way of decision is not plain, speak to them from Thy word: "He hath showed thee, O man, what is good; and what doth the Lord require of thee but to do justly, to love mercy, and to walk humbly with thy God."

Grant to them at the beginning of each day a faith in their countrymen that conquers doubt and skepticism, a will to do the right that subdues all temptations, a kindly patience that sweetens human fellowship.

And, in the end, may each one merit the approbation of Thy people, "Well done, thou good and faithful servant."

We ask our prayer in the name of Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, July 26, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT— APPROVAL OF BILLS

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

secretaries, and he announced that on July 27, 1946, the President had approved and signed the act (S. 1516) to amend section 12 of the Bonneville Project Act, as amended.

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. 1602. An act to confirm title to certain railroad-grant lands located in the county of Kern, State of California; and

S. 2375. An act to change the name of the Chemical Warfare Service to the Chemical Corps.

The message also announced that the House had passed the following bills of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 191. An act to amend the Public Health Service Act to authorize grants to the States for surveying their hospitals and public-health centers and for planning construction of additional facilities, and to authorize grants to assist in such construction; and

S. 881. An act authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell.

The message further announced that the House passed the following bills of the Senate, severally, with amendments, in which it requested the concurrence of the Senate:

S. 619. An act to amend the act of June 8, 1936, relating to vocational education, so as to provide for the further development of vocational education in the several States and Territories;

S. 1636. An act to amend the Surplus Property Act of 1944 to designate the Department of State as the disposal agency for surplus property outside the continental United States, its Territories and possessions, and for other purposes; and

S. 2085. An act to amend title V of the act entitled "An act to expedite the provision of housing in connection with the national defense, and for other purposes," approved October 14, 1940, as amended, to authorize the Federal Works Administrator to provide needed educational facilities, other than housing, to educational institutions furnishing courses of training or education to persons under title II of the Servicemen's Readjustment Act of 1944, as amended.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6702) to clarify the rights of former owners of real property to reacquire such property under the Surplus Property Act of 1944.

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

H. R. 1459. An act for the relief of Mr. and Mrs. J. W. Williams, Jr.;

H. R. 3209. An act for the relief of Edward A. Mason;

H. R. 3619. An act for the relief of Harry D. Koons;

H. R. 4374. An act for the relief of the legal guardian of Rudolph K. Bartels, Jr., a minor;