best indicated by the fact that the five indictments have already been returned by the tardily convened Federal grand jury.

It also is a matter of record that, despite the undeniably restricted scope of the investigation, the Attorney General, on last January 27, wrote Senator KEM, of Missouri, that the FBI, at his direction, had "conducted a full investigation into the charges of fraud in this primary."

In any event, after consideration of these circumstances, Senator KEM has come to two conclusions, and has stated them on the floor of the Senate. One is that the letters he received from the Attorney General "constitute a misrepresentation of known facts to a Member of the Senate in answer to an official inquiry." The other is that the Attorney General "limited the scope of the (original FBI) inquiry to a field in which no evidence of conspiracy could be detected, and then closed the files because no evidence of conspiracy was found."

These are only charges. But they are very grave charges, bearing, as they do, upon the good name of an official in whom it is essential that the public have the highest confidence.

It is true that the Senate Judiciary Committee, dividing along party lines, with Republican Senator LANGER lining up with the Democrats, has recommended against further investigation. But neither this committee, nor its subcommittee, has made a full investigation.

Yet here is a case which, if dropped now, is certain to leave an aftermath of doubt with respect to the integrity of some of our highest political institutions. It also involves the reputation of an Attorney General who has shown himself in many difficult cases to be a man of high integrity. In the light of all these circumstances, the Star believes that there should be a full investigation, and hopes that Attorney General Clark will be found among those insisting upon it.

[From the Tampa (Fla.) Daily Times of July 17, 1947]

JUSTICE DEPARTMENT'S KANSAS CITY BRUSH WHITE?

Was the direction by the Justice Department of a 1946 Kansas City election probe a whitewash?

That is what Missouri Republican Senator KEM would like to know. He has asked the Senate to investigate the way in which the Justice Department handled the affair despite the fact that the Judiciary Committee voted Monday to forget about the whole thing for the time being.

The investigation Mr. KEM would like to know more about was based upon the 1946 primaries in which Enos Axtell, backed by the personal blessing of President Truman, won the nomination for Representative from the Fifth Congressional District of Missouri over the incumbent and bitter administration critic Roger C. Slaughter.

Mr. Truman personally entered the campaign and the revived Pendergast machine, once largely responsible for Mr. Truman's successes, lined up solidly behind Axtell. What caused Senator KEM and other Missourians to lift their eyebrows was the manner in which four key Kansas City wards responded to Mr. Axtell's plea for the nomination. So impressed were these wards, located in the heart of the Pendergast stronghold, that they provided the Truman protege with 12,104 votes as compared to 2,072 for Slaughter, a difference sufficient to swing the scales of victory in Axtell's favor.

What followed then happened fast. The city council requested an inquiry by the Justice Department. A grand jury went to work, indicting 71 persons for election irregularities involving false returns, miscounted ballots, vote buying, and a number of other practices outside the law. It finally came out with the flat statement that Slaughter was deprived of the nomination by a fraudulent miscount of votes and other types of fraud.

The Justice Department and Attorney General Tom Clark moved in on the situation but, strangely enough, moved out again almost as quickly, saying there was a lack of evidence. Three weeks later, May 28, the grand jury lost its evidence, the vault in which the ballots were placed having been blown open and the ballots and other vital records removed.

In the face of this evidence, the American people would like to know, too, whether the Justice Department carried along the whitewash brush when it went to Kansas City.

RECESS

Mr. WHITE. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 7 o'clock and 7 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, July 22, 1947, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate July 21 (legislative day of July 16), 1947:

UNITED NATIONS

The following-named persons to be representatives of the United States of America to the second session of the General Assembly of the United Nations, to be held in New York, N. Y., beginning September 16, 1947:

Warren R. Austin, of Vermont.

Herschel V. Johnson, of North Carolina.

Mrs. Anna Eleanor Roosevelt, of New York.

John Foster Dulles, of New York.

The following-named persons to be alternate representatives of the United States of America to the second session of the General Assembly of the United Nations, to be held in New York, N. Y., beginning September 16, 1947:

Charles Fahy, of New Mexico.

Willard L. Thorp, of Connecticut.

Francis B. Sayre, of the District of Columbia.

Adlai E. Stevenson, of Illinois.

Virginia C. Gildersleeve, of New York.

COUNSELOR, DEPARTMENT OF STATE

Charles E. Bohlen, of Massachusetts, a Foreign Service officer of class 1, to be Counselor of the Department of State.

DIPLOMATIC AND FOREIGN SERVICE

John Carter Vincent, of Georgia, a Foreign Service officer of the class of career minister, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Switzerland.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for promotion in the Regular Corps of the Public Health Service:

Senior dental surgeon to be dental director (equivalent to the Army rank of colonel):

William O. Boss

Dental surgeon to be temporary senior dental surgeon (equivalent to the Army rank of lieutenant colonel):

George E. Waterman

Assistant surgeon to be temporary senior assistant surgeon (equivalent to the Army rank of captain):

Martin M. Cummings

HOUSE OF REPRESENTATIVES

MONDAY, JULY 21, 1947

The House met at 10 o'clock a. m.

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

Eternal God, whose resources of grace are abundantly adequate for all our needs, we pray that each day we may yield ourselves in glad obedience to the sovereignty of Thy divine will.

May we confidently believe that Thou art the Lord God omnipotent and commit our baffled minds and burdened hearts to the discipline and guidance of Thy spirit.

Grant that our President, our Speaker, and all who share in the difficult task of ministering to a confused and bewildered generation may be richly endowed with the spirit of wisdom and understanding, the spirit of counsel and might, the spirit of knowledge and the fear of the Lord.

In Christ's name we pray. Amen.

The Journal of the proceedings of Saturday, July 19, 1947, was read and approved.

MESSAGE FROM THE SENATE

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

H. R. 3961. An act to provide increases in the rates of pension payable to Spanish-American War and Civil War veterans and their dependents; and

H. R. 4017. An act to amend the Armed Forces Leave Act of 1946 to provide that bonds issued under such act shall be redeemable at any time after September 1, 1947, to permit settlement and compensation under such act to be made in cash, and for other purposes.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1391. An act to authorize payments by the Administrator of Veterans' Affairs on the purchase of automobiles or other conveyances by certain disabled veterans, and for other purposes; and

S. 1394. An act to provide increased subsistence allowance to veterans pursuing certain courses under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes.

SPECIAL ORDERS GRANTED

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes tomorrow and for 20 minutes on Thursday, after the legislative program and the special orders heretofore entered for those days.

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

There was no objection.

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on Thursday following the legislative business of the day and the

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

special orders heretofore granted for that day.

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

There was no objection.

PERMISSION TO COMMITTEE TO SIT DURING SESSIONS OF HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the Committee on Veterans' Affairs may sit during general debate during sessions of the House for the next 3 days.

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

There was no objection.

EXTENSION OF REMARKS

Mr. ROBERTSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Washington Star.

THE CAPITOL TELEPHONE OPERATORS ARE APPRECIATED

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for the period of a 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. GAVIN. Mr. Speaker, before this session of the Eightieth Congress adjourns, I want to pay tribute to the telephone operators here at the Capitol, the most efficient operators to be found anywhere.

In the hurry and scurry of everyday life here in the Congress, we are prone to overlook those who are most helpful to us in the rush of our work.

At times we are inclined to be a bit gruff and sharp when we pick up the telephone and do not get an immediate response. But, I must say, the operators are always patient, considerate, and courteous at all times, and their fine work is to be commended.

I know the Members are most appreciative and grateful for the fine service that has been rendered.

THE THREATENED WESTERN RAILROAD STRIKE

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

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

There was no objection.

Mr. ELLIOTT. Mr. Speaker, I hope throughout the day our Government may find some way to ward off the strike of the railroads in the Western States. I know of no other one thing facing us that is so heartbreaking to the farmers and businessmen as this strike proposed to be called the latter part of the day in the Western States.

Millions of tons of foodstuffs will rot in the ground or on the railroad tracks because the cars will not move to the markets of the Eastern States or wherever the markets may be.

I hope if any Member during the day can think of any ways or means that might be helpful in preventing this strike that he will get in touch with the officials working to that end here. It will be appreciated by everybody.

THE THREATENED WESTERN RAILROAD STRIKE

Mr. MURDOCK. 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 Arizona?

There was no objection.

Mr. MURDOCK. Mr. Speaker, following the gentleman from California and seconding his request, I do hope something can be done to avert the strike of engineers which I understand has been called on the Southern Pacific Lines for today. Perhaps it cannot legally be called for 30 days. Such a strike if it eventuates will mean a tremendous loss this summer to a vast portion of the Pacific Southwest because of the fact that right now is the season for the shipping of perishable garden truck and foodstuffs. Thousands of tons, thousands of carloads of melons, cantaloups, and other produce are awaiting shipment. The Southern Pacific is the only rail line servicing many parts of the great Pacific Southwest.

Another factor of extreme importance is the fact that the farmers in that section of the country depend on Diesel oil to run the engines to generate electricity for operating the irrigation pumps. This oil has to be transported by rail. Such transportation is about as vital now as during a war.

EXTENSION OF REMARKS

Mr. BARTLETT asked and was given permission to extend his remarks in the RECORD in two instances and include in one two letters and an editorial.

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

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include an article by Ernest Marks.

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article written by himself entitled "The Marshall Plan."

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by that great Democrat from Indiana, Sam Pettengill, on The Key to Next Year's Campaign, which refers to the veto of the tax bill.

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

There was no objection.

THE TRUMAN DOCTRINE

Mr. JENKINS 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. JENKINS of Ohio. Mr. Speaker, a few months ago the propagandists of the administration heralded to the world the Truman doctrine. They said it would go down in history alongside the Monroe Doctrine. Where is it today? Dead and forgotten.

It died because it was simply another plan by which American millions were scattered to the world.

Now comes the Marshall plan. When this plan was first enunciated I thought it was a sensible plan. They said it would require affirmative and positive efforts on the part of the European nations to rebuild themselves before we would hand out our free American millions. Apparently, this was simply a selling point. They now want us to come forward with $25,000,000,000 in the next 4 or 5 years. At the same time the President refuses to give any consideration to the request of nearly 50,000,000 American taxpayers who have asked a slight reduction in their burdensome taxes.

The President misjudges the American mind. I have a post card from a typical American who says:

> My roof has been leaking 3 years. I keep a wash boiler in the attic to catch the rain. If the Knutson bill is passed I can take the cost of a new roof off of my income. Otherwise I cannot afford a new roof.

This man is neither isolationist nor internationalist.

Mr. Speaker, the American people will not agree to the Marshall plan while the President thwarts the will of the people as expressed by two-thirds of their representatives in Congress.

THE FEPC IN NEW YORK—WHITE AMERICANS BETRAYED—GOVERNOR DEWEY SPEAKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include excerpts from an address I made in this House on February 13, and also an address I made in the Seventy-ninth Congress.

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

There was no objection.

Mr. RANKIN. Mr. Speaker, I feel like exclaiming well, well, well, will miracles never cease to happen.

Governor Dewey, of New York, told the people and the fish in Yellowstone National Park, where he went fishing on yesterday, that he did not think he would have been elected last November by such a large margin "if these Communists had not been supporting the other side."

Did those Reds not stay bought after he signed the FEPC bill for them with 21 different pens and gave a pen to almost every leading Communist agitator in New York?

Did they run out on him after he had stacked the FEPC Commission to suit them?

Mr. Speaker, did they turn on him after he had signed the FEPC bill that drove the businessmen of New York underground in order to try to get away from its vicious provisions?

Did they run out on him after he had signed this bill and appointed their ilk on the commission to formulate regulations to harass the businessmen in New York?

Were they not satisfied when he so arranged things that no enterprise would go to New York to start a new business?

Were they not satisfied when he drove business back into Pennsylvania, Ohio, and other States?

Why in the world did they run out on Governor Dewey so quickly?

Have they forgotten his Red speech at Seattle?

Have they forgotten his radical speech in California during the last campaign?

Have they forgotten his attack on the white people of the South in his West Virginia speech?

Did they forget all these services before election day?

Surely not.

If they had I would feel like exclaiming in the words of Shakespeare: "Ingratitude, thou marble-hearted fiend."

Mr. RICH. No wonder he wanted to send them to Montana.

Mr. RANKIN. But he has them around his neck in New York.

Ah, Mr. Speaker, in order for every Member of the House to understand just what a service he rendered to these Red elements when he signed the so-called FEPC bill, I am reinserting an address which I delivered in the House on February 13, 1947, setting out the regulations under which the business interests of New York are now being harassed under the so-called FEPC Act.

And then to show what this monstrosity did to the people of the country during its existence here in Washington, under Executive order, I am reinserting an address which I delivered in the House on July 12, 1945. They read as follows:

THE FEPC IN NEW YORK—WHITE AMERICANS BETRAYED

(Speech of Hon. JOHN E. RANKIN, of Mississippi, in the House of Representatives, Thursday, February 13, 1947)

Mr. RANKIN. Mr. Speaker, I arise to discuss a measure introduced by the gentleman from Illinois [Mr. DIRKSEN] for the re-creation of the now defunct FEPC, or the so-called Fair Employment Practice Committee.

I believe Mr. DIRKSEN made a speech for such a measure in the last Congress, which reminded me of the colored preacher who told his congregation that he was "goin' to preach to you an ole 'postolic injunction, 'Take no heed of what you shall say.'"

It would certainly take a genius to reconcile that speech of the gentleman from Illinois [Mr. DIRKSEN] and this FEPC bill he has introduced with his recent speech against communism, especially since that FEPC is the chief plank in the Communist platform.

It is the most dangerous piece of communistic legislation with which this country has ever been threatened in all its history. I am going to show what it would do to the people of Illinois by pointing out what it is doing to the people of New York, where this vicious measure was written into the laws of that State without consulting the people who are suffering under it.

All these bills contain the same old bunk about making it a crime to discriminate in employment because of "race, creed, color, national origin, or ancestry," and so forth.

Before Mr. DIRKSEN attempts to ram this monstrosity down the throats of the people of Illinois, and all the other States, I suggest he do as they did in California, let the people of Illinois vote on it. That is what they did in California in the last election, and it was defeated by a majority in every single individual county in California.

Now let us see what such a measure is doing to the people of the State of New York.

A man from New York said to me this morning, "You know this measure is being operated in New York simply by failure to operate it." The other night there were two men from New York in a taxicab here in Washington driven by a man who works here on the Hill. They got into an argument. One of them said, "I told you this FEPC would ruin the State of New York if they ever put it on the statute books." The other one said, "I did not think so. I thought it was a humanitarian measure. But I now see my mistake."

Then the other man said, "Here is what it has done to me. I own a good home," I believe he said, "out on Riverside Drive, and I also own a house next to it which I bought for my own protection. I had a friend living in the other house, but his business took him to another section of the country and he had to vacate. Like a fool, I put up a sign 'For rent,' thinking that someone in the community whom I could afford to rent it to would apply. Somebody put a colored fellow up to come and apply for it and the court now says I must let him have it."

I bring this to you for what it is worth. I understand the Communists in New York are demanding that the same rule be applied to rooms or apartments for rent.

But I want to read you some of the regulations that are now being imposed upon the people of the State of New York under this vicious law. Businessmen from New York tell me that the way they are getting around this measure is by operating through employment agencies, because no intelligent businessman would go to a State with that kind of law on its statute books and attempt to establish a new business or a new enterprise, especially with the regulations or rulings under it which I am now going to read to you.

Remember they put this measure on the ticket in California and the people voted on it in the last election; and it lost in every single individual county in California. It was beaten in the entire State by about 3 to 1.

You simply destroy business with a measure like this. That is what the FEPC did here. Men have gone out of business all over the country in the last few years because of the persecution that was carried on by this outfit here in Washington, the personnel of which I shall insert later on.

A few people are going around urging us to pass it as a national law, to put everybody else in the same predicament. These people who are carrying on this racial agitation are using the Negro as a smoke screen. They do not give a tinker's dam about the Negro. They are not trying to help the Negro. They are doing them more harm than anybody has in the last 50 years, and the decent law-abiding Negroes know it.

But let me show you what they have done in New York, and let me give you some of the regulations or rulings, as they are called, and ask you if you would like to have them in your State. I want to ask the gentleman from Illinois [Mr. DIRKSEN] how he would like to have them in Illinois, or how you would like to have them in Ohio, Indiana, Pennsylvania, or in Missouri, or in any other State in the Union.

Here are the regulations, or rulings, issued by the State of New York. They are headed: "State of New York Executive Department. State Commission Against Discrimination. Rulings."

Here are the rulings.

I want to show you some things you cannot ask in the State of New York when you go to employ a man.

Remember that State has no gas, coal, or oil, and very little water power. The rest of the country does not have to go to New York or to any other State to get what it needs in the years to come. The American people in every section of this country are in a position now to take care of themselves. You put this measure on in one State after another and you will simply penalize those States beyond reason, and when they ask you to pass it for the whole United States and put it on the entire American people, after the fiasco they have made of it here in Washington in the last few years, it is simply unthinkable to a man who knows what he is doing and has the interest of the people of the country at heart.

Here are some of the things you cannot do under the law of New York:

"UNLAWFUL EMPLOYMENT PRACTICES BEFORE HIRING ANYBODY"

Those words are written in capitals. Here is the first unlawful practice:

"Inquiry into the original name of the applicant for employment, whose name has been changed by court proceedings or otherwise."

If you inquire as to his name or what his name used to be you violate the law. You commit an unlawful practice. For instance, that this man who writes for PM who calls himself I. F. Stone. His name was Isadore Feinstein, as Cordell Hull once pointed out. Suppose he comes to you asking for employment and you ask him that question. Then you will have committed an awful act.

Here is the next one:

It would be unlawful practice to make "Inquiry into the birthplace of the applicant for employment, the birthplace of his parents, spouse, or other close relative."

How would you like that in Iowa, Illinois, Texas, or Nebraska? In California I know you do not like it, because you have just voted on it.

Here is the next "unlawful practice":

"Requirement that the applicant for employment produce a birth certificate or baptismal certificate."

That would be an unlawful practice under this FEPC Act in New York.

I was surprised to see Governor Dewey get his mustache in the wringer on this proposition. I do not see how he is ever going to get loose from it.

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

Mr. RANKIN. I yield.

Mr. MASON. What about this requirement during the war that every person employed in certain industries had to prove that he was born here before he could get a job?

Mr. RANKIN. Certainly. If we had had this law all over the country then, the Japs would have had a spy at the elbow of every man in a key position; so would the Germans, and so would every other enemy country.

I thank the gentleman from Illinois for his timely suggestion.

It is an unlawful practice in New York, under this law, to make "inquiry into the religious denomination of an applicant for employment, his religious affiliations, his church, parish, pastor, or religious holidays observed. Inquiry into whether an applicant for employment is an atheist."

Inquiry into whether an applicant for employment is an atheist is forbidden, although you may be publishing literature for the Methodist Church, the Baptist Church, or any other denomination.

Another thing, an applicant for employment—and I am reading from the rules laid down by this Commission:

"An applicant for employment may not be told that this is a Catholic, Protestant, or Jewish organization."

In other words, if you are in the business of publishing religious literature you cannot even give him that information under this law which the gentleman from Illinois [Mr.

DIRKSEN] now proposes for the whole country, including Illinois.

Here is another unlawful practice:

"An applicant for employment may not be told that the following holidays will be observed by the firm and no others, naming the holidays; e. g., Decoration Day and July the Fourth, etc."

You cannot tell them under the laws, rulings, and regulations of the State of New York that they may observe the Fourth of July.

Here is another unlawful practice:

"An applicant for employment may not be told that employees are required to work Rosh Hashana and Yom Kippur."

Frankly, I did not know there were any such days until the last few years.

Another thing, it is an unlawful practice under this New York law to make "inquiry into the complexion of an applicant for employment."

Inquire into his complexion and you are likely to get yourself tangled up with the law of the State of New York.

Here is another unlawful practice:

"Requirement that an applicant for employment annex a photograph."

That would be an unlawful employment practice. You are not supposed to know how he looks.

Remember, this is not in Russia, but in New York.

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

Mr. RANKIN. I yield.

Mr. MASON. And yet the State Department in order to grant a visa requires a photograph of the person to be presented with his application.

Mr. RANKIN. Certainly, and they ought to do so. Much as I respect the distinguished gentleman from Illinois [Mr. MASON], I certainly would not want to employ him unless I knew how he looked. If I had never seen him, I would certainly want to see his picture.

Here is another unlawful practice:

"Inquiry whether an applicant for employment is a naturalized or native-born citizen; the date when the applicant acquired citizenship; whether the applicant's parents or spouse are naturalized or native-born citizens of the United States; the date when such parents or spouse acquired citizenship."

You cannot inquire into those questions under this FEPC law in New York.

Here is another unlawful practice:

"Requirement that an applicant for employment produce his naturalization papers or first papers."

He may lie to you and tell you that he is a naturalized citizen, but you cannot ask to see his papers.

Another unlawful practice in New York is to "inquire into the lineage of an applicant for employment, his ancestry, or national origin."

You remember a few years ago the Dallas News inserted an advertisement for a colored janitor, and this FEPC outfit down the street, ordered them to take it out, said it was an unlawful practice.

One member of this FEPC outfit here in Washington went into the office of Swift & Co. in Chicago. This FEPC man asked them: "How many Negroes do you have on your board of directors?"

The answer was "None."

Then the FEPC man asked him: "Why haven't you?"

That was the FEPC down here in Washington a few years ago before it died because a few radicals could not browbeat Congress into perpetuating it.

But it is now in force in the State of New York.

Here is another unlawful practice under the New York law:

"Inquiry into the location of places of business of relatives of an applicant for employment."

It is an unlawful practice to make "inquiry into the place of residence of the parents, spouse, or other close relatives of an applicant for employment."

I am reading from the records at Albany.

Here is another unlawful practice:

"Inquiry into the maiden name of the wife of a male applicant for employment and/or inquiry into the maiden name of the mother of a male or female applicant for employment."

The other day we had the Eislers down here. One of them has been shown to be representing the Comintern, according to his sister's testimony. He has a brother out in California, who seems to be poisoning the public mind through the moving-picture industry. He tries to defend his brother and refers to this woman as "my former sister." If you wanted to employ any of them and check the name of at least one of them as given here, you could not inquire into those names at all—if you are trying to do business in the State of New York—even though one of them has a half dozen aliases. You could not even ask where they came from or when they got here or when they changed their names.

Here is another unlawful practice, in New York:

"Inquiry into the general military experience of an applicant for employment."

I wish every ex-serviceman could read that, and the next one.

Here it is. It is an unlawful practice to make "inquiry into the whereabouts of an applicant for employment during the First World War, i. e., during the period from 1914 to 1919."

In other words, inquiry as to his whereabouts in the period from 1914 to 1919 is forbidden as an unlawful practice in the State of New York.

Is that what you want in Colorado? Is that what you want in Massachusetts?

Mr. GIFFORD. We have it.

Mr. RANKIN. Get rid of it, and we will help you.

Is that what you want in Kansas, in Ohio, and in other States?

Let your States vote on it. Michigan is going to vote on it right away. If you will tell the people of Michigan the whole truth, let them know the whole truth about this monstrosity, I will guarantee you they will beat it worse than they did in California.

Here is another unlawful practice:

"Inquiry into the organizations of which an applicant for employment is a member, including organizations the name or character of which indicates the religion, race, or national origin of its members."

I presume, if they should ask me if I am a member of the Masonic lodge, I could have them jerked up and brought before this inquisition board or probably prosecuted at various places throughout the country.

Mr. Speaker, I am not criticizing the people of New York. I have long since learned in going from one State to another that real Americans are about the same everywhere. I believe if they had a vote on it the people of New York would beat it, just as they did in California.

They are having a vote on it in Michigan because a little minority group has been attempting to browbeat the Legislature of Michigan into passing it. I dare say when it goes on the ballot in Michigan and the people of Michigan understand what it means they will defeat it more thoroughly than they did in California. The same thing would happen in probably every other State in the Union.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Will the gentleman tell us what the penalties are in New York?

Mr. RANKIN. In addition to being harassed to death with orders and directives to cease, desist, rehire, and so forth, there is a punishment provided of "imprisonment in a penitentiary or county jail for not more than 1 year or by fine of not more than $500, or by both."

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

Mr. RANKIN. I yield to the gentleman from Massachusetts.

Mr. GIFFORD. I want to remind the gentleman that we have that law in Massachusetts.

Mr. RANKIN. I was afraid of that.

Mr. GIFFORD. I was thoroughly amazed when I looked into it; I had not learned what the rules were. But, perhaps we carried it too far. I am so sorry, and I have been, and I am not in favor of this, I can assure the gentleman.

Mr. RANKIN. I know the gentleman is not, and I am sure the people of Massachusetts would not favor it if they had a vote on it.

Mr. GIFFORD. Employers always inquire and must know whether you come from a respectable family or not. They are so careful. Perhaps they overdid it. But I think a man ought to be able to find out whether he came from a respectable family.

Mr. RANKIN. There are a great many questions that should be asked, which are forbidden under this law.

Mr. Speaker, in order to give the new Members an idea of what a mess this FEPC was here in Washington during its existence under Executive order, I insert a speech I made on this subject in 1945.

It reads as follows:

"FEPC A BETRAYAL OF WHITE AMERICANS

"(Speech of Hon. JOHN E. RANKIN, of Mississippi, in the House of Representatives, Thursday, July 12, 1945)

"Mr. RANKIN. Mr. Chairman, the passage of a law at this time legalizing this so-called FEPC would be a betrayal of the white people of the country. If every individual in the United States could understand just what it means, there would be such a roar of protest coming from every State in this Union that it would never see the light of day.

"If every Member of Congress would 'screw his courage to the sticking place' and vote his convictions on this so-called FEPC, it would not get 50 votes out of the entire membership of 435.

"It is a most dangerous and brazen attempt to fasten upon the white people of America the worst system of control by alien or minority racial groups that has been known since the crucifixion.

"When I read the names of the personnel of this outfit you will understand what I mean.

"To sanctify this organization by law would give the lie to everything we have told our American boys they were fighting for. Instead of coming back to liberty, freedom, and democracy, they would find themselves sold into this bondage, herded, humiliated, and regimented by alien influences directed by a foreign comintern representing the deadly doctrine of Karl Marx that is based upon hatred for Christianity and for everything that is based on Christian principles.

"It is a manifestation in legislative form of that infidelity that has closed thousands of Christian churches in Europe and been responsible for the murder of untold millions of Christian human beings.

"This measure is not directed altogether at the white people of the South. If it were, you folks in the North would not have so much ground for alarm. We in the South know how to combat subversive elements. As Henry Grady once said, we wrested the South from such domination 'when Federal drum beats rolled nearer and Federal bayonets hedged closer to the ballot box of the

South than it ever will again in this Republic.'

"But you people in the North have not had that training, and this FEPC is likely to bring grief, strife, hatred, race riots, and chaos in your northern cities if this vicious agency is perpetuated and sanctioned by your votes.

"Do not forget that the returning servicemen know what this thing means, and they are going to call you to account next year—beginning with the primary. They are not going to wait until the general election.

"Do not forget that every businessman, every farmer, every professional man, and every other independent individual whose blood glows with the instinct of American liberty, is going to join these men, and those other patriotic forces that are fighting to save American institutions for which these boys have been fighting and dying upon every battlefield in the world.

"If every man and every woman in the United States could just read the list of individuals that compose the personnel of this crazy FEPC, and its subdivisions throughout the country, I dare say there would not be enough of you left who vote for it, even if nominated in the primaries next year, to form a corporal's guard.

"For your information, and for the information of the American people generally, I am going to read you the official personnel as it exists today. Remember, this list is taken from the official record. This is the group that wants to nose into and control every business in the United States. Remember, they can search the files and records of every business establishment in America where some disgruntled individual is willing to trump up a charge of discrimination. They can drag them all over the country and try them, and in that way destroy any ordinary business concern.

"The next thing they are going to try to do is get control of your schools and force their communistic henchmen into the schools and teach your children their subversive doctrines.

"Read these lists carefully, which, as I said, are taken from the official records here in Washington, and you will see that not 1 out of 10 on these rolls is a white Gentile American.

"Here is the official list:

"Committee on Fair Employment Practice, Washington, D. C., Office of the Chairman

Incumbent	Title	Race	Salary
Ross, Malcolm	Chairman	White	$8,000
Johnson, George M.	Deputy Chairman.	Colored	8,000
Hubbard, Maceo	Hearings examiner.	do	5,600
Bloch, Emanuel	do	White	5,600
Copper, Evelyn	do	do	5,600
Berking, Max	Assistant to Chairman.	do	3,800
Alexander, Dorothy	Secretary to Chairman.	Colored	2,600
Clifton, J. Jeanne	Secretary to Deputy.	do	2,000
Brooks, Mary	Clerk-stenographer.	do	1,800
Banting, Myra	do	White	1,800

"You will note that in this office of the chairman, consisting of 10 people, there are 5 Negroes and 5 white people, most of whom have foreign names. One of the whites is a stenographer who receives the smallest salary of anyone on the list.

"Remember that the members of this group preside over the destiny of every business enterprise in America, and are using their assumed powers to harass white Americans out of business.

"This is the organization Members of Congress are being asked to perpetuate by the passage of this bill.

"FIELD OPERATIONS

"Here is the Division of Field Operations:

"Field operations

Incumbent	Title	Race	Salary
Maslow, Will	Chief	White	$6,500
Mitchell, Clarence	Principal fair-practice examiner.	Colored	5,600
Davidson, Eugene	do	do	5,600
Beall, W. Hayes	Senior fair-practice examiner.	White	4,600
Mercer, Inez	Fair-practice examiner.	do	3,800
Rogers, Eleanor	Clerk-stenographer.	Colored	1,800
Saito, Otome	do	Japanese-American.	1,800
Thompson, Mildred	do	Colored	1,800
Cornick, Emma	do	do	1,620

"You will note that it consists of nine people—five Negroes, one Japanese, and three others—two of whom have records of affiliations with Communist-front organizations, according to the reports of the Dies committee.

"Imagine this group going about over the country riding herd on the white American businessmen of the Nation, telling them whom they shall employ, whom they shall promote, and with whom they may associate.

"It would be interesting, and probably enlightening, to check up on these people and see how many of them are native-born Americans.

"Members of Congress had better do this now, before they get caught in this trap, because this question of un-American activities is going to be an issue in every congressional district next year, beginning with the primaries.

"The people are not going to wait until the general election for someone who holds a commission as a result of the pernicious activities of Sidney Hillman and his gang to wrap the party cloak about him and shout to the people of his district that 'I am a Republican' or 'I am a Democrat.'

"More than 2,000,000 young men have already been discharged in this war, and they are organizing now to try to save America for Americans. They are going to read your records, and they are likely to ask you some very embarrassing questions when you get home.

"REVIEW AND ANALYSIS DIVISION

"Now look at this list and see who reviews all these records of racial discrimination when they come to Washington, and you will understand how the editor of the Dallas News felt and how other white gentiles feel, including Cecil B. DeMille, the great American movie producer, when they are harassed out of business.

"Here is the list:

"Review and Analysis Division

Incumbent	Title	Race	Salary
Davis, John A	Chief	Colored	$5,600
Lawson, Marjorie	Research analyst.	do	3,800
Golightly, Cornelius.	Compliance analyst.	do	3,200
Hemphill, India	do	do	2,600
Coan, Carol	do	White	2,600
Davis, Joy P	do	Colored	2,600
Hoffman, Celia	Clerk-stenographer.	White	1,800
Spaulding, Joan	do	Colored	1,800

"You will note that it consists of six Negroes and two white people, one of whom is named Carol Coan and the other Celia Hoffman, a white stenographer receiving the lowest salary on the list.

"Now, if you sign the petition to bring out this bill or vote for this monstrosity, do not forget that when you get home those white American businessmen who help to sustain this Nation in time of peace and whose sons are fighting its battles in time of war are going to want to ask you some questions that you may not be able to answer.

"LEGAL DIVISION

"But if you want a real laugh, look at this Legal Division.

"Legal Division

Incumbent	Title	Race	Salary
Reeves, Frank D	Attorney	Colored	$4,600
Stickgold, Simon	do	White	4,600
Gordon, Jernevive	Clerk-stenographer.	Colored	1,800

"You will note that this so-called Legal Division consists of two Negroes and a Simon Stickgold.

"INFORMATION DIVISION

"Now we come to the Information Division. If you want information about this outfit, write to this Division:

"Information Division

Incumbent	Title	Race	Salary
Bourne, St. Clair	Information specialist.	Colored	$3,000
Whiting, Margaret	Clerk-stenographer.	do	1,800

"You will note that it consists of two Negroes, one registered as an information specialist and the other as a clerk-stenographer.

"BUDGET AND ADMINISTRATION

"Now we come to the Budget and Administration Division. This Division not only makes up the budget but administers the regulations. Here is the list:

"Budget and Administration

Incumbent	Title	Race	Salary
Jones, Theodore	Chief	Colored	$5,600
Jeter, Sinclair	Assistant administrative officer.	do	3,200
Baker, Vivian D	Clerk-stenographer.	do	2,000
Jackson, Bosales A	Clerk-typist	do	1,620
Paynter, Minnie A	do	do	1,620
Hollomon, Irving	Clerk	do	1,440
Selby, Ralph R	Chief, fiscal	do	2,600
Ross, Sylvia B	Voucher auditor	do	2,000
Nelson, Otelia	Accounting clerk	do	1,620
Carpenter, Elizabeth.	do	do	1,620
Brent, Pearl T	do	do	1,620

"This outfit, which is composed of 11 Negroes and no whites at all, not only makes up the budget for financing this aggregation, but it seems to have the power of administration. I hope you will read this list to your white businessmen, farmers, and ex-servicemen at home when you get back and ask for renomination in the primaries next year.

"MAIL AND FILES DIVISION

"Now, here are the ones that have control of the mails and filing system:

"Mail and Files

Incumbent	Title	Race	Salary
Douglas, Lela	Chief, Mail and Files.	Colored	$2,000
Welch, Selena	Docket clerk	do	1,800
Gamble, Jessie	File clerk	do	1,620
Phillips, Rose	do	do	1,440
Reed, Charles	Messenger	do	1,380
Mitchell, Regina	File clerk	do	1,440

"You will note that this division is composed entirely of Negroes—six Negroes, and no whites at all. I wonder why they discriminated against the white race in setting up these two powerful branches of this most dangerous agency?

"REGIONAL OFFICE, NEW YORK

"Now, let us turn to the regional offices and see who is going to harass the business people back in the States. Here is the list for the State of New York:

"Regional office, New York

Incumbent	Title	Race	Salary
Lawson, Edward H.	Regional director.	Colored	$5,600
Jones, Madison S.	Fair-practice examiner.	do	3,800
Jones, Robert G.	do	do	3,800
Donovan, Daniel R.	do	White	3,800
Irish, Miriam	Clerk-stenographer.	Colored	2,000
Asepha, Tillie	do	White	1,620
Schwartz, Sonia	do	do	1,620

"This is the list that is going to help Governor Dewey harass the white American businessmen of the Empire State. You will note that it is composed of four Negroes and three white people. Please read the names of the three white people and see if you can figure out their antecedents.

"Businessmen of New York are going to have a hard time after this war without having all this communistic conglomeration to deal with, to say nothing of the one which Governor Dewey and his political henchmen have now heaped upon them.

"REGIONAL OFFICE, PHILADELPHIA

"Now, let us turn to Philadelphia, the birthplace of the Constitution—the City of Brotherly Love. At the risk of causing glorious old Benjamin Franklin to turn over in his grave, I read you the list:

"Regional office, Philadelphia

Incumbent	Title	Race	Salary
Fleming, G. James	Regional director.	Colored	$5,600
Greenblatt Mildred.	Fair-practice examiner.	White	3,800
Manly, Milo A.	do	Colored	3,800
Risk, Samuel R.	do	White	3,800
Grinnage, Willard	do	Colored	3,200
Gorgas, Helen	Clerk-stenographer.	do	1,800
Klinger, Karyl	do	White	1,800
Brown, Grayce	do	Colored	1,440

"You will note that it is composed of eight individuals—five Negroes and three whites, Mildred Greenblatt, Samuel R. Risk, and Karyl Klinger.

"Don't you know there will be some brotherly love when that crowd gets going on the businessmen of the Philadelphia area?

"REGIONAL OFFICE, WASHINGTON, D. C.

"Now, here is the regional office in Washington, D. C., the Nation's Capital, where there has been so much persecution of white gentiles in the last few years. Here is the list:

"Regional office, Washington, D. C.

Incumbent	Title	Race	Salary
Evans, Joseph	Regional director.	Colored	$5,600
Houston, Theophilus.	Fair-practice examiner.	do	3,200
Kahn, Alice	do	White	2,600
Chisolm, Ruby	Clerk-stenographer.	Colored	1,800
Urback, Dorothy	do	do	1,620

"You will note it consists of four Negroes and Alice Kahn. Just what chance a white gentile will have with this group is entirely problematical, to say the least of it.

"REGIONAL OFFICE, CLEVELAND

"Now, let us move out where the West begins and take a look. Here is the list in the Cleveland regional office:

"Regional office, Cleveland

Incumbent	Title	Race	Salary
McKnight, William.	Regional director.	Colored	$4,600
Abbott, Olcott R.	Fair-practice examiner.	White	3,800
Glore, Lethia	do	Colored	3,200
Kelley, Berniza	Clerk-stenographer.	do	1,620
Wasem, Edna	do	White	1,800

"You will note that this group is composed of three Negroes and two whites, Olcott R. Abbott and Edna Wasem.

"Don't you know the white people of Cleveland will enjoy being dominated by them?

"CINCINNATI REGIONAL OFFICE

"Cincinnati seems to be largely under the jurisdiction of the Cleveland office since it only has two people:

"Cincinnati

Incumbent	Title	Race	Salary
James, Harold	Fair-practice examiner.	White	$4,600
	Clerk-stenographer.		1,800

"DETROIT REGIONAL OFFICE

"Now let us move on to Detroit, Mich. Here is the regional office for Detroit:

"Detroit

Incumbent	Title	Race	Salary
Swan, Edward	Examiner in charge.	Colored	$4,600
Sese, Doris K.	Clerk-stenographer.	Japanese-American.	1,620

"You will note that it is composed of one Negro and one Japanese. I know the businessmen of Detroit are grateful for this consideration.

"I should like to hear some of the comments they will make to you gentleman from Detroit when you get home next summer, if you support this vicious measure.

"REGIONAL OFFICE, CHICAGO

"Here is the list of the regional office in the Windy City;

"Regional office, Chicago

Incumbent	Title	Race	Salary
Henderson, Elner	Regional director.	Colored	$5,600
Gibson, Harry H. C.	Fair-practice examiner.	do	3,800
Schultz, Joy	do	White	3,800
Williams, Le Roy	do	Colored	3,200
Zeidman, Penny	Clerk-stenographer.	White	1,800
Ingram, Marguerite S.	do	Colored	1,620

"You will note it is composed of four Negroes, Joy Schultz, and Penny Zeidman. I am told that a representative of this group went into the office of Swift & Co. and asked how many Negro members they had on their board of directors. The answer was, 'We have no Negro members on our board of directors.' Then the question came back, 'Why haven't you?' This just shows what this supergovernmental set-up is driving at. They want to communize America and destroy everything which our glorious ancestors have left us and for which our boys are now fighting and dying all over the world.

"REGIONAL OFFICE, ATLANTA

"Here is a list of the Atlanta office:

"Regional office, Atlanta

Incumbent	Title	Race	Salary
Dodge, Witherspoon.	Regional director.	White	$4,600
Hope, John	Fair-practice exmainer.	Colored	3,800
McKay, George D.	do	White	3,200
Chubb, Sally	Clerk-stenographer.	do	2,000
Ingram, Thelma	do	Colored	1,800

"You will note that it consists of two Negroes and three whites; the most important post in this office, that of examiner, is held by a Negro. I wonder how the people of Georgia enjoy the domination of this group. I may have more to say about them later.

"REGIONAL OFFICE, KANSAS CITY

"Here is the list of the Kansas City office:

"Regional office, Kansas City

Incumbent	Title	Race	Salary
Hoglund, Roy A.	Regional director.	White	$5,600
Ormabee, Eugene	Fair-practice examiner.	do	3,800
Jones, Mildred	Clerk-stenographer.	Colored	1,620
Schlien, Helene G.	do	White	1,620

"You will note that this office force consists of three whites and one Negro. You can read the lists of whites yourself and then judge how many of them really represent the people of that area.

"ST. LOUIS REGIONAL OFFICE

"Here is the list of the regional office at St. Louis:

"St. Louis

Incumbent	Title	Race	Salary
Theodore Brown	Examiner in charge.	Colored	$3,800
Morris Levine	Examiner	White	3,200
Armatha Jackson	Clerk-stenographer.	Colored	1,620

"You will notice that it consists of two Negroes and Morris Levine. Just how they came to select these particular individuals to preside over the destiny of the white businessmen of the great State of Missouri I cannot understand.

"REGIONAL OFFICE, DALLAS, TEX.

"The members of the regional office at Dallas are as follows:

"Regional office, Dallas

Incumbent	Title	Race	Salary
Castenada, Carlos	Regional director.	White	$4,600
(Vacancy)	Fair-practice examiner.		3,200
Gutleben, Willetta	Clerk-stenographer.	White	1,800

"You will note there is one vacancy. Last year that position was held by a Negro, namely, Roy V. Williams. The other two members, Carlos Castenada, the regional director, and Willetta Gutleben seem to be in charge of the office at the present time. This

is the regional office that attacked the Dallas News last year for carrying an advertisement for a Negro janitor. This fellow Castenada, the director, held the same position that he holds now. If this set-up is made permanent, then I presume the rest of the white American businessmen in Texas may expect to be harassed just as the Dallas News was.

"REGIONAL OFFICE, NEW ORLEANS

"The regional office at New Orleans consists of the following members:

"Regional office, New Orleans

Incumbent	Title	Race	Salary
Ellinger, W. Don	Regional director.	White	$3,800
Morton, James H.	Fair-practice examiner.	Colored	3,200
Ronning, Evelyn	Clerk-stenographer.	White	1,800

"You will note that there are two whites and one Negro in this office. As the Negro is the fair-practice examiner, just what the decent people of Louisiana may expect at the hands of this outfit is something to contemplate.

"REGIONAL OFFICE, SAN FRANCISCO

"The San Francisco office consists of the following individuals:

"Regional office, San Francisco

Incumbent	Title	Race	Salary
Kingman, Harry L.	Regional director.	White	$5,600
Rutledge, Edward	Fair-practice examiner.	do	4,600
Ross, Bernard	do	do	3,800
Seymour, Virginia	Administrative assistant.	do	2,000
Mazen, Jewel	Clerk-stenographer.	do	1,800

"This is the only office we have found yet that consists entirely of white (?) people. Just what the background of each one of them is I am unable to say.

"LOS ANGELES REGIONAL OFFICE

"The Los Angeles regional office consists of the following:

"Los Angeles

Incumbent	Title	Race	Salary
Hunt, A. Bruce	Hearings examiner.	White	$5,600
Brown, Robert E.	Fair-practice examiner.	Colored	3,600
Lopez, Ignacio	do	White	3,800
Vetter, Vera G.	Clerk-stenographer.	do	1,800
Lerna, Marie	do	do	1,620

"You will note that there are four whites and one Negro in this office, the Negro being the fair-practice examiner. I do not know what consideration the white businessmen of the Los Angeles area are receiving at the hands of this group, but from what I can hear there is considerable gnashing of teeth over the situation.

"Mr. Chairman, this FEPC is a supergovernment of commissars, with more power for evil than any other agency that has ever been created in this country. If Congress should ratify it and make it the law of the land, then we will have sacrified and destroyed that sacred freedom for which our brave men are now fighting and dying on every battlefront in the world.

"We have no right to pass such a drastic, revolutionary measure that literally changes our way of life, as well as our form of government, while these boys are away from home in uniform, fighting to sustain American institutions.

"As I said before, we are going to carry this battle against such un-American activities into every congressional district in the United States next year, in the primary, so that no one can crawl behind the party cloak and claim immunity at the hands of any segment of our people.

"This is a battle for the survival of free constitutional government, for the survival of the American way of life, for the survival of free enterprise, for the survival of American liberty itself.

"It is a battle to save America for Americans."

POLL TAXES

Mr. GAMBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 29) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

CALL OF THE HOUSE

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

The SPEAKER. Obviously, a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 125]

Andresen, August H.	Fuller	Lodge
Angell	Gallagher	Ludlow
Bell	Gary	McGarvey
Bennett, Mich.	Gifford	Macy
Bland	Hall, Edwin Arthur	Mason
Bloom	Hall, Leonard W.	Merrow
Boggs, La.	Hart	Miller, Conn.
Boykin	Hartley	Mitchell
Bulwinkle	Hays	Morgan
Case, N. J.	Hébert	Murray, Tenn.
Case, S. Dak.	Hendricks	O'Hara
Chiperfield	Jarman	Pfeifer
Clements	Jenkins, Pa.	Powell
Clippinger	Johnson, Tex.	Richards
Cole, Mo.	Jonkman	Sadowski
Coudert	Kee	Sarbacher
Courtney	Kelley	Sheppard
Dingell	Kennedy	Smith, Ohio
Domengeaux	Landis	Thomas, N. J.
Eaton	Lesinski	Vinson
Fellows	Lewis	Zimmerman
Flannagan		

The SPEAKER. On this roll call 367 Members have answered to their names, a quorum.

Mr. HALLECK. Mr. Speaker, I move that further proceedings under the call be dispensed with.

Mr. RANKIN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the motion offered by the gentleman from Indiana [Mr. HALLECK].

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 204, nays 47.

So the motion was agreed to.

POLL TAXES

The SPEAKER. The Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the requirement that a poll tax be paid as a prerequisite to voting or registering to vote at primaries or other elections for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, is not and shall not be deemed a qualification of voters or electors voting or registering to vote at primaries or other elections for said officers, within the meaning of the Constitution, but is and shall be deemed an interference with the manner of holding primaries and other elections for said national officers and a tax upon the right or privilege of voting for said national officers.

SEC. 2. It shall be unlawful for any State, municipality, or other government or governmental subdivision to prevent any person from voting or registering to vote in any primary or other election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, on the ground that such person has not paid a poll tax, and any such requirement shall be invalid and void insofar as it purports to disqualify any person otherwise qualified to vote in such primary or other election. No State, municipality, or other government or governmental subdivision shall levy a poll tax or any other tax on the right or privilege of voting in such primary or other election, and any such tax shall be invalid and void insofar as it purports to disqualify any person otherwise qualified from voting at such primary or other election.

SEC. 3. It shall be unlawful for any State, municipality, or other government or governmental subdivision to interfere with the manner of selecting persons for national office by requiring the payment of a poll tax as a prerequisite for voting or registering to vote in any primary or other election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, and any such requirement shall be invalid and void.

SEC. 4. It shall be unlawful for any person, whether or not acting under the cover of authority of the laws of any State or subdivision thereof, to require the payment of a poll tax as a prerequisite for voting or registering to vote in any primary or other election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives.

Mr. RANKIN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, I make the point of order against the bill that it violates the Constitution of the United States and that the Congress has no right to pass such legislation, and I should like to be heard on the point of order.

The SPEAKER. The Chair will hear the gentleman from Mississippi briefly on the point of order.

Mr. RANKIN. Mr. Speaker, in the trying days through which we are passing, to bring up a bill of this kind, in a cheap political gesture to try to override the Constitution of the United States, is certainly reminiscent of Nero's fiddling while Rome burned.

Just remember that this is just the opening wedge to interfere with the election laws in every State in the Union.

Today every effort is being made to destroy the Constitution by the people who hate our form of government. Let us see what section 2 of the Constitution provides:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States—

Not by the Congress, but by the people of the several States. Section 2 further provides—

and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

This proposed law flies right in the face of that provision of the Constitution, just as the so-called Federal ballot did 2 years ago, against which I successfully led the fight in this House to protect your States and mine from such an invasion as this you provide here.

You attempt to provide one method for electing Members of Congress and one qualification for voters for Members of Congress and the Senate, whereas the Constitution of the United States states, "and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature."

This is not a new question. If you will go back to the nineties you will find that when the Constitution of my State was before the Senate, when the Senate contained some of the ablest minds that body has ever had, Senator James F. George of my State took the election laws of every State in the Union and analyzed them and showed where those who opposed recognizing the Constitution of Mississippi were planting dynamite under the State governments throughout the country.

There is not a man in this House who votes for this law, and who can read the Constitution of the United States, who does not know that he is voting right in the face of that Constitution.

Oh, I get this Communist propaganda every day from the CIO-PAC, that fought me in the primary and went out and gathered money from the Reds in New York and sent it into my district for that purpose. Of course, they are for this measure. It is one of the planks in the Communist platform.

The same Reds who gathered money and sent it into your districts to fight you with want to get rid of this Constitution entirely. Do you want to uphold the Constitution or do you just want to make a feeble gesture that will make you look ridiculous in the eyes of the people of the United States from now on?

If you are going to change any law, the thing you should do would be to adopt an amendment to the Constitution, and not attempt in this way to override that sacred document, that today Americans are praying to God we do not permit our enemies to destroy. As I said, this is but the opening wedge. There will be other laws to follow. I saw the danger 2 years ago when they attempted to take over your election machinery, and I led the fight here, the hardest fight they ever had since I have been in Congress, and won it, to hold the election machinery in the hands of the people of the various States.

Now, you come in with this vicious measure, right in the face of the Constitution, Mr. Speaker, and I submit that the Congress under the Constitution has no right to consider a bill which would destroy that or any other provision of the Constitution.

I submit, Mr. Speaker, that this bill is not legally before the House, and that my point of order should be sustained.

The SPEAKER. The Chair is ready to rule. The bill is properly before the House. It is not within the jurisdiction of the Chair to determine what is constitutional and what is not constitutional. The point of order is overruled.

Is a second demanded?

Mr. PICKETT. Mr. Speaker, I demand a second.

Mr. GAMBLE. 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?

Mr. RANKIN. Mr. Speaker, I object.

The SPEAKER. The question is on seconding the motion to suspend the rules and pass the bill as read.

The Speaker appointed as tellers the gentleman from New York [Mr. GAMBLE] and the gentleman from Texas [Mr. PICKETT].

The House divided; and the tellers reported there were—ayes 133, noes 70.

So a second was ordered.

The SPEAKER. The gentleman from New York [Mr. GAMBLE] is recognized for 20 minutes, and the gentleman from Texas [Mr. PICKETT] will be recognized for 20 minutes.

Mr. GAMBLE. Mr. Speaker, I yield myself 3 minutes.

MOTION TO ADJOURN

Mr. PICKETT. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. PICKETT) there were—ayes 42, noes 261.

Mr. PICKETT. Mr. Speaker, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. GAMBLE and Mr. PICKETT.

The House again divided; and the tellers reported that there were—ayes 51, noes 149.

Mr. PICKETT. Mr. Speaker, on that, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 85, nays 299, not voting 46, as follows:

[Roll No. 126]

YEAS—85

Abernethy
Allen, La.
Almond
Andrews, Ala.
Barden
Bates, Ky.
Battle
Beckworth
Bonner
Brooks
Brown, Ga.
Bryson
Bulwinkle
Burleson
Camp
Chapman
Colmer
Combs
Cooley
Cooper
Cox
Cravens
Davis, Ga.
Davis, Tenn.
Dorn
Doughton
Drewry
Durham
Evins
Fisher
Flannagan
Folger
Gary
Gathings
Gossett
Grant, Ala.
Gregory
Hardy
Harris
Harrison
Hobbs
Jarman
Jones, Ala.
Jones, N. C.
Kerr
Kilday
Lanham
Larcade
Lucas
Lyle
Mahon
Manasco
Mills
Morrison
Murray, Tenn.
Norrell
Pace
Passman
Patman
Peden
Peterson
Pickett
Poage
Preston
Price, Fla.
Rains
Rankin
Richards
Riley
Rivers
Rogers, Fla.
Sikes
Smith, Va.
Stanley
Teague
Trimble
West
Wheeler
Whitten
Whittington
Williams
Wilson, Tex.
Winstead
Wood
Worley

NAYS—299

Albert
Allen, Calif.
Allen, Ill.
Andersen, H. Carl
Anderson, Calif.
Andresen, August H.
Andrews, N. Y.
Arends
Arnold
Auchincloss
Bakewell
Banta
Barrett
Bates, Mass.
Beall
Bender
Bennett, Mich.
Bennett, Mo.
Bishop
Blackney
Blatnik
Boggs, Del.
Boggs, La.
Bolton
Bradley
Bramblett
Brehm
Brophy
Brown, Ohio
Buchanan
Buck
Buckley
Buffett
Burke
Busbey
Butler
Byrne, N. Y.
Byrnes, Wis.
Canfield
Cannon
Carroll
Carson
Case, N. J.
Case, S. Dak.
Celler
Chadwick
Chelf
Chenoweth
Church
Clark
Clason
Clevenger
Coffin
Cole, Kans.
Cole, N. Y.
Corbett
Cotton
Coudert
Crosser
Crow
Cunningham
Curtis
Dague
Davis, Wis.
Dawson, Ill.
Dawson, Utah
Deane
Delaney
Devitt
D'Ewart
Dirksen
Dolliver
Dondero
Donohue
Douglas
Eberharter
Elliott
Ellis
Ellsworth
Elsaesser
Elston
Engel, Mich.
Engle, Calif.
Fallon
Feighan
Fellows
Fenton
Fernandez
Fletcher
Fogarty
Foote
Forand
Fulton
Gamble
Gavin
Gearhart
Gillette
Gillie
Goff
Goodwin
Gordon
Gore
Gorski
Graham
Grant, Ind.
Griffiths
Gross
Gwinn, N. Y.
Gwynne, Iowa
Hagen
Hale
Hall, Leonard W.
Halleck
Hand
Harless, Ariz.
Harness, Ind.
Havenner
Hedrick
Heffernan
Hendricks
Herter
Heselton
Hess
Hill
Hinshaw
Hoeven
Hoffman
Holifield
Holmes
Hope
Horan
Howell
Huber
Hull
Jackson, Calif.
Jackson, Wash.
Javits
Jenison
Jenkins, Ohio
Jennings
Jensen
Johnson, Calif.
Johnson, Ill.
Johnson, Ind.
Johnson, Okla.
Jones, Wash.
Jonkman
Judd
Karsten, Mo.
Kean
Kearney
Kearns
Keating
Keefe
Kefauver
Kennedy
Keogh
Kersten, Wis.
Kilburn
King
Kirwan
Klein
Knutson
Kunkel
Landis
Lane
Latham
Lea
LeCompte
LeFevre
Lemke
Lesinski
Lodge
Love
Lusk
Lynch
McConnell
McCormack
McCowen
McDonough
McDowell
McGregor
McMahon
McMillen, Ill.
Mack
MacKinnon
Madden
Maloney
Mansfield
Marcantonio
Martin, Iowa
Mathews
Meade, Ky.
Meade, Md.
Merrow
Meyer
Michener
Miller, Calif.
Miller, Conn.
Miller, Md.
Miller, Nebr.
Monroney
Morgan
Morris
Morton
Muhlenberg
Mundt
Murdock
Murray, Wis.
Nixon
Nodar
Norblad
Norton
O'Brien
O'Konski
O'Toole
Owens
Patterson
Philbin
Phillips, Calif.
Phillips, Tenn.
Ploeser
Plumley
Potts
Poulson
Price, Ill.
Priest
Rabin
Ramey
Rayfiel
Redden
Reed, Ill.
Reed, N. Y.
Rees
Reeves
Rich
Riehlman
Rizley
Robertson
Robsion
Rockwell
Rogers, Mass.
Rohrbough
Rooney
Ross
Russell
Sabath
Sadlak
St. George
Sanborn
Sasscer
Schwabe, Mo.
Schwabe, Okla.
Scoblick
Scott, Hardie
Scott, Hugh D., Jr.
Scrivner
Seely-Brown
Shafer
Short
Simpson, Ill.
Simpson, Pa.
Smathers
Smith, Kans.
Smith, Maine
Smith, Wis.
Snyder
Somers
Spence
Springer
Stefan
Stevenson
Stigler
Stockman
Stratton
Sundstrom
Taber
Talle
Taylor
Thomas, N. J.
Thomas, Tex.
Tibbott
Tollefson
Towe
Twyman
Vail
Vorys
Vursell
Wadsworth
Walter
Weichel
Welch
Wigglesworth
Wilson, Ind.
Wolcott
Wolverton
Woodruff
Youngblood
Zimmerman

NOT VOTING—46

Angell
Bell
Bland
Bloom
Boykin
Chiperfield
Clements
Clippinger
Cole, Mo.
Courtney
Crawford
Dingell
Domengeaux
Eaton
Fuller
Gallagher
Gifford
Granger
Hall, Edwin Arthur
Hart
Hartley
Hays
Hébert
Jenkins, Pa.
Johnson, Tex.
Jones, Ohio

Kee	Mason	Sarbacher
Kelley	Mitchell	Sheppard
Lewis	O'Hara	Smith, Ohio
Ludlow	Pfeifer	Thomason
McGarvey	Powell	Van Zandt
McMillan, S. C.	Rayburn	Vinson
Macy	Sadowski	

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Vinson for, with Mr. McGarvey against.
Mr. Hébert for, with Mr. Gallagher against.
Mr. Domengeaux for, with Mr. Gifford against.
Mr. Bland for, with Mr. Dingell against.
Mr. Johnson of Texas for, with Mr. Hart against.
Mr. McMillan of South Carolina for, with Mr. Pfeifer against.
Mr. Bell for, with Mr. Sarbacher against.
Mr. Courtney for, with Mr. Kelley against.
Mr. Boykin for, with Mr. Sadowski against.

General pairs until further notice:

Mr. Angell with Mr. Thomason.
Mr. Hartley with Mr. Granger.
Mr. Jenkins of Pennsylvania with Mr. Clements.
Mr. Cole of Missouri with Mr. Powell.
Mr. Eaton with Mr. Hays.
Mr. Macy with Mr. Kee.
Mr. Mitchell with Mr. Bloom.
Mr. Smith of Ohio with Mr. Ludlow.

The result of the vote was announced as above recorded.

The SPEAKER. The gentleman from New York [Mr. GAMBLE] is recognized.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. Mr. Speaker, I notice there is a message here from the President. Do we not receive them when they come in?

The SPEAKER. The Chair was about to suspend for a moment to receive a message.

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 18, 1947, the President approved and signed a bill and joint resolution of the House of the following titles:

H. R. 3493. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes; and

H. J. Res. 233. Joint resolution authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

POLL TAXES

Mr. RANKIN. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. The gentleman's point of order is dilatory. That is obvious to all Members.

Mr. GAMBLE. Mr. Speaker, this bill makes unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers. It has been debated and passed by the House on three occasions on roll-call votes—to wit, in the Seventy-seventh, the Seventy-eighth, and the Seventy-ninth Congresses.

It has never been passed in the other body.

The bill has been debated at such length that I do not believe it will be necessary to go into it in detail. It merely makes unlawful certain practices in poll-tax States, as the title of the bill states. For several weeks the Subcommittee on Elections of the Committee on House Administration has held hearings on the bills H. R. 29, 7, 66, 225, 230, 779, and 1435, which were considered jointly by the subcommittee. H. R. 29, as I have stated, makes unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary, general, or other election for national officers.

The Subcommittee on Elections reported H. R. 29 favorably to the Committee on House Administration, which committee favorably reported the bill to the House and a majority of the Members concurred in the report.

The proponents and opponents of the measure have been fully heard, many of whom are Members of the Eightieth Congress.

I hope that the bill will be enacted by the House.

Mr. PICKETT. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am not persuaded this morning that anything I say will change a single vote or convince a single Member of this House of the error of his ways if he now intends to support this bill. There are a few things in connection with this transaction, though, the Members of the House are entitled to know about as some evidence of the justification we have had this morning for displaying to the membership here that we do not intend to be run over roughshod in the passage of a piece of legislation which is as unconstitutional as anything that has ever been offered in this House.

The hearings on this bill started on July 1. They continued at proper times and intervals for several days, and several witnesses were heard, most of them being for the bill. There were 11 witnesses who testified for it and 19 statements introduced in behalf of the measure. In the course of that time, and in deference to some of those, who for convenience sake could not attend the hearings from day to day and testify in opposition to it, there were two witnesses who testified against the bill prior to the date of July 14 and 15. On July 14 and 15 only 3 of the 15 Members of the House who had expressed a desire to do so had an opportunity to appear against the bill. Now, on July 13 it became necessary for me to go to Texas on a matter that I thought was an honor to be designated to attend. On Friday before that there was no indication of any character that the hearings were going to be closed. I received a telegram in New Orleans on Monday night, July 14, while en route to Texas, advising me that the subcommittee on that date had voted to close the hearings on July 15.

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

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

Mr. WILLIAMS. Will the gentleman tell the House why he was gone? Is it not a fact that he was accompanying Judge Mansfield's remains to the State of Texas?

Mr. PICKETT. Yes; that is true. I was designated as one of those to attend the funeral of Judge Mansfield in Texas.

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

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

Mr. ABERNETHY. The hearings were closed on Monday, July 14, were they not?

Mr. PICKETT. The hearings were actually closed on Tuesday, July 15.

Mr. ABERNETHY. And at that time the gentleman, who is the ranking minority member of the subcommittee, was attending the funeral of our deceased colleague, Judge Mansfield, in Texas.

Mr. PICKETT. Correct.

Mr. ABERNETHY. Is that the kind of treatment and consideration that our Republican friends deal out in your committee?

Mr. PICKETT. Well, that is the kind of treatment we got in this instance. Now, then, immediately upon receiving notice that the hearings were going to close I dispatched a telegram to one of the officials of this House requesting that the hearings be continued at least until I could get back here and make my own statement before that subcommittee in opposition to this bill. When I got back here, on Wednesday morning, July 16, I found that the hearings had been closed, as scheduled, the day before, and we proceeded to consider this matter in executive session of the full committee. Although incidental matters were taken up first, a motion was made to bring this bill out, and when it was properly seconded I got the floor to speak in opposition to it before the full committee. Right in the middle of my statement in opposition to this bill a motion for the previous question was made, and I could not proceed one word further in speaking in opposition to it.

Mr. ABERNETHY. Did I understand the gentleman to say that he received a telegram while in New Orleans en route to the funeral of Judge Mansfield to the effect that the hearings would be closed while the gentleman was away?

Mr. PICKETT. Correct.

Mr. ABERNETHY. Would the gentleman inform the House who dispatched that telegram?

Mr. PICKETT. A member of the subcommittee, the gentleman from Virginia [Mr. HARRISON].

Mr. ABERNETHY. Did the gentleman wire back and ask that the hearings be continued further?

Mr. PICKETT. I did. I wired the Speaker of the House.

Mr. ABERNETHY. Did the gentleman receive a reply to that?

Mr. PICKETT. I did not. The reply received came from the committee when I attended that next meeting, July 16, and found out that the hearings had been closed.

Mr. ABERNETHY. Would the gentleman make those telegrams a part of the RECORD?

Mr. PICKETT. I will be happy to do so if it is of importance to the gentleman from Mississippi or any other Member of the House. The gentleman is speaking of the telegram I received from the gentleman from Virginia [Mr. HARRISON]?

Mr. ABERNETHY. The series of telegrams.

Mr. PICKETT. Mr. Speaker, I ask unanimous consent——

The SPEAKER. The Chair will refuse to entertain any unanimous-consent requests until after the vote on this bill.

Mr. RANKIN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. That is the most unusual ruling that I have ever heard of, to shut us off——

The SPEAKER. That is the ruling of the Chair.

Mr. RANKIN. From putting material in the RECORD.

The SPEAKER. The Chair is perfectly willing to have the material put in the RECORD, and the gentleman should so put the request immediately after the vote.

The time of the gentleman from Texas has expired.

Mr. PICKETT. Mr. Speaker, I yield myself five additional minutes.

There are just one or two things I want to say further, that I tried every day from Wednesday, July 16, to find out when this bill was going to be brought up, and under what circumstances, and I could not find out until after the bells had rung this morning. Many of you gentlemen who want to vote for this piece of legislation and who are going to vote for it agree with me on the law of the proposition and on the unconstitutionality of it. I know that to be true. I think that nearly every lawyer in this House who is worthy of his name, title, and hire knows that this is not a constitutional proposal for Congress to pass. I cite the case of Breedlove against Suttles, decided by the United States Supreme Court, as authority for my contention. Likewise I cite the case of Pirtle against Brown, which followed the Breedlove case. In the latter case, Pirtle against Brown, writ of certiorari was denied by the Supreme Court of the United States after the Classic case, which so many of you want to rely on as authority for the constitutionality of this legislation, was decided. You do not have any constitutional basis upon which to pass this legislation in the House.

I care not who they be; there may be some misguided zealots who prefer this legislation and think it is constitutional and proper. I do not decry the sincerity of any man who does, but I say that at least 60 or 65 percent of the membership here know it is not proper legislation and know it is not constitutional legislation, yet you are going to vote for it for political purposes, whether it be party politics or personal politics.

Under leave to extend my remarks at the point in the RECORD where I spoke in opposition to H. R. 29, I desire to make this further statement.

This bill was considered in the House under a motion to suspend the rules. The result was that the only time to debate the bill was 40 minutes which the rules of the House allow under such a motion. The RECORD reveals that I demanded a second to the motion to suspend the rules in order to insure that half of the 40 minutes would be in control of the opponents of the bill. Twenty minutes of time is entirely inadequate in which to discuss with reasonable clarity any phase of a piece of legislation of such import as H. R. 29, even if one Member took all of the time. Notwithstanding, I endeavored to make a brief statement outlining the circumstances under which the bill was heard, considered, and reported out of committee express my opposition to the bill and have time remaining for other Members opposed to the measure to voice their convictions.

I think a further clarification of the circumstances surrounding the lack of careful consideration of the measure would be enlightening. Hearings were held on July 1, 2, 3, 7, 8, 10, 11, 14, and 15. Eleven persons appeared and testified for the bill, and 19 statements endorsing it were inserted in the record of the hearings at the request of the persons tendering them. Only five witnesses were able to appear and testify in opposition to the bill. Those five included a gentleman from New York, a gentleman from Baltimore, and three Members of Congress.

It is my recollection that only one of the persons appearing to testify in behalf of the bill attempted to justify the constitutionality of the proposal by citation of any court decisions to sustain his contentions. To demonstrate how little heed should be paid to his judgment on such a question and demonstrate his almost hysterical viewpoint on the subject, I quote the following testimony he gave:

I found from the statistics that the State of Virginia, that gave this Nation its freedom and led the fight for democracy in the world, now occupies the position that we are the forty-second from the top in education; that is, we have more illiteracy and ignorance than any other States except those below us—there are six of them.

When I found out the State of Virginia was the fifth State from the top in tuberculosis and leads the Nation in syphilis, and leads the Nation in turn-downs of prospective inductees in the last war, and, according to the FBI report, we lead the Nation in major crimes, I made an examination to find out what was wrong with the State of Virginia.

I concluded it was predicated upon the poll tax.

Mr. PICKETT. Would the gentleman yield?

Do you mean to say all of these things that you find in the statistics about Virginia that are bad are a direct result of the poll tax?

A careful analysis of the statement by our colleague the gentleman from Alabama [Mr. HOBBS] would demonstrate clearly to any fair-minded person the unconstitutionality of the bill H. R. 29, and I refer those interested to Mr. HOBBS' statement in the hearings on the bill when they become available.

It was my purpose, had I been accorded an opportunity to do so, to have presented an argument against the constitutionality of congressional legislation to abrogate the poll tax as a prerequisite to voting. In my opinion, it is entirely for the citizens of the seven States who now require a poll tax as a prerequisite to voting to pass on that matter as a State question. It is not a matter that the Congress ought to act upon even if it had the constitutional right to do so.

I wish to call to the attention of those interested that the majority report to accompany H. R. 29 wholly fails to touch on the question. I dispute the statements contained in that report that "The proponents and opponents of the measure have been fully heard, many of whom are Members of the Eightieth Congress," and refer to the statement hereinabove made relative to that matter. A copy of the majority report is as follows:

POLL TAXES

Mr. GAMBLE, from the Committee on House Administration, submitted the following report:

The Committee on House Administration, to whom was referred the bill (H. R. 29) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

GENERAL STATEMENT

For several weeks the Subcommittee on Elections of the Committee on House Administration has held hearings on the bills H. R. 29, H. R. 7, H. R. 66, H. R. 225, H. R. 230, H. R. 779, and H. R. 1435, which were considered jointly by the subcommittee. H. R. 29 makes unlawful the requirement of the payment of a poll tax as a prerequisite to voting in a primary or a general or other elections for national officers. The committee, having considered the same, reports favorably thereon and recommends that the bill do pass.

The Subcommittee on Elections, to which H. R. 29 was referred by the Committee on House Administration, reported it favorably to the full Committee on House Administration, the majority of whom have concurred in this report. The proponents and opponents of the measure have been fully heard, many of whom are Members of the Eightieth Congress.

A copy of the minority views follows:

POLL TAXES

Mr. PICKETT, from the Committee on House Administration, submitted the following minority views:

We, the undersigned members of the Committee on House Administration, are opposed to the passage of H. R. 29.

Legislation making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers is unconstitutional.

Article I, section 2, of the Constitution states:

"The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for electors of the most numerous branch of the State legislature."

In construing that section we have only to look to the intent of the framers of the Constitution and the court decisions to resolve the question.

The Madison papers reveal that different contentions were made in the Constitutional Convention in respect to a constitutional requirement for qualifications of electors. One proposal was that a uniform qualification be prescribed in the Constitution itself and the right of suffrage be vested in freeholders only; and the proponents of this limitation on franchise objected to making the question of qualifications dependent on the will

of the States. A second proposal was that the power to prescribe qualifications of electors be vested in Congress itself. A third proposal was that the Constitution should prescribe a uniform rule of qualifications for electors in all the States and that they be the qualifications such as the respective States prescribed for their own people. Those first two propositions were opposed by members who argued that the right of suffrage was a tender point and strongly guarded by most of the State constitutions; that any change of the existing systems in the several States by the National Constitution might result in its disapproval. It was also noted that a disagreeable situation might arise if electors of the State legislatures and Congress were not the same. The proposals that the right of a suffrage be vested in freeholders or the power to prescribe the qualifications be vested in Congress were rejected, and questions of property as well as other qualifications were left to the States as contended by the proponents of the third proposal. Mr. Hamilton, in the Federalist, wrote:

"To have reduced the different qualifications in the different States to one uniform rule, would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State; because it is conformable to the standard already established, or which may be established, by the State itself."

It appears conclusive, therefore, that it was the intention of the founders of this Government under its present Constitution to leave it to the several States to prescribe the qualifications requisite to the exercise of the voting privilege.

In our study of the constitutionality of Federal legislation to abolish the poll tax we have discovered no case, nor have we been cited to one, in which the Supreme Court of the United States has sustained the proposition that Congress has a right to legislate on the subject. On the contrary, there are two cases directly in point which sustain the proposition that the States have the right to levy and collect a poll tax as a prerequisite to voting. The case of *Breedlove* v. *Suttles*, originating in the State of Georgia, was decided by the United States Supreme Court in 1937 and is reported in 302 United States, 277. In that case the complaining party sought to be registered for voting for Federal and State officers at primary and general elections. He was admittedly qualified except for the fact he had neither made poll-tax returns nor paid any poll taxes and had not registered to vote because a receipt for poll taxes and an oath that he had paid them are prerequisites to registration. Mr. Justice Butler, speaking for the Court, wrote as follows:

"Payment as a prerequisite is not required for the purpose of denying or abridging the privilege of voting. It does not limit the tax to electors; aliens are not there permitted to vote, but the tax is laid upon them, if within the defined class. It is not laid upon persons 60 or more years old, whether electors or not. Exaction of payment before registration undoubtedly serves to aid collection from electors desiring to vote, but that use of the State's power is not prevented by the Federal Constitution." [Citing cases.]

Again, Justice Butler wrote:

"To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the fourteenth amendment. Privilege of voting is not derived from the United States but is conferred by the State, and, save as restrained by the fifteenth and nineteenth amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate." [Citing cases.]

Further, the Justice wrote:

"The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources." [Citing cases.]

In the concluding paragraph of the opinion these words are used:

"The payment of poll taxes as a prerequisite to voting is a familiar and reasonable regulation long enforced in many States and for more than a century in Georgia. That measure reasonably may be deemed essential to that form of levy. Imposition without enforcement would be futile. Power to levy and power to collect are equally necessary. And, by the exaction of payment before registration, the right to vote is neither denied nor abridged on account of sex. It is fanciful to suggest that the Georgia law is a mere disguise under which to deny or abridge the right of men to vote on account of their sex."

The case of *Pirtle* v. *Brown*, reported in 118 Federal, second series, by the Circuit Court of Appeals, Sixth Circuit, decided in 1941, followed the principles of law in the Breedlove case. A writ of certiorari was denied by the United States Supreme Court. In that case the complaining party possessed all of the qualifications required by the laws of Tennessee to entitled him to vote at a special election to fill a vacancy in the House of Representatives of the United States, except that he had not paid his poll tax. For that reason, the election judges declined to allow him to vote. The opinion states:

"The question is, whether the constitution and statutes of Tennessee, which make the payment of a poll tax a condition precedent to the right to vote for Members of Congress, are repugnant to any provisions of the Constitution of the United States."

From the Court's opinion denying the complaining party the relief sought, we quote:

"But, in any event, we are not dealing with the question whether the payment of poll tax as a prerequisite to voting violates some natural right or fancied political right. The inquiry is, whether such provision denied any privileges or immunities protected by the Federal Constitution. We have already seen that article I, section 2, of the Constitution of the United States guarantees to the elector for Members of Congress no other privileges than those accorded him by the State as an elector for the most numerous branch of the State legislature. But appellant goes beyond this. He urges that the quoted provision of article IV, section 1, of the Constitution of Tennessee, and section 2027 of the code violates the "privileges and immunities" clause of the fourteenth amendment; that his right to vote for a Member of Congress is not taxable, regardless of whether the amount tax imposed is trifling or substantial. We need not labor the point. It has been conclusively decided against appellant in *Breedlove* v. *Suttles*, * * *." [Referring to volume and page.]

And the Court there proceeded to quote the language of the Breedlove case as hereinabove set forth.

No case directly in point has subsequently been decided by the Supreme Court. Some of the proponents of Federal legislation on the poll-tax qustion claim that the decision in *United States* v. *Classic* (313 U. S., p. 299) sustains their position. It is obviously not such a decision. The language of the opinion used in support of such a contention is nothing but dictum. Certainly, the point at issue in the Classic case was not at all the same as the point at issue in the Breedlove and Pirtle cases.

In view of the above-cited authorities, it would be but to belabor the point to proceed further with references to the numerous authorities which sustain our position in opposition to H. R. 29. To argue any other issues that may be raised by the proponents of H. R. 29 would be but to compound the confusion with which they seek to surround the question. We reiterate our unalterable opposition to Federal legislation to abolish the poll tax as an unwarranted assumption of legislative power not granted in the Constitution.

TOM PICKETT.
THOS. B. STANLEY.
BURR P. HARRISON.
OTTO E. PASSMAN.
OMAR BURLESON.
JOHN BELL WILLIAMS.

In addition to the fact that complete hearings were not held on the bill, the statement of the majority in its report to the contrary notwithstanding, those of us opposed to H. R. 29 were not able, because of a premature closing of the hearings, to interrogate some of the witnesses who testified for the bill, despite the fact that in each instance where it was anticipated we would desire to do so we requested that privilege and the committee agreed it should be ours.

The RECORD reveals the necessity for my absence from the subcommittee hearings on July 14 and 15 and the reason therefor. At this point I insert a copy of the telegram received by me in New Orleans on the night of July 14 from the gentleman from Virginia, Congressman HARRISON, a member of the subcommittee, advising me the subcommittee had that day voted to close the hearings. It is as follows:

Hon. TOM PICKETT,
Member of Congress With Congressional Delegation Mansfield Funeral, Care Conductor, Train No. 36, Southern Railway, Arriving 8:25 Central Standard Time New Orleans:

Committee voted today to close poll-tax hearings tomorrow. Full committee acts Wednesday. I protested because your absence. GAMBLE said MARTIN directs closing anyway. If you wish to be heard before hearings closed, suggest protest to GAMBLE or MARTIN.

BURR P. HARRISON,
Member of Congress.

At this point I insert a copy of the telegram to the Speaker of the House which I sent that night in response to the one received from the gentleman from Virginia [Mr. HARRISON]:

Hon. JOSEPH MARTIN,
Speaker of the House of Representatives, Washington, D. C.:

Been advised hearings anti-poll-tax bill be closed Tuesday and full committee action scheduled for Wednesday per your instructions. Had expected to testify along with other congressional witnesses. Heretofore assured that courtesy be extended. Will return to Washington by plane immediately after Mansfield services arriving Wednesday morning. I appeal to your sense of fairness to cause Chairman GAMBLE to accord us a hearing.

TOM PICKETT,
Member of Congress.

Obviously, no such haste was required to report the bill out of subcommittee in my absence as was indicated by the committee's action in doing so, despite the fact that the reason for my absence was known and the fact that I was to be

back in Washington the next morning after the hearings were closed was made know to the leadership of the House. Neither was there any necessity for such haste in reporting the bill out of the full committee as was indicated by the committee's action in adopting the previous question at the time I was addressing myself on the unconstitutionality of H. R. 29 in its only executive session on the subject, that session lasting less than an hour.

There is no justification for the leadership of the majority party failing to disclose the date and manner it expected to bring H. R. 29 to the floor for consideration. There is no justification in the face of the fact that I inquired daily, beginning Wednesday, July 16, for that information. There is no justification for the leadership of the majority party to decline to divulge to me that it was the intention of that leadership to make H. R. 29 the first order of business on today and let it take precedence over the Consent Calendar, which was scheduled first. I was on the floor of the House from the time it commenced the session and inquired of the majority leader what plan he proposed to pursue and it was my understanding from him the Consent Calendar would be called first. My conversation with him on that subject took place not less than 10 minutes before the bill was called up and the motion to suspend the rules was made.

The hearings are not yet printed and available to the membership for study.

An Associated Press dispatch appearing in the New York Times and other daily papers on June 25, 1947, may reveal part of the reason why tactics as above outlined have been pursued in securing passage of this unconstitutional bill. I quote from part of that dispatch:

> Republicans traditionally have gone along with the idea of outlawing payment of poll taxes as a requirement for voting in Federal elections.
>
> But Representative GERALD W. LANDIS, a Republican of Indiana, said there was something else behind the plan now.
>
> "Since some of the Southerners opposed us on taxes, the idea is to put 'em on the spot," he explained. "And if the Senate had not overridden the labor bill veto we would have got out an antilynching bill."

Whether the gentleman from Indiana, Representative LANDIS, was speaking for the Republican leadership in the House is for him and the leadership to say. To say the least I have never seen any retraction or denial of that statement on the part of Representative LANDIS nor has he advised me to the contrary of his lack of authenticity as a spokesman for the leadership though we serve on the subcommittee handling the bill. He comes from the same State, Indiana, as the majority leader Mr. HALLECK, and evidently has a better opportunity to know the leadership's viewpoint than those of us who are members of the Democratic Party.

Obviously the entire dealings with anti-poll-tax legislation indicate it is conceived and inspired in the political minds of those who seek the favor of persons who spend so much time attending to other people's business they don't have time enough to keep their own house in order. The whole proceeding has been conducted in such a manner that it is parallel with the type of justice to be expected if some judge on the bench told a person charged with crime he was going to be tried, found guilty, and sentenced without the right to testify in his own defense until after sentence had been passed upon him.

Mr. GAMBLE. Mr. Speaker, I yield 3 minutes to the gentleman from Iowa [Mr. LECOMPTE], chairman of the committee.

Mr. LECOMPTE. Mr. Speaker, this measure or a similar measure has been before the House three times in my service in the House of Representatives and has passed three times by an overwhelming vote. The question of the constitutionality of this bill is open to debate, I will grant that, but there are able lawyers who feel that the Congress of the United States has a right under the Constitution to have something to say about the qualifications of voters. As for myself, I am ready and willing to resolve any doubt about the constitutionality of the bill for the sake of extending suffrage to citizens of the United States from one end of the country to the other. This bill has been so thoroughly debated that there is nothing I can add to this discussion.

Mr. Speaker, may I submit a parliamentary inquiry?

The SPEAKER. The gentleman will state it.

Mr. LECOMPTE. How much debate is there on this motion?

The SPEAKER. 40 minutes on the motion, 20 minutes on a side.

Mr. LECOMPTE. After the motion to suspend is voted on, is there then additional time?

The SPEAKER. The vote on the motion to suspend is the final vote on the bill.

Mr. LECOMPTE. Mr. Speaker, is it in order to submit a unanimous-consent request to extend the time?

The SPEAKER. The Chair will not entertain any unanimous-consent requests until after the vote.

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

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

Mr. RANKIN. Less than 2 years ago when the gentleman's State was threatened along with every other State—of course, this is just an attack on a few States, the cheapest politics I have ever seen played——

Mr. LECOMPTE. Has the gentleman ever heard of this bill's being considered in the House before?

Mr. RANKIN. Yes. May I say to the gentleman that 2 years ago when his State was threatened I led the fight here to keep them from taking the election machinery of Iowa and turning it over to a national organization. Now, when just a few of the Southern States are affected, the gentleman joins the very crowd that was fighting him before, to try to embarrass or harass the people in these Southern States.

Mr. LECOMPTE. The bill to which the gentleman refers was not poll tax legislation at all.

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

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

Mr. WILLIAMS. The gentleman has just stated that this bill had received long debate. I want the gentleman to tell this Congress the truth about this thing, that it received less than a half-hour of debate in the full Committee on House Administration. Is that not right?

Mr. LECOMPTE. It had a good many days of consideration by the Subcommittee on Elections and about 40 minutes in the Committee on House Administration.

Mr. WILLIAMS. Yet the Committee on House Administration met and considered for a solid week the printing of a little two-bit document called Fascism in Action, did it not?

Mr. LECOMPTE. Mr. Speaker, I yield back the balance of my time.

Mr. PICKETT. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS. Mr. Speaker, I would like to have 2 hours on this bill, but my Republican friends have seen fit to deprive us of our right to debate this attack on our constitutional rights. This is the cheapest piece of political demagoguery and chicanery that has ever been perpetrated on the people of America. To bring this bill out for purely political reasons and to cram it down the throats of the southern poll-tax States is nothing in the world but cheap demagoguery, and I want to tell you that your action today proves that the South does not have any monopoly on demogogs or demagoguery.

I want to show you that this is a political move on the part of the majority party. I want to ask the distinguished majority leader a question. On June 24 in the Times-Herald in Washington there was printed an item by the Associated Press, the headline of which is as follows: "Republicans push anti-poll-tax bill."

I will read the article to you:

> Partly to get even with southern Democrats who helped kill their tax bill, the Republican leadership today crammed an anti-poll-tax bill onto the House schedule for passage this session. * * *
>
> * * * * *
>
> Republicans traditionally have gone along with the idea of outlawing payment of poll taxes as a requirement for voting in Federal elections.
>
> But Representative LANDIS, Republican, of Indiana, said there is something else behind the plan now.
>
> "Since some of the southerners opposed us on taxes, the idea is to put 'em on the spot," he told newsman. "And if the Senate had not overridden the labor bill veto we probably would have got out an antilynching bill."

I would like for the majority leader to tell me whether the gentleman from Indiana [Mr. LANDIS] was speaking for the majority party in saying that this bill was being brought up for the sole purpose of exacting revenge on the

southern Democrats who helped sustain the tax-bill veto.

Mr. HALLECK. Mr. Speaker, I shall be glad to respond to that question. Certainly, there has been no motive such as that in my mind and none in the mind of the Speaker, I am sure, and none in the minds of any of those frequently referred to as the leadership on this side. I do not know whether the gentleman from Indiana [Mr. LANDIS] made that statement or not, but so far as I am concerned, it has been generally recognized that there was a strong probability that this measure would be called up in this session of the Congress. Many Members on the gentleman's side of the aisle knew and understood that. As a matter of fact, I stated to numerous of my Democratic friends from the South a long time ago that this bill would undoubtedly come up. As has been pointed out, when the gentleman's party was in control of the House of Representatives, three times this measure was before the House and adopted. I say unequivocally and definitely that this is not a move in retaliation against anyone from the South.

Mr. WILLIAMS. If that is the case, I hope the gentleman will take time on his side to explain the reasons for the railroading of this bill in the fashion that it is being crammed down the throats of the people of the South.

Mr. Speaker, at this point I want the RECORD to show that I was not allowed to address the House further, due to time limits which had been forced upon us through the decision of the majority leadership to bring this monstrosity to the floor under a suspension of the rules of this House. Now, in order to further decry for the RECORD the lynching that is being handed the South today, it becomes necessary for me to extend my remarks in the RECORD, although they will not be read by the Members until after their crime against the Constitution will have been committed by the action which they will take today.

As I stated before, this is the cheapest act of political bamboozling and chicanery ever perpetrated on the good people of America. This is an attempt by Republicans and a few Members masquerading as Democrats to destroy the only genuine element of Jeffersonian democracy remaining in this great Nation of ours. If the Membership of this House would vote their convictions rather than in the interest of political expediency, this insult to our Constitution would not receive 10 votes.

It is a sad state of affairs when pinks and off-shade renegades and crackpots such as Henry Wallace, Clark Foreman, and Walter White can coerce the membership of the most powerful and intelligent deliberative body on the face of the earth into becoming a monkey on a string for their political whims and fancies. Yes, Mr. Speaker, I am getting sick and tired of having such enemies of our democratic way of life dictating the policies of the American Government, and I promise this Congress that it will live to see the day when it will wish that it had never heard of the Southern Conference of Human Welfare, the Civil Rights Congress, the National Association for the Advancement of Colored People, and the rest of these communistic barnacles which have attached themselves to our Democratic ship of state.

Yes, Mr. Speaker, southerners are getting sick and tired of having themselves and their country maligned, abused, and attacked by these hatemongers who give birth to such monstrous legislation as that presented to the House today.

It was never intended by the founding fathers of our country that the Federal Government should ever control the elections in the several States. This is stated clearly in the Constitution of the United States, in words and language which can be understood by any child with as many as 3 years of grade school. By the passage of this bill, you will be maliciously tampering with the rights which were delegated to the several States by our Constitution, and I warn you that you are treading on dangerous ground.

Mr. GAMBLE. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Today, Mr. Speaker, we will vote on H. R. 29, my proposed legislation to abolish the poll tax as a prerequisite for voting in Federal elections. This is one of the gravest moral issues before this body. It is an issue for the people of the seven poll-tax States of the South. It is an issue for the Nation. It is an issue with international significance.

The poll tax violates the Constitution of the United States. It disfranchises 10,000,000 of our citizens—Negro and white alike. The people of the seven poll-tax States are disfranchised, but the entire Nation suffers from this denial of democratic elections.

The poll tax, as it exists in seven Southern States today, is not a tax as we ordinarily understand the term. It was not imposed—and is not collected—as a source of revenue. It is a device for disfranchising voters. The tax varies from $1 to $2 a year. In some States it is cumulative. In Alabama a man of 45 who has never voted must pay $36 in order to cast his first ballot. In other States, the maximum is $5 or $6. In most instances, funds derived from the tax go into school funds—which would be a laudable use if it were really collected as a substantial source of revenue. But it is not. While State laws vary, there is little machinery and practically no effort used to collect the tax. In fact, in Virginia, small percentage of school budgets are derived from these funds as the law prohibits enforcement of collection for 3 years. As the teachers of Alabama pointed out a year ago, in a plea for abolition of the poll tax in their State, tax not tied to the vote and really collected would provide far greater support for schools. They pointed out, too—and this is of even greater significance to my mind—that it is futile to teach children the responsibilities of citizenship when their parents are kept from the ballot box by a tax.

The poll tax as a precondition to voting is not a relic of colonial days. By the middle of the last century free manhood suffrage was the rule in this country. Only one State, Georgia, and Georgia abolished the tax in 1945, retained a tax on the vote until recent times. In all the States where it exists today, the poll tax was imposed in the late nineties and the early nineteen hundreds to limit the vote. The reason is clear. There was a depression in the nineties. The farmers and other low-paid workers were hard hit. A new interest in elections, on the part of the majority of the citizens in politics, arose as they sought to elect men to office who would help them. This was a threat to the established power of the few who since reconstruction days had considered it their responsibility, and theirs alone, to govern. A tax on the vote was their answer.

That the intent of the revised constitutions and election laws of those days was disfranchisement is clearly shown in the proceedings of constitutional conventions. Disfranchisement was not aimed at the Negroes alone. As a delegate to the Virginia Convention of 1901 said—and I quote:

> There is a mass of vicious and incapable whites which must be debarred from the suffrage. The chief objection which I have heard to this system is that, along with many stupid and vicious whites, some worthy and good citizens will be disfranchised. This is doubtless true.

Another delegate to this convention, a man later very prominent in national life, said—and I quote:

> The chief purpose of this convention is to amend the suffrage clause of the existing constitution. It does not require such prescience to foretell that the alterations which we shall make will not apply to all persons and classes without distinction. We were sent here to make distinctions. We expect to make distinctions. We will make distinctions.

These conventions accomplished their purpose. In 1900, in Virginia, in the last free Presidential election, 266,000 persons voted. In 1904, in the first poll-tax election, the vote was cut to 136,000, an immediate drop of 49 percent, almost one-half.

Today, in the 7 poll-tax States, some 10,000,000 are disfranchised, 7 white persons to 3 Negroes. In the Presidential elections of 1944, 10 percent of the potential voters voted in the 7 poll-tax States, as against 49 percent in the free-vote States. In the congressional elections of 1946, the figures are 5 percent for the poll-tax States, as compared with 33 percent for the free-voting States.

Mr. Speaker, where four out of five citizens in the poll-tax States are kept from voting for their choice for President of the United States by a tax on the vote, can we, as a nation, boast of democratic elections? This denial of basic rights to any American is the concern of every American. Every instinct for justice and political decency cries out against the existence of such a situation in any part of the United States. In an even more practical way, this is an issue for the entire Nation. My distinguished colleagues from the poll-tax States are elected by small and restricted electorates. Yet they are national representatives. They legislate, not for their

particular States but for the people of the whole country.

The Truman administration makes much of its insistence that countries in far corners of the world hold free and democratic elections. I object to the hypocrisy of this demand when millions of our own citizens are taxed away from the polls.

The world is not blind to the gap between our pretensions abroad and our practices at home.

Mr. MURRAY of Tennessee. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. That motion is not in order. Under the precedents, a motion to adjourn is not in order until the final vote upon the motion to suspend the rules and pass the bill.

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

Mr. BENDER. There are few who dare publicly to defend the poll-tax system today. Yet they oppose the legislation for which I am speaking today. They say the States imposed this vote tax and the States should be allowed to repeal it. But how can people without access to the ballot box elect State officials who will help them regain the vote? How can the disfranchised change laws or amend constitutions?

Then, too, the opponents of this legislation advance the argument that it is unconstitutional. The truth is that the poll tax itself is a direct violation of the Constitution.

I must point out that this body has three times passed such a bill by an overwhelmingly favorable vote. Surely my colleagues on those occasions recognized the clear constitutionality of the bill they were voting for. I know that the Committee on House Administration and its Subcommittee on Elections, which this month reported the bill favorably to us after extensive hearings, had heard the constitutional question discussed in detail and were convinced of the validity of the arguments that the bill is constitutional. The Committee on the Judiciary of the other body, made up solely of lawyers, has three times studied this bill and each time reported—I quote—"The committee has reached the conclusion that the proposed legislation is constitutional and should be enacted into law."

A few years ago a group of 10 constitutional lawyers—a majority of them born in or residents of the poll-tax States—issued a joint report testifying to the clear constitutionality of this bill. These distinguished men are George Gordon Battle, a leading southern member of the New York bar; Walton Hamilton, professor of constitutional law at Yale Law School; Myres McDougal, also of Yale Law School; Leon Greene, dean of Northwestern University Law School; Robert K. Wettach and M. T. Van Hecke, dean and ex-dean of the Law School of the University of North Carolina; Lloyd K. Garrison, ex-dean of the Law School of the University of Wisconsin; Charles Bunn, also of Wisconsin Law School; Walter Gellhorn of Columbia University Law School; and Edwin Borchard of Yale. Briefly, they pointed out that article IV, section 4, of the Constitution provides that "the United States shall guarantee to every State in this Union a Republican form of Government."

Can a Republican form of Government exist when the majority of citizens are denied the right to participate in affairs of government because they are poor? The fourteenth amendment, section 1, provides that—

> No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States.

The poll tax, where it must be paid before a citizen can vote in Federal elections, directly violates the fourteenth amendment. Third, article I, section 4:

> The times, places, and manners of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations.

James Madison, father of the Constitution, describes the purpose of this section:

> Should the people of any State by any means be deprived of the right of suffrage, it was judged proper that it be remedied by the general government.

Those who care to claim the anti-poll-tax bill is unconstitutional rely on article I, section 2 of the Constitution:

> The House of Representatives shall be composed of Members chosen * * * by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

The poll tax is not a qualification for voting. It is a restriction on the right to vote. A qualification fits a person to exercise a function.

In the words of Justice Robert Jackson, of the United States Supreme Court:

> We should say now, and in no uncertain terms, that a man's mere property status, without more, cannot be used by a State to test, qualify, or limit his rights as a citizen of the United States.

Two things, then, stand out clearly about the Constitution and the poll tax. The poll tax itself is a direct violation of the Constitution, and the Congress has the clear-cut authority to abolish the poll tax in Federal elections.

Mr. Speaker, I read a newspaper story the other day in which this bill was referred to as the perennial anti-poll-tax bill. It is only too true that this legislature has been an issue in the Congress since 1939. I have worked on its behalf since then, since my first term in this body. Perhaps the reporter who dismissed the issue with his slighting word "perennial" can take lightly the fact that 10,000,000 American citizens are disfranchised by a tax on the vote. I cannot do so—and I feel sure that the overwhelming majority of the Members of this body cannot do so. I will continue to fight for the right of all Americans to vote without payment of a tax until the Congress of the United States will put an end to this shameful situation so far as it is in our power to do so, that is for Federal elections. I firmly believe that the Eightieth Congress will enact this legislation, that we will have the honor of passing the perennial anti-poll-tax bill. I appeal to my colleagues, the gentleman on both sides of the aisle, to support it today, to vote to restore the constitutionally guaranteed right of representative government to all citizens of the United States.

Mr. PICKETT. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi [Mr. WINSTEAD].

Mr. WINSTEAD. Mr. Speaker, if all the pressure from the radicals, minority groups, the Communists, the CIO, and the trouble makers were taken from this measure there would not be enough patriotic American citizens sponsoring it to justify 10 minutes' consideration in a subcommittee, and none whatsoever on the floor of the House.

I was surprised to hear the majority leader refer to the fact that this measure had passed the House during the last two or three Congresses. That was in the heyday of New Dealism when Henry Wallace was in his prime. I say to you that if we have reached the time in this country when the leadership of both parties outside and inside this Congress must listen to the radicals, to the rabble rousers, to the do-gooders, and to the communistic leaders in order to carry on what they consider the programs that will appeal to that group in order to maintain position in high places, then this country is gone, and you know, and I know it.

I am one of those Democrats who wants to get away from the heyday of the New Dealism when such measures as this thrived. I believe the people of the country in their mandate of last fall looked a little bit to a Republican Party that would respect State rights and respect the Constitution of the United States, but with such activity as this I am afraid their hopes are dim. This is legislation that will stir race hatred. Many unpatriotic Americans stir this type of legislation.

I say to the gentleman from Ohio [Mr. BENDER] that the State of Ohio and other States where this legislation has so much support should end its own discriminations before it tries to set the other fellow's house in order.

No one, white or colored, with reputation from the seven poll-tax States has asked for this legislation.

I regret that the limited time will not permit fair discussion of this bill.

Mr. PICKETT. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Speaker, I believe every Member knows exactly how I feel about this legislation. I have spoken on it several times when it has been before the House and I feel today as I have always felt, and as every real American feels—that it is absolutely against every ideal of democracy to compel a citizen of this country to pay a tax for the privilege of voting. It would seem to me really a joke on our much-publicized discussion of democracy that here, in what we claim to be a free country, a citizen must pay for the right to vote. It is the most undemocratic law that has ever been adopted in a free country. Until we make it possible for every American citizen to cast his or her vote for the

people they want to represent them, let us not attempt to correct the abuses in the other parts of the world. These citizens are entitled to vote whether or not they have the money to pay poll taxes. Whether we come from the North, South, East, or West, we are all citizens of a great country—a country which is now looked upon for leadership in a war-torn world—a country which is spending billions of dollars to help free other countries of the world held in bondage—and so, my colleagues, this is no time to preach one doctrine and practice another. Let us pass this bill today and prove to the world that we do believe in democracy by practicing it and by removing the shackles from people who have been denied the privilege of voting because they were too poor to pay a poll tax. Let the 7 poll-tax States join the other 41 and prove to the world that we do believe in and practice democracy.

Mr. PICKETT. Mr. Speaker, may I inquire at this time if I may revise and extend my remarks?

The SPEAKER. The Chair will not receive any requests until after the bill is passed; then he will be very glad to have Members request unanimous consent to extend their remarks.

Mr. PICKETT. But, Mr. Speaker, I have spoken on the bill.

The SPEAKER. The Chair will not receive any requests until after this bill is passed.

Mr. PICKETT. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. BURLESON], a member of the committee.

Mr. BURLESON. Mr. Speaker, in these closing days of this session of Congress, it seems a sad commentary that many important legislative matters should be shelved to make way for the bill now under consideration.

The distinguished majority leader the gentleman from Indiana [Mr. HALLECK] has just reminded the House that the Democrats have several times passed an anti-poll-tax bill and that now we are displeased because the Republicans are doing the same thing. Yes, it is true; the Democrats have done so but I am not at all proud of it. I am not surprised at a certain element on our side of the aisle being for this measure, and that they have been all along. They are the ones who will impose upon the poll-tax States and the South generally, to appease the radical minorities in their districts who are constantly bringing pressure upon them, just such ill-advised legislation as this. But I am sorely disappointed in the Republicans; that great conservative party which has always been for State's rights. Here we find them today ramming through and running rough-shod along with this element on the Democratic side, telling us in the poll-tax States what we must do with our poll-tax system. If the Republicans were really for State's rights, this measure would not be up here today. We know, of course, you are going to pass it over us. We can only raise our voices in protest. I sincerely believe that if a private poll were taken among the Members of this House, the majority would be opposed to this sort of political inquisition under which we are put. I believe you know in your hearts that the question of constitutional right, insofar as qualifications for voting in the various States are concerned, is not the question to be debated here. Neither is it a matter to be argued on the merits for or against the poll-tax system. Plainly and simply it is a matter of we in the poll-tax States running our own business, and you of the other 41 States running yours. As for my own delegation from Texas, I do not think you will ever hear of any of us trying to tell someone of another State how to conduct your affairs, and by the same token we resent your trying to tell us how to conduct ours.

There are a lot of do-gooders, crusaders and champions of causes who would like to hold themselves up as martyrs to a cause, and their voices are loudest in this discussion. Constitutionally right or not, meritorious or not, it is just plain none of your business to tell us who can and who cannot vote in Texas. I am not unmindful that we have considerable sentiment in the State against the poll tax, and if it is dirty linen, we will take care of it ourselves. If I were the strongest advocate in the State for the abolition of the poll-tax system, I would still vote against it here in this Congress for the reasons I have stated. And I say again that I am sorely disappointed in the actions of the majority party for joining the element in my own party to force down our throats this bill, which is the height of all demagoguery in this session of Congress.

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

Mr. PICKETT. Mr. Speaker, I yield 1 minute to the gentleman from Alabama [Mr. HOBBS].

Mr. HOBBS. Mr. Speaker, again today the House is perpetrating a lynching. The proponents of this infamous measure constitute the mob that is lynching the law of the land. The Constitution which each of us has sworn to uphold and maintain, repeated decisions of the Supreme Court, and the treatises on the subject by every outstanding author, including Story, Brightly, Cooley, Morse, and Pomeroy have all been trampled into the dust of hate and demagoguery.

Universal suffrage has never existed anywhere in the history of the world. Every sovereignty has fixed its own qualifications prerequisite to the privilege of the exercise of the elective franchise. The poll tax is one of these qualifications; age, residence, property ownership, and registration are some of the others most common. That the poll tax is a qualification made a prerequisite to the privilege of voting by some sovereignties is too clear for argument. Section 178 of the Constitution of Alabama, for instance, reads, in its pertinent part, as follows:

> To entitle a person to vote in any election by the people he shall have * * * paid all poll taxes.

Whether or not there should be a poll tax may be debatable, but not in this forum except on the question of submitting a constitutional amendment to the States for ratification. The fixing, vel non, of such a requirement is exclusively for each State to determine for itself. There never has been a Federal election; nor a Federal vote. All elections have been and are State elections, and only those who have qualified under State law are eligible to vote therein.

The exclusive right of a State to fix the qualifications prerequisite to the privilege of voting is well recognized and established:

DISTINGUISHED TEXT WRITERS

"Among the absolute, unqualified rights of the States is that of regulating the elective franchise; it is the foundation of State authority; the most important political function exercised by the people in their sovereign capacity." Whilst "the right of the people to participate in the legislature is the best security of liberty and foundation of all free government," yet it is subordinate to the higher power of regulating the qualifications of the electors and the elected. The original power of the people in their aggregate political capacity, is delegated in the form of suffrage to such persons as they deem proper for the safety of the commonwealth; Brightly Election Cases (*Anderson* v. *Baker*, 32, 33, 34, 23 Maryland 531).

Story, treating of this subject, says:

> Every constitution of government in these United States has assumed, as a fundamental principle, the right of the people of the States to alter, abolish, and modify the form of its own government according to the sovereign pleasure of the people. In fact, the people of each State have gone much further and settled a far more critical question by deciding who shall be the voters entitled to approve and reject the constitution framed by a delegated body under their direction. (1 Story Constitution, ch. 9, sec. 581.)
>
> From this it will be seen how little, even in the most free of republican governments, any abstract right of suffrage, or any original and indefeasible privilege, has been recognized in practice (ibid). In no two of these State constitutions will it be found that the qualifications of the voters are settled upon the same uniform basis, so that we have the most abundant proofs that among a free and enlightened people convened for the purpose of establishing their own forms of government and the rights of their own voters the question as to the due regulation of the qualifications has been deemed a matter of mere State policy, and varied to meet the wants, to suit the prejudices, and to foster the interests of the majority.
>
> The exclusive right of the several States to regulate the exercise of the elective franchise and to prescribe the qualifications of voters was never questioned, nor attempted to be interfered with, until the fifteenth amendment to the Constitution of the United States was forced upon unwilling communities (the States then lately in rebellion) by the military power of the General Government, and thus made a part of our organic law; a necessary sequence, perhaps, of the Civil War, but nonetheless a radical change in the established theory of our Government. (Brightly Election Cases, author's note, pp. 42, 43.)
>
> The right to vote is not of necessity connected with citizenship. The rights of the citizen are civil rights, such as liberty of person and of conscience, the right to acquire and possess property, all of which are distinguishable from the political privilege of suffrage.
>
> The history of the country shows that there is no foundation in fact for the view that the right of suffrage is one of the "privileges or immunities of citizens." (McCrary Elections, p. 3.)
>
> "The right to vote is not vested, it is purely conventional, and may be enlarged or re-

stricted, granted or withheld, at pleasure, and without fault."

In *Blair* v. *Ridgely* (41 Mo. 161), the question at issue arose out of the provision of article II, section 3 of the constitution of 1865 of the State of Missouri. By this section it was provided that no person should be deemed a qualified voter who had ever been in armed hostility to the United States, or to the government of the State of Missouri; that every person should, at the time of offering to vote, take an oath that he was not within the inhibition of this section, and that any person declining to take such oath should not be allowed to vote. The plaintiff at an election held in the city of St. Louis on November 7, 1865, offered to vote, but refused to take the oath prescribed by the constitution. His vote being rejected, he brought his action against the judges of the election for damages. The case was taken to the Supreme Court of Missouri, where it was argued exhaustively, and with much learning, by eminent counsel, and the argument is to be found in full in the Reports of the Supreme Court of Missouri, volume 41. It was contended by the plaintiff that the section of the constitution in question was in violation of the Constitution of the United States, being a bill of attainder and an ex post facto law within the meaning of that instrument, and, in consequence, null and void. But the court held against this contention, drawing the distinction between laws passed to punish for offenses in order to prevent their repetition and laws passed to protect the public franchises and privileges from abuse by falling into unworthy hands. It is said by the court that—

"The State may not pass laws in the form or with the effect of bills of attainder, ex post facto laws, or laws impairing the obligation of contracts. It may and has full power to pass laws, restrictive and exclusive, for the preservation or promotion of the common interests as political or social emergencies may from time to time require, though in certain instances disabilities may directly flow in consequence. It should never be forgotten that the State is organized for the public weal as well as for individual purposes, and while it may not disregard the safeguards that are thrown around the citizen, for his protection by the Constitution, it cannot neglect to perform and do what is for the public good."

It was argued in *Blair* v. *Ridgely* that the decision of the Supreme Court of the United States in *Cummings* v. *Missouri* (4 Wall. 277), where it was held that this section of the Missouri Constitution, so far as it provided an oath to be taken by preachers, was in the nature of pains and penalties, and consequently void, was decisive of the Blair case. But the distinction between the right to practice a profession or follow a calling and the right to vote is clearly stated in the opinion of Judge Wagner, as follows:

"The decision of the Supreme Court of the United States in the Cummings case proceeds on the idea that the right to pursue a calling or profession is a natural and inalienable right and that a law precluding a person from practicing his calling or profession on account of past conduct is inflicting a penalty, and therefore void. There are certain rights which inhere in and attach to the person, and of which he cannot be deprived except by forfeiture for crime, whereof he must be first tried and convicted according to due process of law. These are termed natural or absolute rights. * * * But is the right to vote or to exercise the privilege of the elective franchise a right either natural, absolute, or vested? It is certain that in a state of nature, disconnected with government, no person has or can enjoy it. That the privilege of participating in the elective franchise in this free and enlightened country is an important and interesting one is most true. But we are not aware that it has ever been held or adjudged to be a vested interest in any individual.

"Suffrage in the United States not being a vested right, it results that persons who have enjoyed and exercised the privilege, and who have been qualified electors, may be entirely disfranchised and deprived of the privilege by constitutional provision, and such persons are entirely without a remedy at law." (McCrary, Elections, p. 9.)

"The whole subject of the regulation of elections, including the prescribing of qualifications for suffrage, is left by the National Constitution to the several States, except as it is provided by that instrument that the electors for Represenatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature, and as the fifteenth amendment forbids denying to citizens the right to vote on account of race, color, or previous condition of servitude. Participation in the elective franchise is a privilege rather than a right, and it is granted or denied on grounds of general policy, the prevailing view being that it should be as general as possible consistent with the public safety." (Cooley's Constitutional Limitations, 8th ed., Carrington, vol. 2.)

Also, the following treatises are to the same effect:

Morse, Citizenship, section 3.

Pomeroy, Constitutional Law, section 535.

THE CONSTITUTION OF THE UNITED STATES

Article I, section 2:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Article I, section 4:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

Article I, section 8, clause 18:

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

THE SUPREME COURT OF THE UNITED STATES AND OTHER COURTS

To make payment of poll taxes a prerequisite of voting is not to deny any privilege or immunity protected by the fourteenth amendment. Privilege of voting is not derived from the United States, but is conferred by the State, and, save as restrained by the fifteenth and nineteenth amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate. The privileges and immunities protected are only those that arise from the Constitution and laws of the United States and not those that spring from other sources. *Breedlove* v. *Suttles* (302 U. S. 277, 283); *Pirtle* v. *Brown* (118 Fed. 2d 218, certiorari denied by Supreme Court, 62 Sup. Ct. Rep. 64); *Huber* v. *Reiley* (53 Penn. St. 112); *Minor* v. *Happersett* (21 Wall. U. S. 162, 170); *United States* v. *Reese* (92 U. S. 214, 217, 218); *United States* v. *Cruikshank* (92 U. S. 542); *McPherson* v. *Blackner* (146 U. S. 1, 38, 39); *Anderson* v. *Baker* (23 Md. 531); *Ex parte Yarborough* (110 U. S. 631, 664, 665); *Blair* v. *Ridgely* (41 Mo. 63); *Guinn* v. *United States* (238 U. S. 347, 362, L. R. A. 1916 A, 1134); *Ex parte Stratton* (1 W. Va. 305); *Kring* v. *Missouri* (107 U. S. 221); *Hamilton* v. *Regents* (293 U. S. 245, 261); *Washington* v. *State* (75 Ala. 582).

The proponents of this measure rely for support of their contention almost exclusively upon the case of *United States* v. *Classic et al.* (313 U. S. 299). They contend very artfully that this case justifies the Congress in the enactment of the Geyer bill but they do not mention the fact that the Classic case was a criminal prosecution against commissioners of elections for willfully altering and falsely counting and certifying the ballots of voters cast in a primary election for a Representative in Congress, among others. Based on article I, section 2, of the Federal Constitution, quoted supra, the majority decision of the Supreme Court holds:

Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted at congressional elections.

We concede the soundness of this holding.

The majority opinion further holds: That since by law in Louisiana, primaries are made an integral part of the procedure for the possible choice of Congressmen and since in Louisiana the nomination resulting from the primary is equivalent to election, the criminal statute covers interference with the right to vote and have the votes honestly counted and certified, in primaries as well as in general elections.

Mr. Justice Douglas, with Justices Black and Murphy, dissented as to primaries. The dissenting opinion is powerful, if not unanswerable in the particular case. We leave the members of the Supreme Court to their quarrel on this point as it is not germane in the consideration of the Geyer bill.

Neither the majority nor minority of the Supreme Court question congressional power to protect by appropriate legislation the right secured by the Constitution to a vote and an honest count and certification. They agree that this is assured by article I, section 2, quoted supra, with article I, section 8, clause 18, which gives Congress the power—

to make all laws which shall be necessary and proper for carrying into execution the foregoing powers and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

It may be questioned whether or not the right to vote and to an honest count is a power vested by this Constitution in the Government of the United States or in any department or officer thereof. This question, however, has no bearing upon our instant inquiry. The vital question of law pertinent to the debate of the constitutionality, vel non, of the Geyer bill is, not whether Congress has constitutional power to pass a criminal law, to punish interference with the right of a qualified voter to vote and to have an honest count, but has Congress the constitutional power to pass a law usurping the admittedly exclusive power of a State to prescribe the qualifications of its qualified voters?

No matter what interpretation they may seek to put on the Classic case, no

matter how critical they may be of the Breedlove case, the United States Circuit Court of Appeals, sixth circuit, in the case of *Pirtle* v. *Brown et al.* (118 Fed. Rep., second series, p. 218), followed the Breedlove decision, quoted from it, and cited it approvingly, and the Supreme Court denied certiorari, thereby refusing to upset the decision in the Pirtle case, after the decision by the Supreme Court in the Classic case had been handed down (62d Supreme Court Rept., p. 64).

So the Supreme Court, since its decision in the Classic case was handed down has refused to review the decision in the Pirtle case, which was handed down after the decision in the Classic case and which agrees fully with the holding in the Breedlove decision.

The Breedlove and Pirtle cases were both poll-tax cases. The Classic case had nothing to do with the poll-tax question. The sole question in the Classic case was:

May State election officials steal ballots cast by duly qualified voters for a candidate for Congress in a State primary election, in violation of a Federal criminal statute condemning all such rascality, without being subject to prosecution and punishment by the Federal Government?

The Supreme Court held: That the right granted the Federal Government by article I, section 2, of the Federal Constitution, to have its Congressmen chosen in a State election, meant the right to have them honestly chosen; and that the right granted the Federal Government by article I, section 8, clause 18 of the Federal Constitution, "To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof," authorized the making of the law violated by Classic and his partners in crime. In other words, the Classic case dealt not with who was a qualified voter under Louisiana law, but with the right to have an honest count of the ballots of admittedly qualified voters.

The United States of America was created by the Thirteen Crown Colonies. It existed long before the Constitution. As far as external sovereignty in international affairs was concerned, it was a sovereign Nation. It functioned through the Continental Congress composed of delegates from the Thirteen Colonies. The Colonies became free and independent States by virtue of the Declaration of Independence, in the making of which they united, and which was validated by force of arms. Each State was sovereign, supreme, free, and independent except as they, in the exercise of their sovereignty, banded themselves together and delegated by their own free will and accord, certain of the powers of their sovereignty to the limited union they agreed upon and formed. This union, according to the Articles of Confederation, was to be perpetual and in international affairs was given sovereignty. It had no power whatsoever in domestic affairs. It could not even levy taxes for its own support, being dependent upon contributions made by the States. The sum total of all domestic sovereignty was in the respective States and has been diminished from time to time only as the absolutely sovereign States saw fit to make further delegations of parts of their sovereign power. After becoming convinced that the union existing before and under the Articles of Confederation was impracticable, the Constitution was ordained and established "in order to form a more perfect union." The Supreme Court of the United States in the case of *U. S.* v. *Curtiss-Wright Export Corp. et al.* (299 U. S. 304, 315) says:

> The broad statement that the Federal Government can exercise no powers except those specifically enumerated in the Constitution, and such implied powers as are necessary and proper to carry into effect the enumerated powers, is categorically true only in respect of our internal affairs. In that field, the primary purpose of the Constitution was to carve from the general mass of legislature powers then possessed by the States such portions as it was thought desirable to vest in the Federal Government, leaving those not included in the enumeration still in the States.

There never has been a Federal election held nor a Federal vote cast. The States existed before the Federal Government. They created it. They gave it life and such limited powers as it possesses. The power to hold elections and to authorize people to vote was never delegated to the Federal Government. It has always been and remains in each State.

In the Constitution of the United States, however, the States—absolutely sovereign in this field as well as in all domestic affairs—changed the form of their Federal Government and provided in article I, section 2:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

In 1913 the seventeenth amendment became a part of the Constitution of the United States, providing for the election of Senators in exactly the same way. But both Senators and Representatives were to be elected, not by the people of the United States nor by the votes of persons authorized to vote by the United States, but "by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature," fixed by the State.

When the States in convention assembled agreed to undertake to hold elections for the Federal Government, the way it was to be done was merely by admitting candidates for Federal office into the regular State elections. All elections are State elections. They always have been, are now, and should so continue. In agreeing to admit candidates for Federal office to State elections, the States did not stipulate what qualifications they would fix as prerequisite to the privilege of voting. They did not limit themselves. They did not confer any right whatever upon their Federal Government except that its candidates could run in their elections and be voted on by the voters of the States—those who had been given the franchise of suffrage in each State by the law of the State. But in assuming this obligation they gave this pledge:

> And the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

In other words, wrote the States, we pledge you that as our guest in our political homes you will be treated as well as we treat members of our own political family; we will give you the best we have, judged by the same standards and safeguards we have erected for our own safety. But we will use for you only the same servants we employ for ourselves, and we do not agree to make you master, nor to employ more nor different servants because of this hospitality we cordially extend you.

The principle dominating this field of thought is that the law guarantees every citizen the right to be justly governed, but not the privilege of being one of the Governors.

We are perfectly familiar with the distinction sought to be drawn by the supporters of this measure between qualifications and conditions. In the last analysis, however, this seems to be a distinction without a difference. Whether the requirements fixed by the law of a State as prerequisites to the privilege of voting be conditions or qualifications is unessential. Whatever they may be called, the State alone has the right to fix them. The Federal Government has no such right. We are, of course, also familiar with section 4 of article I of the Constitution of the United States, the pertinent part of which reads as follows:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

While this does delegate to Congress a certain veto power, it is only as to regulations prescribed by a State as to "the times, places, and manner of holding elections." It has nothing whatever to do with the paramount right of a State to fix conditions or qualifications prerequisite to the privilege of voting. It has to do exclusively with the "how" of the election, not with the "who" of the electors.

You may say that a poll-tax requirement is unfair and unwise, but you have no vestige of authority or right to outlaw the poll tax by statute as here proposed.

The caste system of India may be all wrong and indefensible, but the Congress of the United States has no power to change it. We have just as much power over India as we have over Alabama.

England may, in our judgment, be foolish in keeping her King, but no one would suggest that we have any semblance of power to fire their King, yet we have even less power over Alebama or any other State of this Union than we have over England. The reason is plain. We are oath-bound to respect the sovereignty of every State of the United States, whereas we took no such oath with respect to England.

Germany's treatment of the Jews is barbarous, but no one of us has ever sponsored a measure here to stop this

rape of right, this inhuman murder of law, realizing that, so far as this Congress could legislate, Germany's internal affairs were Germany's business and not ours.

I want to call your attention to the propaganda which has been flooding the Capitol of late, much of which has come to my desk, issued by organizations that are supporting this measure, calling attention to the fact that there is no race question presented here because more white are disenfranchised by the poll tax than colored people. Whether that be true or not makes no difference. There certainly is no distinction made, and no discrimination is practiced or possible under any of the poll-tax statutes or constitutional provisions.

May I read to you what the Constitution of Alabama says on that subject, contained in section 178 of the Constitution of Alabama?

To entitle a person to vote in any election of the people he shall have—

Then deleting the provisions as to age, residence, and registration—

paid all poll taxes.

Could any words be devised or used which would more clearly evidence the fact that that is a primary qualification fixed for all who would vote by the Constitution of Alabama?

It is a requirement of a condition precedent to the privilege of voting. I maintain that there are no words that would have evidenced such an intent more clearly. So it is that if we are to comply with our oaths of office, if we are to uphold and maintain the Constitution of the United States, as we have sworn to do, we cannot thus impinge upon the severeignty of the State of Alabama.

This bill would override and violate the sovereignty of those States which have seen fit in their wisdom to adopt the poll tax as one of the prerequisites to the privilege of voting in elections held in and by those States.

But not only is the poll tax requirement a qualification made a prerequisite to the privilege of voting, it is also a fair and reasonable test.

There can be no escape from the conclusion that this refers not to the "how" of the election but to the "who" of the electors. It certainly has nothing whatever to do with the time, nor place, nor manner of holding any election. It certainly provides a reasonable test of qualification in that its payment is left purely voluntary and all money received, without deduction of any fees or other costs, goes to the public schools. So the poll-tax requirement tests a citizen's interest in the financial support of the public schools of his State and also tests his interest in obtaining for himself the franchise of suffrage. One really desiring to vote, one who would take an interest in voting, one who would take the trouble to post himself upon the merits or demerits of candidates and issues, has never minded and will never mind paying $1.50 a year in order to qualify as an elector. If one desiring to vote values the privilege of voting less than $1.50 a year, it is doubtful if he could be a good elector. Therefore, since section 4 of article I of the Federal Constitution is the only grant of power to Congress over suffrage and elections, Congress has no power at all to pass a law overriding this requirement of State law. This was the holding of the Supreme Court of the United States in the Breedlove case and again in the Pirtle case.

I invite your particular and special attention to those passages of Washington's Farewell Address wherein he expressed his parental solicitude for the future of the Nation of which he was father:

That your Union and brotherly affection may be perpetuated.

And this primary injunction:

The unity of government which constitutes you one people is also now dear to you. It is justly so, for it is a main pillar in the edifice of your real independence, the support of your tranquility at home, your peace abroad, of your safety, of your prosperity in every shape, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes, and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national Union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it, accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety, discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

The mighty mind of our first President, as he let it run down the long years of the future, saw clearly that from time to time there would be legislation proposed and administrative policies considered which would tend toward disintegration of the unity which he conceived to be and which we all must admit is essential to the preservation of our form of government, the dual system of government, the States supreme in their realm of internal affairs, the Federal Government supreme in its exclusive sphere of international affairs.

No one can deny that the South has taken its rightful place and performed well its full part in every foreign war which this country has waged. In the War of the Revolution the blood of Southern patriots reddened the soil of New England and wrote thereby a plea against sectionalism. The ragged heroes who followed Washington across the Delaware and to Valley Forge were Americans all. There was no sectional partisanship among the boys who fought at Chapultepec nor San Jacinto. The forces of the Republic in our war with Spain were not clad in blue or gray, but in the uniform of the Nation. The boys who sleep on San Juan Hill or in the trenches around Santiago were from every part of the Union.

Those men who gave the last full measure of devotion in France in World War I and their buddies who, thank God, came back to live among us, were Americans—not northerners nor southerners nor easterners nor westerners.

The same thing is equally true in this desperate struggle for survival in which we are now engaged. Every one of those wars of the Republic has been nonsectional, and united we stood, fought, and won.

More than a year before the Declaration of Independence was adopted by the Continental Congress at Philadelphia, a similar declaration of independence was adopted by a convention which met in Charlotte, N. C. It is known as the Mecklenburg Declaration of Independence. From a pamphlet preserved in the Library of Congress we learn:

Therefore on the sd. 19th May 1775 the sd. committee met in Charlotte Town (2 men from each company) vested with all powers these their constituents had or conceived they had.

After a short conference about their suffering brethren beseiged and suffering every hardship in Boston and the American blood running in Lexington, the electrical fire flew into every breast.

These men of the South felt keenly the afflictions of their brethren in Boston, and the news of the American blood running in Lexington caused the electrical fire to fly into every breast. Would that we were so closely knit in bonds of brotherhood and sympathetic regard today. The ground that we have lost in this respect may be regained but not without mutual respect and confidence.

Every one of those hardy pioneers loved his fellows engaged in the common struggle to build here "a new nation, conceived in liberty and dedicated to the proposition that all men are created equal." We have a rich, common heritage from these founding fathers. There is much to love in the citizens of every part of our great Nation. We may look on this and be drawn closer together. We may look on the devisive elements and become hostile camps. The future is in our hands today to mar or to make. The South asks and will have no part in the local problems of other sections. We have full confidence in our brethren that they will work out their own difficulties wisely and well. We may consider the things that will make us one or the things which divide. My plea is not made as a southerner nor as the Representative of a great district of Alabama, but as a humble citizen of this great Republic. I plead with you, my colleagues, and with all who have ears to hear, that we set ourselves against consideration of those things which tend to divide us and give our best thought to those things which unite.

I am appealing to the membership of this House to think on these things. There is no reason why we should adopt the unconstitutional, statutory way when we have a perfect right to submit a constitutional amendment which might do legitimately what the proponents of this heinous bill want done. I beg of you, whether you support the objective of this bill or not, that it be defeated, because it is illegitimate, and its passage would assassinate interstate comity. I beg of you to think on these things and be on

your guard lest plausible arguments, artfully advanced, should sway your better judgment.

Mr. PICKETT. Mr. Speaker, I yield 1 minute to the genleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, in view of the fact that the leadership is determined that the anti-poll tax bill must pass this House again today, and in view of the further fact that the old game of politics must be played, I suspect that if I had 1 month instead of 1 minute to argue against the passage of this bill the time would be insufficient. For everyone must realize, even the new membership of this body, that regardless of the arguments that are made against the bill, and regardless of the provisions of the bill, because of the political appeal that the bill has to those residing north of Messrs. Mason and Dixon's line, that nothing I or anyone residing below that line could say would do any good.

Mr. Speaker, I have spoken in opposition to this bill, and opposed it vigorously every time it has come to the floor, and for that matter long before it got to the floor. I have opposed it, not because I live in the South, but because I regard it as unwise and unconstitutional. As I have pointed out on previous occasions, if the Federal Government can say to my State that it cannot require the payment of a poll tax as a requisite to the right to vote, the Federal Government can also say to your State that it cannot require a voter to even register before he votes.

If you can constitutionally pass this anti-poll-tax bill today, you can also pass one tomorrow providing for universal suffrage. Yes, you can pass a bill requiring the States to permit the infants in the arms of their mothers to exercise the right of franchise.

It is most unfortunate that so many of the membership of this body will yield to political expediency. I realize that there are a few enthusiastic "do-gooders"—those who would reform the world and who sincerely believe in this type of legislation. But you and I both know that political expediency is the vehicle upon which this bill is riding to passage today. Otherwise, why the rush to railroad it through at this stage of the session. Is there anyone who will rise from his seat now and say that this bill has one chance in a million of passing at the present session of Congress? You know, and I know, that over in the other body where the right of free and extended debate exists the leadership will not even attempt to present it at this session.

Yes, there is another class who favors this bill. Every Communist in the country is back of it. They are always appealing to the Negro segment of our population. Everyone familiar with the Communist movement in this country knows that.

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

Mr. PICKETT. Mr. Speaker, I yield 1 minute to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Speaker, we all know that this bill is conceived in sin and brought forth in iniquity. It is another form of Southern baiting and we are getting awfully tired in the South of being kicked around by the Democratic National Committee and the Republicans. The left wingers and right wingers are now joined together to kick the middle of the roaders around. I am going to extend in the Appendix of the RECORD a speech on the electoral college; but for the electoral college neither party would have to get down on its bellys in an effort to try to get the minority votes from the pivotal States. We all know, as a matter of fact that that is what the Republicans are now doing in this bill. I want to ask all of you, although it is very immodest to make such a request, to read the speech I am going to put in the Appendix, and join with me in the next session of the Congress to try to get rid of this anomalous thing called the electoral college, and then the gentlemen of Congress can vote their conscience and not their political apprehensions.

Those of us who oppose this bill are not defending the poll tax. We are simply defending constitutional government and proper State sovereignty. If this bill ever becomes law, it will largely destroy the ballot box as an institution of self-government, and will mark a tremendous advance of Federal bureaucracy into the local affairs of the States.

Mr. PICKETT. Mr. Speaker, I yield 1 minute to the gentleman from Mississippi [Mr. RANKIN].

NERO FIDDLES WHILE ROME BURNS

Mr. RANKIN. Mr. Speaker, the gentlewoman from New Jersey [Mrs. NORTON] overlooked the fact that the very crowd that is trying to ram this legislation through Congress also rammed the FEPC bill through the Legislature of the State of New Jersey. If she could read the letters coming to me from New Jersey protesting that monstrosity, she might change her mind. Unless that vicious measure is repealed, it will drive industries out of New Jersey.

The Legislatures of Pennsylvania and other States refused to be dragged into this trap, but turned the FEPC down cold.

I want to say to the Members on the other side, and to everyone on this side who will vote for this unconstitutional measure, that you are not helping anybody, but you are "commending this poison chalice to your own lips." This gang that is out to destroy the Constitution of the United States is not going to stop with this. They are going to demand the passage of other similar bills.

They are here in Washington demanding now, that you pass a national FEPC act.

By the passage of this crazy measure you will simply be carrying out the program of that unseen hand that has been so pronounced in this country under the evil guidance of Gerhard Eisler and other Communist leaders who are planning a Negro soviet in the Southern States, which, if it succeeds, would mean the murder of practically every white man in the area and the raping of untold thousands of white women.

The supporters of this vicious measure would not only destroy the Constitution of the United States in order to play up to a radical minority, but they duplicate that ancient example of irresponsibility in which Nero fiddled while Rome burned.

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

Mr. PICKETT. Mr. Speaker, I yield half a minute to the gentleman from Mississippi [Mr. ABERNETHY].

Mr. ABERNETHY. Mr. Speaker, the echo of the last shot in World War II had hardly died away before this Congress found itself very busy appropriating billions to feed, clothe, and rehabilitate the peoples of those countries which had vowed to destroy us. We find ourselves still making those appropriations. Compare that, Mr. Speaker, with the treatment administered to a bleeding South at the close of the War Between the States. There was no UNRRA then. Oh, no! There were no Federal funds to feed and clothe the starving thousands of conquered Dixie. Instead you sent your carpet baggers to pillage our country and usurp our State governments, who, incidentally wrote the poll tax into many of our State constitutions.

For one unsound reason or another you have been kicking us around ever since. Throughout all these years, you have used the South as the object of your cheap political demagoguery.

Why all of this haste? Why circumvent the Rules Committee? Why close the hearings while the ranking Democratic member of the Committee on House Administration was attending a funeral? Why bring up the bill in such a manner that amendment is denied and debate so limited? What has happened to free speech in the House of Representatives? We get only a minute, or a half minute, to debate an important constitutional question. Why is it necessary to gag debate? Cheap political demagoguery, that is the answer. The whole thing is a cheap political demagogic appeal to a few Negro constituents, parlor pinks, left-wingers, and radicals.

It makes me sick at my stomach.

Mr. PICKETT. Mr. Speaker, a parliamentary inquiry. Is it possible at this time to make any kind of an arrangement, in accordance with the rules of the House and the ruling of the Chair, to provide that certain Members over here on this piece of legislation, who want to speak in opposition to it, and who have had no opportunity under the 20 minutes to which this side of the discussion was limited, to get it into the RECORD at this point?

The SPEAKER. The Chair will be delighted to entertain that request after the vote is taken; to have it extended at this point in the RECORD.

The time of the gentleman from Texas has expired.

Mr. PICKETT. Mr. Speaker, I had half a minute remaining when I propounded the parliamentary inquiry.

The SPEAKER. The parliamentary inquiry was included in the gentleman's time, according to the rules.

Mr. PICKETT. Mr. Speaker, another parliamentary inquiry.

The SPEAKER. The Chair, out of the generosity of his heart, in view of the fact that the gentleman had only 30

seconds left, will entertain the parliamentary inquiry.

Mr. PICKETT. I thank the Speaker for the offer made. Mr. Speaker, I just wanted to find out if it was at all possible at any time under the rules of this House to get enough time to speak on it, either in the House or in the committee, which I never had the opportunity to do for a year. I thank the Speaker.

Mr. GAMBLE. Mr. Speaker, I yield 7 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, I would like to tell the House why I am in favor of this legislation. I think it is the unfinished business of this generation. Liberty is always unfinished business. Equality is always unfinished business. So, quite aside from some of the remarks, intemperate and otherwise, that have been made here, one of the great responsibilities and one of the great objectives of the Republican Party since its birth has been equality and freedom. So, this is the unfinished job.

We made three endeavors before, once in 1942, once in 1943, and once in 1945 to have this legislation engrossed upon the statute books. The vote was not less than 251 in favor of this legislation on every occasion.

What may happen in another body is no concern of ours, because we have a responsibility to discharge. There is only one question before the House, and that question is, Does the Congress of the United States in a Federal election involving the President, the Vice President, Senators, and Representatives, have the power to prohibit a poll tax as a prerequisite to voting? My answer to that is "Yes," and I think there are two good and substantial reasons for it.

I freely admit all the things that have been brought up in connection with the Constitution with respect to this matter. For instance, in article I, section 4, as to the time, place, and manner of holding elections; and what appears in section 2 of the fourteenth amendment regarding the reduction of representation, which has never been done by Congress. I freely admit what is in the seventeenth amendment with respect to qualifications. I admit freely that the fifteenth amendment does not of itself confer the right of suffrage. I am quite conversant, I think, with section 4 of article I of the Constitution with respect to the qualifications of electors, and that is the question that is involved here, and over the years it has been thoroughly confused.

Granting that a State can impose a qualification, two questions arise: First, can Congress undo it, and second, what is a qualification? Certainly Congress can undo it, because in article I, section 4, after it confers the right upon the States to determine the time, place, and manner of elections, there is a semicolon in that article, and then this language:

> Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

That is the only limitation upon the Congress. As I read the Constitution, not one section at a time but in its entirety, seeking to relate every provision that is there, I am persuaded that Congress has this power.

Let me add at this point, that every Member of this body and every Member of the Senate must be his own constitutional lawyer. If it were not so, how could one ever test out the constitutionality of a proceeding in the high tribunal? It is for me as a Representative of the people to determine what I think is constitutional, and if those men in their wisdom over in that white marble structure across the plaza determine that I am wrong, I must abide by their judgment. But I must read it for myself, in its entirety. As I read it, I believe the Congress has the power where a Federal function and where Federal officials are involved to determine this matter.

The second question is the question of qualification. The States have the power to fix qualifications. What is a qualification? I can understand age as a qualification, because age involves the maturity of judgment of a person. In Georgia they say you are old enough and mature enough when you are 18. In my State they say 21. But I can understand it.

I can understand literacy as a qualification, the capacity to read and write and understand the responsibilities of a citizen. I can understand citizenship as a qualification, because it goes to the heart of fealty and allegiance to the country. I can understand residence as a qualification, because there the interest of any State or Commonwealth is involved. But I cannot understand how you can include in the term "qualification" the imposition of a $1, $2, or $5 tax as a prerequisite for voting.

If you grant that that can be done, then you can impose a tax of $200 or $300 or $5,000, and you can disfranchise almost everybody in the electorate in any of the States in the Union. That was never my contemplation of a document that had upon it the seal of approval of the people more than 150 years ago. So when we examine into those two propositions: Does the Congress have the power? I think it does have the power under article I, section 4, of the Constitution. Is the poll tax a qualification? In my judgment, it is a restriction and not a qualification. It was designed in the first instance to restrict the right of suffrage. It had behind it a design to shrink the electorate in order to achieve a certain result. And so the answer is: We have the power; the poll tax is not a qualification within the contemplation of the framers of the Constitution or of the Constitution itself.

Mr. Speaker, would it not be a dreadful thing in keeping a rendevous with liberty and equality that we could say to a man in seven States of the Union today: "You shall have the privilege of fighting for your country. You shall have the privilege of dying for your country on some foreign battlefield, but you shall not have the right or the privilege to vote for the Congressman who voted for the declaration of war which carried you abroad, and you shall not have the right to vote for the President of the United States who signed that declaration of war, unless you first pay a poll tax.

Mr. Speaker, what an awful thing that would be. This is the unfinished business of this generation.

Mr. BRYSON. Mr. Speaker, the hardy perennial of American politics is the poll-tax issue. It is the recurring weed in the legislative garden. Each year it springs up full blown on the House Calendar, timed to fill the gap between the end of the Japanese beetle invasion and the beginning of the ragweed and hay fever season. It is, and has been for some time, more of an irritant than a menace.

The proponents of the anti-poll-tax measures repeat their annual inanities. In their arguments we find much that is new and much that is true. Unfortunately, the things that are true are not new, and the things that are new are not true.

The poll-tax-abolition issue is now so old and so familiar that any comment must of necessity be a rehash of what has been said again and again. We recognize the fact that there are a great many fine persons in and out of Congress, in the South as well as in the North, who sincerely believe that the poll tax should be abolished. But there are also others not so sincere. Some of the most active spokesmen against the poll tax are people who are not now and never will be sincere Americans. I am referring here to the members of the American Communist Party, in which poll-tax abolition is one of the principal platforms.

The strongest advocates of the anti-poll tax legislation are the Communist and Socialist Parties, and the radicals and left-wingers of both the Democratic and Republican Parties. The most outspoken groups are the CIO Political Action Committee and the National Association for the Advancement of Colored People. There are more Communists in these groups than all other groups of people in this country. For years the Communist Party has been preying upon the Negroes of the country, under the false appeal that it is trying to be of assistance to them. The Communists care not one whit for Negro welfare; they care only about spreading their vicious ideologies. They have a poor estimation of the Negro's fundamental common sense when they attempt to enlist him in un-American causes.

Disregarding the Communist Party, however, there remain a number of compelling reasons why Congress should not enact anti-poll-tax legislation. The chief concern of all Americans should be the sovereign right of the States to set up their own election machinery. We cannot on one hand proclaim our desire for democratic government and with the other hand abridge the fundamental rights of our States. It was distinctly the theory of the founding fathers, whose wisdom and prescience have been demonstrated throughout the history of this comparatively young country, that the electors in our democracy, our experiment in government in which was planned a reversal of autocracy, must be responsible and enlightened individuals.

Use of the poll tax, it must be remembered, falls into more than one category. It was first used to extend the right to vote, and secondly its purposes has been that of a guarantee of possession of qualifications deemed necessary in a democracy if that democracy, or the new theory of government by consent of the governed, were to prevail.

The poll tax is a contributing factor to the proposal that the decision of the elector must be in the best interest of the country and the community, and as a matter of fact that is exactly the manner in which the poll tax has worked out. Where the poll tax has been found to work a hardship or an injustice upon any group of our people, it has been and will continue to be abolished by the action of the States themselves.

Listen to the language of our Constitution, as found in article 1, section 2:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

This basic right of the States to determine their own voting qualifications was reaffirmed when our Federal Constitution was amended to permit the election of United States Senators by a direct vote of the people. Thus we have today two similar provisions in our Constitution providing that the qualifications of electors or those who vote for Congressmen and United States Senators shall be fixed by the States. The provisions are specific and subject to no other interpretation.

Our courts have handed down numerous decisions supporting the Constitutional authority of the States to fix qualifications for voting. In the case of the United States against Cruikshank, the court declared—

> That the fifteenth amendment does not confer the right to vote. That is the prerogative of the State laws. It only confers the right not to be excluded from voting by reason of race, color, or previous condition of servitude, and this is all the right that Congress can enforce * * *. The State may establish any other conditions and discriminations it pleases, whether as to age, property, education, or anything else.

In an opinion rendered by Supreme Court Justice Butler in 1937, it is stated:

> Privilege of voting is not derived from the United States but is conferred by the State; save as restrained by the fifteenth and nineteenth amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

If Congress can prohibit to the States a given qualification of electors at a Federal election, it may equally prescribe affirmative qualifications. The poll tax has never prevented anyone from voting who was qualified to exercise the franchise, and it has raised the level of political practices. Poll-tax opponents point to isolated cases of errors and mistakes, but these do not overcome the principles involved in States' rights and the enlightened action of the electors.

The poll tax may or may not be a wise provision. It may have outlived its usefulness. It may be time to eliminate it entirely as a requisite for voting. I shall not debate this issue. But I shall resist, with all my force, the attempt on the part of the Federal Government to reach into the separate States in which the poll tax now prevails and dictate its abolition. I am seriously concerned about the constitutional right of the State of South Carolina to prescribe its own qualifications for the privilege of voting in its primaries. If legislative action on the part of Congress can do away with the poll-tax requirement in South Carolina primaries, it can also wipe away the educational qualifications for the privilege of voting in that State. It is only a step from there to the abolishment altogether of the requirement of registration.

If the poll tax is to be eliminated, the way to do it is through State action. There remain today only seven States in which the poll tax exists. In all seven, sentiment against it is increasing. Georgia ended the poll tax in 1945; Florida ended it in 1937; Louisiana in 1934. It is absurd for the Federal Government to step into a situation which is already well on the way toward being settled in true democratic fashion. If Congress has a right to dictate conditions in an exclusive State function, such as the poll tax, it may dictate as respects every other voting requirement. When a Congressman from Ohio introduces a measure to end the poll tax as a requirement for voting in South Carolina, he by that act asserts that Congress may likewise end any voting requirement that Ohio may have. And this applies to every Congressman from every State in the Union.

For several years we have watched as the States have lost to the Federal Government many of their most precious powers. The abridgment of States' rights cuts to the very heart of the existence of a State as a unit of government. Our citizens are showing rightful concern lest their rights and functions be reduced, and the pending measure merely serves to intensify that concern.

I hold that we cannot, in the name of individual liberty, trample on our sacred Constitution merely to appease certain pressure groups who are backing such pernicious legislation as H. R. 29.

This bill has absolutely no merit in the light of the Constitution, and no merit in the further light of court interpretation. It constitutes a high-handed encroachment of States' rights, and its enactment would tend to shatter our national unity at a time of grave national crisis. It is a reincarnation of the carpet-bagger spirit and would bear similar fruit in bitterness, hatred, animosity, and disunity. Our State governments are sufficiently enlightened and sufficiently responsive to the democratic urges of their citizens to take action without Federal interference. H. R. 29 is an invasion of States' rights. The time to halt that invasion is now, and in this fight I call upon all those who believe in individual rights and the rights of the States; we must preserve the way of life that is precious to us and to the world.

Mr. DREWRY. Mr. Speaker, the subject matter of H. R. 29, entitled "a bill making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers," has been before the Congress for many years. Much has been said concerning it and much discussion has resulted. To this time legislation of this nature has not been passed, for the Congress has seen the inherent danger to our form of constitutional government if such legislation should be enacted.

I shall not discuss the subject further than a few remarks concerning the danger to our political institutions, and the unconstitutionality of the proposed legislation. After all is said, the first approach to legislation should be to apply the test of its conformity to the Constitution of the United States. If any proposed legislation be unconstitutional there is no need to go further into its merits or demerits. There are many other objections to the bill, but I have spoken of these at other times and will only refer you to these discussions if you should desire to ascertain my views on other phases of the subject.

As to its constitutionality, the interpretation of the constitutional provisions is not very abstruse. Anyone with a knowledge of proper interpretation of the expressions of the English language can determine it for himself. Its interpretation does not depend upon a profound acquaintance with constitutional law.

Section 2 of article I of the Constitution of the United States reads:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Take, for illustration, the State of Virginia. Virginia, through the people of the State, adopted a constitution which prescribes as one of the qualifications of electors who desired to vote for members of the House of Delegates of Virginia—"the most numerous branch of the State legislature"—that electors "shall as a prerequisite to the right to vote pay, at least 6 months prior to the election, all State poll taxes assessed or assessable against him, under this constitution, during the 3 years next preceding that in which he offers to vote."

The payment of poll taxes therefore is one of the qualifications requisite for electors "of the most numerous branch of the State legislature." It therefore follows that the electors for Members of Congress shall be the said electors as herein defined. This seems to me to be a clear and logical interpretation of the words used in the Constitution of the United States and the constitution of Virginia.

The interpretation of this language was discussed in the Constitutional Convention when the United States Constitution was adopted. The remarks of Alexander Hamilton, of New York, one of the leading minds of that Convention, have come down to us and state clearly the thought of that Convention. Alexander Hamilton said:

> The first view to be taken of this part of the Government relates to the qualifications of the electors and the elected.
>
> Those of the former are to be the same with those of the electors of the most numerous

branch of the State legislatures. The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution. To have left it open for the occasional regulation of the Congress would have been improper for the reason just mentioned. To have submitted it to the legislative discretion of the States would have been improper for the same reason; and for the additional reason that it would have rendered too dependent on the State governments that branch of the Federal Government which ought to be dependent on the people alone. To have reduced the different qualifications in the different States to one uniform rule would probably have been as dissatisfactory to some of the States as it would have been difficult to the Convention. The provision made by the Convention appears, therefore, to be the best that lay within their option. It must be satisfactory to every State, because it is conformable to the standard already established, or which may be established, by the State itself.

Note two of the sentences of Hamilton's statement:

The definition of the right of suffrage is very justly regarded as a fundamental article of republican government. It was incumbent on the Convention, therefore, to define and establish this right in the Constitution.

Reference has been made by some to article I, section 4, reading as follows:

The times, places, and manner of holding elections shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations.

It has been suggested that the payment of a poll tax comes within the meaning of the word "manner" in said section. To state it shows its asurdity, for the qualifications of an elector could not by any stretch of the imagination be construed as a manner of holding elections.

Probably reference should be made also to article X of the Constitution of the United States reading:

The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people.

The fundamental principle uppermost in the minds of the members of the Constitutional Convention was that there should be no interference by the Federal Government in the rights of the respective States. So, article X was added to the Constitution to make assurance doubly sure. The regulation of the suffrage was fundamental to the existence of the States and they not only retained it in their own hands by section 2 of article I but they supplemented it with article X. The qualifications of electors certainly were not delegated to the Federal Government and hence were reserved. Suffrage control was the one thing the States would not surrender then, nor now.

There is a principle involved in this legislation, however, which affects not only the poll-tax States, but the right of every State to manage its own internal affairs. It is the essential of good government under our form of government, that the people shall decide by their vote what kind of government they want. Therefore it is essential that each State should control the suffrage of its citizens, and this power is necessary to its existence as a democratic form of government within itself. If such power should be referred to Congress, then the several States could be interfered with at any time by the varying views and opinions of the Representatives from all of the States, who might change their opinion from time to time. No State, so far as suffrage is concerned, could have a stable form of government. This is the reason, of course, why the Constitution provides that each State shall decide this all-important question for itself. Virtually, the entire construction of government depends upon the suffrage of the people. Therefore the passage of such a bill as this, in principle, would affect not only the seven States which have the payment of a poll tax as a prerequisite to voting, but would affect every State in the Union. Further, if the control of the internal affairs of a State is lodged in Congress in the method proposed by this bill and became a part of our form of government, the smaller States would be definitely within the power of the larger States. That would result eventually in the smaller States ganging up on the larger States and interfering with the State autonomy of same. It would not seem necessary to extend a further discussion of this matter, for everyone can see for himself what a dangerous principle is being advocated, a principle that might cause untold trouble in the future in a great many ways. If anyone be interested in pursuing this subject, I will refer him to a fuller discussion by me on the floor of the House on May 25, 1943, giving illustrations and examples as to the possible working out of such a principle.

It is noticed that the language of this bill is that it shall be unlawful for a State to require the payment of a poll tax for voting or registering to vote in certain specified elections. As said above this applies to all the States, not only those that have poll taxes, but those that do not have such taxes. It applies to every State, for if it can be made unlawful to make the payment of a poll tax a qualification for voting, it can also make unlawful other qualifications of other States besides the few poll-tax States. This distinction was well brought out by Mr. Mark Sullivan in which he said:

And—here is the menace to all the States—if Congress can forbid one qualification, it can forbid any other qualification. By forbidding the poll tax as a qualification, Congress would set up a precedent and principle by which some future Congress could, if it chooses, forbid qualifications about residence and citizenship. If the Council of State Governments, if the 48 State Governors, and all the other persons and organizations concerned about loss of State functions have vigilance in proportion to their earnestness, if they have energy to act in behalf of what they believe—they will take steps at once against House Resolution No. 7.

This is the form in which the matter was presented at that time. He also commented on the lack of understanding of the effect—on all the States and on the structure of American Government of the passage of such legislation by the Congress.

In discussing the constitutionality of such a bill as H. R. 29, there is no intention on my part to claim that the same result could not be obtained in a constitutional manner instead of in an unconstitutional way, mainly by a constitutional amendment as the Constitution itself prescribes the way in which changes can be made in the Constitution. If such action be taken in a constitutional manner as prescribed by the Constitution, then the question of unconstitutionality as to the lack of power in Congress to pass such an amendment to the Constitution would not apply. There are other objections to the bill, however, which would apply, but I merely wish to refer to the unconstitutionality of the method that is now being used in this bill.

Also the question of suffrage qualifications may be passed upon by the several States as they please, as the Supreme Court said in the Breedlove case of 1937:

The privilege of voting is not derived from the United States, but is conferred by the State, and save as restrained by the fifteenth and nineteenth amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

This procedure is now being followed in some States and is, of course, the proper approach to the question.

Mr. BECKWORTH. Mr. Speaker, I wish to say I oppose the bill (H. R. 29) which is now before the House. In the time I have been in Congress I have opposed each time similar legislation.

Mr. HAND. Mr. Speaker, since the bill to outlaw poll taxes comes up under suspension of the rules, and only 20 minutes is allowed the proponents of the measure, a very brief statement will have to suffice. Hardly more is necessary, since the overwhelming majority of the people are persuaded that this act of justice is long overdue. In a democracy the payment of a fee for the privilege of voting is unthinkable. If the tax can legally be $1, it can just as readily be $1,000, and if this were permitted, we could have the franchise confined only to the rich.

It is high time that Congress assert its right to regulate Federal elections in this particular in the seven Southern States which still insist upon a poll tax.

I call attention to the excellent speech of the gentleman from Illinois [Mr. DIRKSEN] which not only is convincing as to the propriety of this action, but also of the constitutional right of the House to take it. I trust that the resolution will pass by an overwhelming vote.

Mr. FELLOWS. Mr. Speaker, H. R. 29 provides that the requirement that a poll tax be paid as a prerequisite to voting shall not be deemed a qualification of voters or electors. Yet the proponents of this measure argue that the qualification of an elector under the Constitution is not involved.

On October 13, 1942, I opposed this proposed legislation on the floor of this House.

Voting statistics and percentage comparisons are interesting, but they have not the slightest bearing upon the fundamental issue involved in the discussion of this so-called poll-tax controversy.

Most of the States would not be directly affected by the passage of this proposed measure, but all of the people are directly concerned in the preservation of constitutional government, and one of the effective ways to destroy it is to pass legislation which is directly repugnant to our Constitution.

I assume it is agreed that if a Representative in Congress believes that a proposed statute is clearly contrary to the terms of our fundamental law, it is his duty to oppose it.

My opinion is that an authorizing constitutional amendment must be ratified by the States before this bill can become law.

The United States Constitution provides that the qualifications of those who vote for Members of Congress are prescribed by the States. Only the time, place, and manner of holding elections are under Federal supervision.

"Electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature" are the words of article I, section 2, and the seventeenth amendment.

This whole controversy hinges primarily on what these few words mean. Their meaning seems clear.

"Time and habit have done as much to interpret the Constitution as all the learned decisions of the Supreme Court."

Since the adoption of our Federal Constitution, the people of the States have assumed that the State had the exclusive right to prescribe the qualifications of those who would vote for membership in Congress, except when the Federal Constitution otherwise specifically provides, and by common consent of the legislatures, legal departments, and attorneys general of the several States, they have not only passed statutes covering this question as applicable to the election of their own officers and Members of Congress, but have in many instances incorporated the qualifications in their State constitutions.

The Congress of the United States has recognized this exclusive jurisdiction of the States, until introduction of H. R. 29.

In 1869 when it was thought wise and necessary to legislate regarding discrimination because of race, color, or previous condition of servitude, and again, in 1919 when the people demanded that citizens of the United States should not be denied the right to vote on account of sex, if the Fortieth and Sixty-sixth Congresses had used the methods adopted by the proponents of this pending measure, they would have used the simple expedient of introducing a bill in Congress. Instead, however, with the constitutional provisions before them, they proposed to the legislatures of the several States constitutional amendments, to be ratified by the necessary number of States, and to be known as amendment 15 and amendment 19, respectively.

It is significant that through the years, the States and the Congress have assumed this to be true, viz: that the question of qualifications occupied a field which the Federal Government could not invade without specific constitutional sanction.

Hamilton and Jefferson, in the Federalist, ask this question and answer it:

> Who are to be the electors of the Federal Representatives? They are to be the same who exercise the right in every State of electing the corresponding branch of the legislature of the State.

The Supreme Court has spoken:

> Save as restrained by the XV and XIX amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

Time and habit have placed their stamp of approval upon this construction.

Where is there room for controversy?

Washington speaks to us in these words:

> If, in the opinion of the people, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument for good, it is the customary weapon by which free governments are destroyed.

Mr. BATTLE. Mr. Speaker, today the House of Representatives is indulging in the most ridiculous fiasco which I have witnessed since becoming a Member of Congress.

The poll-tax issue is being brought up so late in this session of Congress that it is absolutely impossible for the bill to go through the normal processes which are necessary for it to become law.

The Republican leadership of the House says H. R. 29 should become Federal law although they know there is not enough time for it to become law.

This is indeed a gallant stand.

The poll-tax issue involving only seven States is being brought before the House today by the Republican leadership at a time when Congress is loaded down with national and international issues which are crying for attention.

Some Democrats are protesting through certain delaying actions which are allowed to the minority under the rules of the House. All told, Mr. Speaker, the House of Representatives of the United States is grossly wasting its time during this last rush week of this session and during a most critical period of our history.

Personally, I would prefer that my State require certain minimum educational yardsticks as qualification for voting in lieu of the poll tax. It would be good to have more voters and more qualified voters. Such qualifications are required in other States and I believe they are sensible.

However, Mr. Speaker, I believe it is strictly unconstitutional for us to pass national legislation controlling the several States' electoral laws. I believe the solution to this question should be left up to the respective legislatures of the seven States involved.

Irrespective of the merits of H. R. 29, Mr. Speaker, the presentation of this bill today, without proper consideration and without adequate time for it to become law, is a political sham on the part of the Republican leadership in an effort to pick up liberal votes. My negative vote is a vigorous protest against such a political sham as we are witnessing today.

Mr. BROWN of Georgia. Mr. Speaker, the payment of a poll tax is not a requirement for voting in any election in my State now. However, I am opposed to the pending bill for the following reasons: First, I believe it is contrary to the Constitution; and, second, it is a matter for the States and not one for the Federal Government.

The power to hold an election and to determine the qualifications of a voter was never delegated to any branch of the Federal Government. It remains in the respective States, guaranteed by the Constitution. I have stated once before on this floor, when this same question was being considered, that regardless of whether it is right or wrong to require payment of poll tax as a prerequisite for voting, the matter is purely one for the States to determine. Why, at this late date, do you want to take away from the States the power over suffrage which for years has been recognized as belonging to the States of the Union?

The proper and only way for Congress to do away with the poll tax is by the submission of a constitutional amendment to the people and let the people themselves make the decision. In my opinion, if the pending bill becomes a law and is heard by the Supreme Court, the Court will rule, in effect, that to accomplish what the bill seeks to do will have to be done by constitutional amendment.

Mr. GATHINGS. Mr. Speaker, I bitterly oppose the enactment of this bill. When I became a Member of Congress, I subscribed to an oath that I would defend the Constitution of the United States. After taking that oath, I have never knowingly voted for legislation presented to this House during my service here, the provisions of which were unconstitutional.

Article I, section 2 of the Constitution of the United States, provides as follows: "The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." There is no getting away from the fact that the question of the qualifications of electors is a State function solely and exclusively. This bill to outlaw the poll tax violates the rights of the several States. Congress can protect the manner of holding elections in which Members of the House of Representatives and of the Senate are being voted upon but the States themselves must and shall prescribe the qualifications of the voters. The qualifications of voters are expressly reserved to the States. Such qualifications are among the powers not delegated to the United States and are, therefore, reserved to the States themselves or to the people, under the tenth amendment to the Constitution. Members of the House of Representatives or of the United States Senate should not violate their oaths of office to uphold the Constitution by supporting an unconstitutional bill. The Federal Government did not create the States of the Union. This Government is the creature of the several States. You have but to read

the debates of the Constitutional Convention to realize the extent that the delegates concerned themselves in preserving the powers and prerogatives of the States and in limiting the powers of the Central Government.

It is apparently of great concern to certain people and groups in other sections of the country to pass Federal laws affecting States to the south of them and south of the Mason and Dixon's line. We in the South have no apologies to make to any other section of the country. We are well able to look after our own affairs without dictation from other sections of the country. We have grown and prospered decade after decade. We will continue to do so. Time and time again proposals have been presented to this body in which it is attempted to reform somebody else's State. Apparently some people are mighty happy when these proposals come along which undertake to regulate other people's businesses, affairs, and politics. When we in the State of Arkansas desire to eliminate the poll tax as a qualification for voting, we will do so ourselves in the manner prescribed by law. Many States have already taken action to abolish the poll tax as a voting qualification. North Carolina has abolished it. Florida and Louisiana have abolished it, and other States of the South are considering such action. Leave us alone. We are well able to handle our own affairs.

Mr. Speaker, I trust that this bill will be voted down.

Mr. ALLEN of Louisiana. Mr. Speaker, I rise in opposition to the bill H. R. 29, called the poll-tax bill. We have not had a poll tax as a requirement for voting in a good many years in Louisiana. But, Mr. Speaker, I have consistently opposed this legislation, and I now oppose it, notwithstanding the fact that we have no poll tax in Louisiana. My chief reason for doing so is that I regard this purely as a State matter and not a matter for the Federal Government to legislate upon. I think the matter of fixing the qualifications of voters is purely a State function and I think it is a dangerous precedent for the Federal Government to undertake to fix voting qualifications in the various States. Mr. Speaker, I know full well what is behind this bill and I know that practically all members of this House will vote for this bill with the exception of Southern Democrats. I know that Southern Democrats are very much in the minority on this question. Everyone here knows that this bill is going to pass today in this House. The majority is all set for that to happen. Everybody knows that the statements which we Southern Democrats are making here today are not going to change the results, but nevertheless I want to voice my protest against this bill because this bill is an effort to further destroy the rights of the States and to further encroach upon the powers, prerogatives, and privileges of the several States of the Union.

Mr. Speaker, the said fact about this whole thing is that this bill is purely political. If it were not for the politics involved in this question, this bill would have never reached the floor of this House. It would have never come out of the committee. There would be few Members to raise their voices in an effort to disturb the peace and tranquility in the South and to infringe upon the rights of the States in this manner except for politics. Yes; the matter of political expediency is behind the whole thing. It is simply a question of courting the votes of minority groups in this country.

While there are undoubtedly some groups of good and well-meaning citizens unfortunately supporting this legislation, because they are uninformed and do not understand the serious implications involved, it is a significant fact that every single radical and communistic group in this land is whooping it up for this legislation. This latter fact alone, it seems to me, ought to be sufficient cause and warning for the Members of this House to stop and think about what they are doing this day. But, Mr. Speaker, instead of this legislation having the serious and searching deliberation of this body, we find this bill being brought here today under a motion to suspend the rules and pass the bill, which means that no amendments whatsoever can even be offered on the floor and also it limits the total time for the consideration of this assault upon the Constitution of the United States to a total of 40 minutes. Think of it! Here to have a bill which strikes at the very foundation principle of the right of every State to fix the qualifications of voters in that State and we have this bill rammed down our throats in 40 minutes. Well, as I said, I know you have the votes to do it, but I am raising my voice and will give my vote in protest against that. In doing so, Mr. Speaker, I am not defending the imposition of a poll tax at all. As I said, many years ago we abolished the poll tax in Louisiana and most of the other States have done likewise. But I am defending the right of a State to fix the qualifications of the voters in that State. If this bill should ever become law, you can certainly look forward to attempts by certain groups in this country to push through other legislation to further curtail and take away the rights of the States to regulate the qualifications of their own citizens to exercise the right to vote.

Mr. Speaker, there are other reasons for opposing this legislation which I could advance, if I had an opportunity. I deplore the action which is being taken here today. This bill represents a part of the concerted drive which has been going on in this country to break down the rights of the States and to weaken our national Constitution. The day this bill becomes the law of the land will mark, in my opinion, one of the greatest assaults in history upon the people in the several States to control their own affairs.

Mr. JARMAN. Mr. Speaker, it is a sad commentary on Republican leadership that this bill, which is recognized by most attorneys to be unconstitutional, is brought up at this time and in this way. It merely indicates to the country the futility of a Republican administration and leads our people to know what might be expected, should we ever have a Republican President as well as a Republican-dominated Congress.

This is July 21. The law requires adjournment by July 31 and it is planned to adjourn on July 26. More than half of the appropriation bills, all of which should have been enacted before the commencement of the fiscal year on July 1, have not become law, the Republican-controlled Congress having been unable to enact them, although nearly one-twelfth of the fiscal year has passed. Such a condition has never heretofore existed during my 11 years as a Member of this body. We are meeting at 10 in the morning and remaining in session until late each afternoon. Despite this industry much important legislation must go over. Yes; many items which cause the importance of this attack on the South to fade into insignificance by comparison. As illustrative of the ability of our Republican friends to select a program, they bring up this unconstitutional anti-poll-tax bill under these circumstances and under suspension of the rules instead of one of these important matters, and for what purpose?

As my colleagues know, since this legislation applies to only seven Southern States, it has heretofore been generally regarded as a desire on the part of certain people in and out of Congress to interfere in the internal affairs of these Southern States and attend to our business for us. Of course, there has also been a certain amount of demagogic appeal to the Negro vote. In this case, however, references have occurred in the press quoting Majority Leader HALLECK and another gentleman from Indiana [Mr. LANDIS], which indicated that this and other antisouthern legislation would be brought up because of the well-nigh unanimous vote of southern Members to sustain the President's veto of the tax bill. These votes were conscientiously cast for what we then thought and still believe to be the best interest of our country. In fact, it is difficult for us to realize how a realistic approach to the matter can produce any other conclusion. Even so, it appears that this legislation was brought up today, without any warning and without southern members of the committee from whence it came even being able to ascertain when it would be brought up, purely as a matter of spite which, if true, certainly reflects no credit on the Republican leadership of the House.

Mr. TEAGUE. Mr. Speaker, I want to say for the RECORD that I am opposed to any form of anti-poll-tax legislation, including the measure now before this Congress. I am convinced beyond a shadow of a doubt that such legislation is wholly unconstitutional, I believe one of my colleagues has said that such legislation has already been declared unconstitutional about 14 times, and I think it a waste of time—and a waste of the taxpayers' money—to uselessly argue and take time to pass more anti-poll-tax legislation which in the end will, if it does not meet rebuff in the Senate, be classed as unconstitutional by the Supreme Court of the United States. The matter of elections has been, and I hope always will be, a matter of States' rights, and I see no reason to attempt further encroachment on something the various States

hold sacred. It is not a matter for this or any other Congress.

Mr. MADDEN. Mr. Speaker, this bill, H. R. 29, now under consideration by the House, would make unlawful the requirement for the payment of a poll tax as a prerequisite for voting in a primary or other election for national officers.

It is indeed unfortunate that the leadership of the Eightieth Congress delayed the consideration of this legislation until the last week before adjournment. This is only one of the important pieces of legislation which can be classified as unfinished business. Much-needed housing legislation, full employment, minimum wage, price control, antilynching, FEPC, flood control and river development, public health, and education are other important and necessary legislative problems which this Congress should have considered and passed during its 7-month session.

The anti-poll-tax legislation is highly necessary at this time because it will give the franchise to almost 10,000,000 citizens of our country of all races.

The enactment of this legislation is more necessary and essential today than at any time in our history. By reason of the recent war, our Government has assumed the leadership of the world. Our democracy must radiate practical examples of liberty and freedom for all the world to copy. If we are to spread democracy abroad, the finest and most effective way to bring that about is to encourage the spread of democracy at home.

We could well emulate Australia in practicing true democracy. In that great country, there is a poll tax, but it is a poll tax in reverse. The citizen who pays the tax is the citizen who fails to discharge patriotic duty of voting. If a poll tax existed at all in relation to the right to vote, it should be inflicted as a penalty for not voting and applied to every man and woman in America of voting age.

In this critical period of world history, our Congress should now and forever unshackle, as far as we are able, unfair, unfortunate, and unpatriotic restrictions and give to all people of our country, in the very fullest degree, the right to vote.

The passage of this legislation will give to over 10,000,000 people the right and the privilege to vote without paying a poll tax. It will free from this handicap and limitation, approximately 7,000,000 white citizens and 3,000,000 citizens of the Negro race. Moreover, it will stimulate an interest in government. It will make for better citizenship. It will bring about more intense representation on the part of elected officials. By giving this great segment of our population the right to vote, it will eventually bring about legislation that will improve housing conditions, health, education, employment, and other progress which will improve the American way of life.

Millions of persons today cannot vote on these important issues, and by reason of the poll tax, they are not receiving the representation to which they are justly entitled.

We must remember that these 10,000,000 disfranchised citizens were not barred from wearing the uniform of their country and offering their lives to preserve liberty and freedom, not only in this country, but throughout the entire globe. It occurs to me that if a man has the right and privilege of baring his breast for his country in battle, he merits the right to cast his ballot for the men and women who will represent him in his national government.

Let us today pass this anti-poll-tax legislation and give to a great segment of our own people the right to full, free, and complete citizenship, within the confines of their own country; and that will be the most effective message of democracy that we can send out to the other nations of the world. It will inform them that we not only stand for democracy abroad, but we are practicing it at home.

Mr. BAKEWELL. Mr. Speaker, the phrase "without regard to race, color, or creed" has been used and expressed so often that it virtually is considered the breath of our Constitution and the spirit of the freedoms and liberties protected by it.

The fight for freedom is a never-ending fight. We have only recently won the greatest battle for freedom in the history of the world in World War II. We only have freedom when we have free elections.

The purpose of H. R. 29, making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary, is an endeavor to maintain free elections in this country.

Those who oppose this bill offer constitutional objections. However, I have heard no objections in principle to this bill. The reason is, of course, that there cannot be any valid or fundamental objections to the principle which will guarantee the right to vote to every American. There is certainly no one who can defend the payment of a poll tax as a prerequisite to the right to vote.

Let us look briefly at the constitutional objections.

The minority report of the committee refers to only one passage of the Constitution, article I, section 2, which provides as follows:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

However, the poll tax is not a qualification for voting. It is a restriction on the right to vote.

No reference is made, however, in the minority report to the all-important thirteenth amendment to the Constitution, which states:

> The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State, on account of race, color, or previous condition of servitude.

Could any language be more clear?

The Constitution also says:

> The United States shall guarantee to every State in this Union a republican form of government (art. II, sec. 4).

A republican government is one with majority rule. In the poll-tax States a majority is disenfranchised. Can a republican government exist when a large number of citizens are denied the right to participate in affairs of government because they are poor?

When we eliminate all of the specious arguments against this bill, it is practically obvious that those who are in favor of the poll tax wish to control their elections by denying the right to vote to the poor class of people, and particularly to the Negroes. The power to tax is the power to destroy. The imposition of a poll tax is not only an abuse of the power to destroy, it is destruction itself.

Opponents of this measure have called it political demagoguery. On the contrary, I contend that it is political immorality to deny to any American citizen who has the necessary qualifications the right to vote. It is a concerted effort to reduce the number of people who are allowed to vote for the President and for their Representatives in Congress. This is un-American.

Those who oppose this measure have not had the temerity to say that the colored people cannot vote, but that is actually what they are trying to accomplish. Let us not deal in subterfuge, and let us not try to do indirectly what we have not got the courage to do directly.

I was interested in noting the decision of United States District Judge J. Waties Waring within the last couple of weeks, which guaranteed to Negroes the right to vote in the State Democratic primary in South Carolina. According to news accounts, attorneys presenting the case contended that a certain Democratic Club in South Carolina was a private club and that only white Democrats were entitled to membership and consequently privileged to participate in the primary elections of its party. But the court held otherwise. In my opinion, this decision portends a favorable decision on the constitutionality of the poll-tax question if and when it comes before the Federal courts for a decision.

The poor white people, the tenant farmers, the share croppers, as well as the Negroes fought in the last war to preserve democracy. Certainly if they were eligible for the draft and so willingly made sacrifices for their country, they should be entitled to have a voice in its government.

I had the privilege of serving in the United States Navy during World War II. While in the Marianas Islands, I was particularly impressed with the work of a Negro Seabee Battalion. They exhibited courage, organization, and character, which was a credit to their race. Certainly after seeing what they did for their country, I would be a hypocrite if I should now cast my vote to deny them the right to participate in a small way in their own Government.

Recently the United States saw fit to deny relief expenditures to certain countries in Europe because those nations had failed to hold free elections in a democratic manner.

Not many weeks ago we debated whether or not sums appropriated for relief could be spent in Poland. The charge was made that Poland was now a Communist-dominated country, and that free elections were no longer held in that nation.

Within the past few days I read a news article in a local paper which eminated from Budapest. It described how the Communists in Hungary had rigged the election laws so that only Communists could vote and they could vote as often as they pleased.

Now, Mr. Speaker, when we refer to free democratic elections, I think that we have four basic principles in mind, namely: that there is a choice offered, secrecy of the ballot, freedom from intimidation, and universal suffrage by all persons of voting age. The last principle is just as basic as any of the other three. If any one of these principles be absent, then the election is not a free election in the democratic tradition.

The inconsistency of our position in accusing other nations of not having free and democratic elections, while we simultaneously allow seven of our States to practice selective disenfranchisement, is obvious and merits the criticism which other nations are so quick to make. How can we as Americans in good faith preach democracy to the world and spend billions of dollars to further the cause of democracy when we have not put our own house in order? Do we desire to stand convicted in the eyes of the world of cynicism and duplicity? Shall we be cast in the role of the Janus-faced demagogue who views with disfavor practices by others which partake of an entirely different nature when indulged in at home? If we cannot make democracy work at home we might as well save the billions we are spending trying to make it work abroad.

Mr. Speaker, in behalf of the Americans who are disenfranchised in seven of our States by a legal subterfuge, and as one who believes that this Nation cannot continue to be part democratic and part poll tax, any more than it could be half slave and half free, I appeal with all the earnestness at my command to my colleagues here to vote favorably on this most important bill, that we may hold our heads up to all men as a nation which not only preaches, but also practices, democracy.

Mr. ROBSION. Mr. Speaker, I favor H. R. 29, the so-called anti-poll-tax bill, and I am supporting the motion to suspend the rules of the House and pass this bill. We passed similar bills in the House in the Seventy-seventh, Seventy-eighth, and Seventy-ninth Congresses, and it is my conviction that approximately three out of every four Members of the House favor this bill and will vote for it.

This bill makes it unlawful to require the payment of a poll tax as a prerequisite to voting in a primary or final election for national offices. In other words, a person otherwise qualified to vote for President, Vice President, Senator, or Member of the House of Representatives shall not be required to pay a poll tax in order to qualify such person to vote for these national officials, and it shall be unlawful for any State, municipality, or other government or governmental subdivision to prevent any person from voting or registering to vote in any primary or other election for national offices on the ground that such person has not paid a poll tax, and any such requirement shall be invalid and void insofar as it purports to disqualify any person otherwise qualified to vote in such primary or other election. In other words, no State, municipality, or other government or governmental subdivision shall levy a poll tax or any other tax on the right or privilege of voting in such primary or other election, and any such tax shall be invalid and void insofar as it purports to disqualify any such person otherwise qualified from voting. It further provides that it will be unlawful for any State, municipality, or other government or governmental subdivision to interfere with the manner of selecting persons for national office by requiring the payment of a poll tax as a prerequisite for voting or registering to vote in any primary or other election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, and it further provides that it will be unlawful for any person, whether or not acting under the cover of authority of the laws of any State or subdivision thereof, to require the payment of a poll tax as a prerequisite for voting or registering to vote in any primary or other election for President, Vice President, Senator, or Representative.

For some years we did have eight poll-tax States. The Georgia Legislature, under Governor Arnall, repealed the Georgia poll-tax law, and there are now only seven States. It is contended that these poll-tax laws are necesssary to provide revenues for schools and other purposes. Kentucky has a poll-tax law. Some of us pay as many as three different poll taxes—State, county, and city poll taxes—but these poll taxes have nothing to do with the registration or voting of our citizens. The State, counties, and cities can enforce these collections from the personal and real property owned by the taxpayer.

Much evidence has been submitted for the RECORD over a period of years that in the poll-tax States very little effort is made to collect these so-called poll taxes. In fact, some States we were told, the paying of these poll taxes and qualifying them to vote was discouraged. Believing in a republican form of government, as I do, where the people select their officers and where the officers should be the servants and not the masters of the people, and also believing participation generally by the citizens of this country in their Federal, State, county, and municipal governments is essential to the perpetuation of this free country, I think citizens should be encouraged to take an active part in their government by voting, and for those who are qualified to vote this participation should be made as easy as is practicable considering the sacredness of the ballot. Barriers should not be set up to discourage or make it difficult for honest, law-abiding citizens to participate in their government and in the selection of their public servants.

In my own district and State we find the people generally taking an active part in the final election in selecting their public officials. They are not hindered but are encouraged to do so. While I had no opposition last year in the final election, yet I received more votes than were cast in some of these poll-tax States. The imposition of a poll-tax program was set up in parts of our country beginning in 1890, and we need but to review the election results in the poll-tax States and the non-poll-tax States to observe the interest in the one group and the lack of interest in the other in the elections. In some poll-tax States the number of votes cast in the final election was 10 percent of the persons who should have the right to vote, while the Nation as a whole about 50 percent participation in the election. This is not a very healthy sign in a democracy.

Our friends in these poll-tax States claim for themselves the right to have representation in the House of Representatives based on the population of their respective States. On that basis they have several times as many representatives as a State with like population, but there are only about one-tenth of the people voting. The poll tax is not a hardship merely on the 3,000,000 colored people in these poll-tax States but also a hardship on the 6,000,000 to 7,000,000 poor white people. Our friends in the poll-tax States should be willing to grant the same opportunities to vote to the poor people as is granted to the poor people in the other States or be willing to reduce their representation proportionately in the House of Representatives and the electoral college.

I believe the removal of the poll-tax requirement will be helpful to these States rather than hurtful. The lack of a poll-tax requirement has been helpful rather than hurtful to the people of Kentucky, in my opinion.

Mr. WHITTINGTON. Mr. Speaker, I made a number of speeches in the Seventy-seventh Congress, in the Seventy-eighth Congress, and in the Seventy-ninth Congress in opposition to similar and identical bills. On June 12, 1945, I spoke in opposition to H. R. 7 in the Seventy-ninth Congress, which is identical with the bill under consideration. I can do no better than repeating substantially word for word the arguments that I made in opposition to that bill, which is identical with the bill now pending. It is generally conceded that voting is a State function and that the qualifications of voters are to be prescribed by the States. The argument of those who assert that the Supreme Court as now constituted will hold this or any other legislation valid regardless of the Constitution carries with it its own refutation on the very face of the argument. As to the constitutionality of this bill, I assert that I believe every Member of this body will vote in accordance with his or her oath of office. In 1937, in the Breedlove case, the constitutionality of the poll tax as a qualification for voting was upheld. The Classic case has been cited. That case was decided by the Supreme Court as now substantially constituted. It did not involve the matter of poll taxes. That case involved the matter of the integrity of the voting in Louisiana and the protection of the citizen in his right to vote. Therefore it is not in point. Following the Classic case, the Supreme Court of the United States as substantially now constituted in the case of

Purtle against Brown refused certiorari in a case involving the payment of poll tax as a qualification for voting.

If there are two classes of people in the United States that are more interested, if possible, in the integrity of the Constitution than any other classes it is the Negro and the poor people. As a member of the bar, I often invoked the Constitution in behalf of my clients, black and poor. I assert that this bill is unconstitutional; that no language has been cited from the Constitution or the decisions of courts that would justify the provisions of this bill.

Reference was made to article IV, section 4, guaranteeing a republican form of government. That article and that section has been construed time after time by the Supreme Court of the United States in the matter of elections, and that is generally confined to fraud and corruption. It is necessary to provide a republican form of government that the States which, for more than a hundred years, at the time that provision was adopted, required the payment not only of poll taxes but of property taxes, should be upheld in their rights and protected in their rights. There is a new South. That is the South of Grady of Georgia; that is the South of Lamar of Mississippi; that is the South of tolerance, with our eyes toward the future. Give us a chance. Poll taxes are being eliminated in the South by the States. If there is one statement that was made this morning more accurate than another it was the statement of the colored Member from New York that the elimination of poll taxes in the South has not conferred, and will not confer, franchise upon the Negro. North Carolina has abolished the poll tax qualification. Florida has abolished it. Louisiana has abolished it. An amendment is now being submitted by Georgia. Give the South a chance to solve our own race problems. They will not be solved by force or compulsion.

As has been well said in this debate, it is not a question as to the policy that will be pursued in the South, but it is a question whether or not the Congress of the United States shall interfere and intervene and deprive the States of their rights. Some are never so happy as when they are undertaking to regulate other people's lives, other people's businesses, and other people's politics. The matter of the elimination of the poll tax in the South as a requisite for voting will be retarded by those who insist upon the passage of a bill similar to the one now pending. It will not provide franchise for those for whom it is intended to provide. Whatever may be said of Mississippi, we have eliminated the poll tax in our primary elections, for the soldiers in the service. Whatever may be said of Mississippi we have gradually improved and liberalized our voting laws. I had a neighbor some 15 years ago who owed about $20,000 in taxes which he was unable to pay and he was not permitted to vote. The poorest man in the State voted by the payment of a $2 poll tax. It is the problem of the States. It is the function of the States. Mississippi has repealed all taxes except the poll tax for voting. The States will solve the problem in their own time. Those who advocate the passage of this bill in order to liberalize the ballot and franchise will defeat the very purpose that they have in mind. There are rights for the States. There are Federal functions. Rights of the States exist in war as they exist in peace. The right to vote has never been declared by the Supreme Court of the United States in all the cases, a matter for the States. There is not any language that has been thus far cited, or that can be found, that could lead a thoughtful man or a good lawyer to the conclusion that the Supreme Court would other than void any act of Congress that undertook to regulate the franchise of the States. Volumes of decisions of the Supreme Court are filled with decisions that hold similar acts of Congress invalid, passed during the tragic days of the reconstruction. If the States can be entrusted with the lives and the property of the people, surely the States can be entrusted with the matter of franchise.

It is generally agreed that suffrage is not a matter of right but a privilege to be conferred by the States.

In Federal elections qualifications of voters for Members of Congress are found in article I, section 2, of the Constitution. They are the qualifications for the electors of the most numerous branch of the State legislature. Those qualifications are to be prescribed by the State.

However, it is argued that under article I, section 4, relating to the power to regulate the time and place and manner of choosing Senators and Representatives, the Congress reserved the power under the term regulation, to prescribe qualifications.

The complete answer is that for 123 years Congress never undertook to exercise any such power. It thus admitted that it had no such power. Moreover, it must follow that Congress has no such power as to voters for Representatives.

Among the qualifications for voting are sex, residence, age, and taxes, including poll taxes. It has been said that under the Classic case for the first time the Supreme Court of the United States has indicated that it will go into the matter of the qualifications of voters. That case involved a primary election on the facts in that case. That case decided that under the necessary and proper clauses of the Constitution guaranteeing a republican form of government, the Federal Government would protect a citizen in the exercise of his right to vote for Representative.

I call attention to this language in the Classic case:

> Obviously included within the right to choose secured by the Constitution is the right of qualified voters within a State to cast their ballots, and have them counted in congressional elections.

There was no question of the qualifications of voters involved. It was a question there whether a man who is qualified would be permitted to cast his vote.

The Supreme Court has decided that State poll taxes are not unconstitutional. In 1937 the Supreme Court of the United States in the Breedlove case upheld the validity of a statute requiring the payment of a poll tax to vote in a Federal election. After the Classic case the Supreme Court, as substantially constituted at present, in the Pirtle case, involving the poll tax in a Federal election refused a writ of certiorari, thus upholding the doctrine in the Breedlove case, to wit, that the qualifications of voters in senatorial and congressional elections is a matter for the States.

The bill admits that poll taxes are a qualification, and under the guise of denominating the payment of a poll tax a hindrance, the advocates of the pending bill are hard pressed to declare that payment of taxes, that sex, that age are in the same category as fraud, intimidation, and corruption. The bill under consideration undertakes to say that that which has been deemed to be a qualification from time immemorial, to wit, the payment of a poll tax, shall not be a qualification.

The bill under consideration will not accomplish its purpose. In the so-called eight poll tax States there are other qualifications for voting. These remain.

The qualifications for voting in 8 of the States are proscribed in the pending bill. If Congress can proscribe, then Congress can prescribe. If Congress can proscribe poll taxes in 8 of the States, then Congress can prescribe qualifications in all of the 48 States. The function of the States with respect to suffrage would thus be abolished.

If we believe that the bill is unconstitutional we should oppose it. We can not salve our conscience by saying that we will pass it on to the Supreme Court. Moreover, the Congress of the United States has held that only by constitutional amendment can qualifications of voters be changed. Sex was abolished as a qualification by the nineteenth amendment, and the payment of poll taxes as a qualification for voting can only be abolished by an amendment to the Constitution.

Heretofore Congress has never undertaken to restrict or limit qualifications except by a constitutional amendment. The fifteenth amendment provides that the right to vote shall not be denied or abridged on account of race, color, or previous condition of servitude. The nineteenth amendment prescribes that the right to vote shall not be denied or abridged on account of sex.

We make sorry spectacles of ourselves when we ignore the question of constitutionality. Poll taxes like sex as a qualification for voting can only be abolished, I repeat, by an amendment to the Constitution.

I call attention to the fact that the proponents have not attempted to submit any authorities in support of the validity of the bill. I opposed the rule, and I oppose the bill. I am gladly giving my reasons for my opposition. I shall confine myself to a discussion of the bill and shall undertake to demonstrate beyond a doubt that suffrage is a State function.

I shall call attention to the pertinent constitutional provisions, including provisions respecting Senators, Representatives, and Presidential electors. I shall show that qualifications can only be

changed by constitutional amendment, as was done by the fifteenth and nineteenth amendments. I shall show that the Classic case did not involve the qualification of voters. I shall emphasize that registration for voting is required in many States and that a small vote is no reason for the passage of the bill. I shall show in reason and upon authority that voting is a State privilege and that legislation changing or abolishing the qualification of voters is not permissible under the Constitution.

I shall undertake to demonstrate that under the Constitution the qualification of voters for Senators and Representatives is in the States and that the anti-poll-tax bill is in violation of the right accorded to the States by the Federal Constitution. I shall further demonstrate that the poll tax is universally recognized as a qualification and that Congress is without power to provide that it shall not be required as a requisite for voting.

I. SUFFRAGE A STATE FUNCTION

The whole subject of the regulation of elections, including the prescribing of qualifications for suffrage, is left by the National Constitution to the several States, except as it is provided by that instrument that the electors for Representatives in Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature, and as the fifteenth amendment forbids denying to citizens the right to vote on account of race, color, or previous condition of servitude.

Participation in the elective franchise is a privilege rather than a right, and it is granted or denied on the grounds of public policy. (Cooley's Constitutional Limitations, 8th ed., vol. 2, p. 1360.)

Suffrage is not a universal right but is a privilege to be extended or denied by the States. (Story's Commentaries on the Constitution, vol. 1, 5th ed., secs. 579-584.)

The privilege to vote is generally derived from the States. The right is not conferred but is protected by the Federal Constitution. The fourteenth amendment does not have the effect of conferring such rights.

Subject to the limitation contained in the fifteenth amendment to the Constitution, the power to fix qualifications of the voters is vested in the States. (Mr. McCrary's American Law of Elections, sec. 1.)

The right of suffrage is not a natural right, nor is it an absolute unqualified personal right. (Mr. McCrary, sec. 3.)

The elective franchise is not a right, privilege, or immunity incident to citizenship. the Constitution left to the States the qualification of voters. (Paine Law of Elections, secs. 76 and 78.)

At the time of the adoption of the Constitution, all of the Thirteen Original States not only prescribed qualifications for voting, but they were jealous of the exclusive rights of the States as to suffrage. The qualifications, while similar, were by no means uniform. Among those generally required in the Thirteen Original States, as well as among the States today, are citizenship, residence, age, in some States the payment of taxes, and in many States, registration.

There was much debate in the Constitutional Convention as to the qualifications of the electors for Members of Congress. The members of the convention could not agree upon uniform qualifications for voters for Representatives in Congress and the matter of qualifications was, therefore, left to the States with the restriction that Members of Congress should have the same qualifications required for those voting for Members of the most numerous branch of the legislature.

The Constitution provided for the election of Members of Congress, and while the qualifications of electors was left to the States, Congress was given the power of making or altering the regulations as to the time, place, and manner of the election of Representatives and Senators, with no power to change the places of choosing Senators. Such power was essential to enable Congress to function or to exist, or to exercise the powers that had been conferred upon it.

A compromise was adopted at the convention. The supreme power of the States in suffrage was recognized by Congress, and to guarantee that the qualified electors would be protected in their voting and Congress was given power to alter or change the time, place, and manner of elections.

II. CONSTITUTIONAL PROVISIONS

Article I, section 2, is as follows:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

There is common consent and agreement that the States have the right to prescribe the qualifications requisite for electors of Members of Congress, but it is maintained that the poll tax is not a qualification but a regulation.

Article I, section 4, is as follows:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

By some it is maintained that poll taxes are a restriction or condition or regulation and not a qualification. It is maintained, therefore, that Congress may eliminate poll taxes. It is asserted by others that poll taxes are a pernicious activity and that they may be eliminated by act of Congress under the guise of preventing pernicious political activity. Statutes preventing pernicious activities have been approved by Congress under section 4 in congressional elections, under the necessary and proper clause, and under the constitutional guaranty of a republican form of government.

Article I, section 8, clause 18, is—

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers.

Article IV, section 4, provides, among other things:

The United States shall guarantee to every State in this Union a republican form of government.

There is a difference between fraud, corruption, ballot-box stuffing, and other pernicious practices and the qualifications of electors. Among the oldest of the qualifications in the mother countries and in the Colonies was ownership of property and payment of taxes. Tax and property qualifications obtained in varying degrees in all of the Colonies at the time of the adoption of the Constitution. The poll tax is probably the oldest of all taxes. Like many other taxes it may not be popular and it may be restrictive. Taxes, whether property taxes or poll taxes, have been the cause of uprisings and of revolutions. The poll tax or head tax was the cause of a peasant uprising in England under Wat Tyler in 1381, and taxation without representation was largely responsible for the Revolution.

It is a prostitution of language to say that a qualification of taxes, whether property or poll, shall not be declared to be a pernicious political activity. Fraud, intimidation, corruption, ballot-box stuffing are crimes. Taxes may be onerous—they may be unpopular—but they are not in the same category with pernicious political activities. The proponents are hard pressed when they now ask Congress to declare a tax that has obtained through the centuries to be a pernicious political activity. No better proof could be desired of the weakness and invalidity of the anti-poll-tax bill.

The Constitution was not only mindful of the rights of the States with respect to suffrage, and not only recognized these rights, but it recognized the rights of the State legislatures. The language in article I, section 4, "except as to the places of choosing Senators" is unique.

The Constitution left to the State legislatures the places for their meetings. The rights of the States were again safeguarded. (Story, vol. 1, sec. 828.)

The language giving to Congress the power to make or alter such regulations does not seem to have attracted much attention or to have encountered any opposition during the Convention, but the provision was assailed in the State conventions, and a majority of the Original Thirteen States tentatively proposed amendments to the effect that the Congress would not be authorized to make regulations unless the States failed or refused to provide the qualifications of electors or for the elections. It was finally agreed that Congress should have the regulation as provided in section 4 to provide for its preservation. The debates on this section are most informative.

Neither the members of the Convention nor the Thirteen States in their ratifying conventions purported to take away entirely the alterative power of Congress, but proposed to restrict it to cases where a State neglected, refused, or was disabled to exercise the power of regulating elections. (Story, vol. 1, sec. 827.)

Mr. Madison, in commenting on article I, section 4, said, and I quote:

To give the National Legislature a power not only to alter the provisions of the States but to make regulations in case the States should fail or refuse altogether. (Fifth Elliot's Debates, 402.)

Madison's reasoning is easily explained. The States would not have ratified the Constitution if it had not been generally understood that the qualifications of electors would be the function of the States. In the Federalist, Hamilton said that the propriety of the

clause in question rested—and I quote—"upon the evidence of the plain proposition that every government should contain in itself the means of its own preservation."

In the ratifying conventions, as I have stated, a majority of the States proposed to limit the action of Congress to cases of neglect or refusal, but that proposal was abandoned upon the ground that there would be no occasion for congressional interference so long as the States performed their duty.

In the Virginia convention, Madison, who had kept a record of the debates in the Constitutional Convention, advocated the ratification of the Constitution. Alexander Hamilton, who really favored a more centralized government, is responsible for the ratification of the Constitution by New York. In all of the conventions, section 4 of article I was assailed. It was most bitterly attacked. Hamilton's interpretation leaves no room for doubt. I quote from him:

> Its authority would be expressly restricted to the regulation of the times, the places, and the manner of elections. The qualifications of the persons who may choose or be chosen, as has been remarked upon other occasions, are defined and fixed in the Constitution and are unalterable by the legislature. (The Federalist, LIX, LI.)
>
> The history of the times indicates beyond reasonable doubt that if the Constitution makers had claimed for this section the broad regulation for which some now contend, the Constitution would never have been ratified. (Story on the Constitution, vol. 1, sec. 814, et seq.)

As Justice Field in his dissenting opinion pointed out in *Ex parte Clark* (100 U. S., p. 418), and I quote:

> And the regulations as to the manner of holding them cannot extend beyond the designation of the mode in which the will of the voters shall be expressed and ascertained.

Again I quote from the same page:

> The power does not authorize Congress to determine who shall participate in the elections or what shall be the qualifications of voters. These are matters not pertaining to or involved in the manner of holding the election, and their regulation rests exclusively with the States. The only restriction upon them with respect to these matters is found in the provision that the electors of Representatives in Congress shall have the qualifications required for electors of the most numerous branch of the State legislature, and the provision relating to the suffrage of the colored race. And whatever regulations Congress may prescribe as to the manner of holding the elections for Representatives must be so framed as to leave the election of State officers free.

The language employed in section 4 is simple and easy to understand. I quote from Chief Justice Fuller, in *McPherson* v. *Blacker* (146 U. S., p. 27):

> The framers of the Constitution employed words in their natural sense and, where they are plain and clear, resort to collateral aids to interpretation is unnecessary and cannot be indulged in to narrow or enlarge the text; but where there is ambiguity or doubt or where two views may well be entertained, contemporaneous and subsequent practical construction are entitled to the greatest weight.

In all the 153 years of the history of the United States, Congress has never previously undertaken by statute to prescribe the qualifications of voters for Senators and Representatives. The seventeenth amendment provides for the election of Senators, but the same language with respect to the qualifications of electors that obtains in article I, section 2, is found in amendment XVII. I quote from amendment XVII:

> The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.
>
> There is a difference between manner and qualifications. Constitutional authority given to the legislature to prescribe the time and manner does not include the power to determine what shall constitute a legal voter (*Livesly* v. *Litchfield* (83d Pac. 142; 47 Oreg. 248); 114 American State Repts. 920; Words and Phrases, vol. 26, p. 358).

Under article I, section 4, Congress has the right to make either new regulations or add to or modify State regulations—*Ex parte Seybold* (100 U. S., p. 371). This involved the enforcement acts passed May 31, 1870—Sixteenth United States Reports, page 144—and amended on July 14, 1870—Sixteenth United States Reports, page 254—and again amended on June 10, 1872—Seventeenth United States Reports, page 347. These acts relate to elections of Members of Congress and were passed to secure purity of elections and the right of citizens to vote without molestation.

Following the ratification of the Constitution, there was no effort on the part of Congress to regulate time, place, and manner of elections until 1842. Some States elected their Representatives in Congress by districts and others from the State at large. Some nominated by districts and elected all Members from the State at large. But uniformity with respect to elections was desired, and the act of 1842 (5 Stat., p. 491) provided for the election of Members of Congress by districts. It was not until after the War Between the States and after the ratification of the fifteenth amendment that Congress undertook to pass regulations with respect to the time, places, and manner of electing Representatives. Congress had provided immediately following the War Between the States for uniformity of date as to the election of Senators (14 Stat., p. 243). I may remark in passing that after passing the seventeenth amendment Congress passed a temporary law that expired in 3 years for the election of Senators (38 Stat., p. 384). But when passions were high following the War Between the States, with freedom for former slaves, the enforcement acts were passed to prevent fraud, corruption, ballot-box stuffing, and intimidation in connection with congressional elections. Temporarily the landmarks of the fathers were forgotten. There was strife, and finally, on February 8, 1894 (28 Stat. 36), the enforcement acts were practically repealed, and Congress again left to the States, as it had for 80 years previous to the passage of the acts, not only the qualifications of voters for Members of Congress but the times, places, and manner of elections. Human nature is very much the same. The results in the Southern States were not what the advocates of the enforcement acts anticipated. There was reflex action. The same rules obtained in all of the States, and there was undesirable interference and intimidation with elections in other States than in the South, all of which resulted in the repeal of the enforcement acts, except the conspiracy sections, which remain.

These acts were based upon section 4 of article I. There was never any attempt to eliminate taxes, either poll or property, as all agreed Congress had no power to prevent the States levying taxes. There was never any attempt on the part of the Congress, when passions ran high following the War Between the States, to prescribe qualifications for voters in congressional elections. The whole purpose was to guarantee that the legal and qualified voters in the several States should be protected in their right to vote. In its fundamental sense the privilege of suffrage is derived from the States, but the right of voting for Members of Congress is also found in the Constitution. Electors owe their right to vote to the Constitution, but the qualifications must be prescribed by the State (*Ex parte Yarbrough* (100 U. S. 651); American Jurisprudence, vol. 18, p. 210).

No one disputes now that in State elections a poll tax may be required before the citizen can vote. While the requirement has been abandoned in many States, poll taxes and property taxes still remain, and these taxes obtain under the heading of qualifications. (American Jurisprudence, 1938, vol. 18, pp. 212, 226, 227, and 228.) I may remark in passing that literacy, and the ability to read or understand the Constitution, are among the qualifications in many States, including Massachusetts and New York. If Congress can eliminate the qualification of the poll-tax requirement, it can eliminate the qualification of literacy, on the educational qualifications.

Under section 4 of article I, Congress may make regulations as to the conduct of elections or may supplement the State regulations. It may impose additional penalties. Our legislative history from 1870 shows that except for a period of about 24 years it was the policy to leave regulations to the States for the first 80 years of the history of the Republic *U. S.* v. *Mosely* (238 U. S., p. 383); *U. S.* v. *Gradwell* (243 U. S., p. 476); American Jurisprudence, volume 18, page 187.

The enforcement acts following the War Between the States confined themselves to elections for Members of Congress. There was no reference to Presidential electors and there was a reason why Presidential electors were not included within the terms of the statute. The justification for the enforcement statutes was the regulation authorized by section 4 of article I. There was no such regulation authorized with respect to Presidential electors.

III. PRESIDENTIAL ELECTORS

Article II, section 1, provides, and I quote:

> Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The legislature appoints the electors. It may appoint them directly, as was done in the early history of the country, or it may provide for their election. The State legislature is vested with the power of appointment or election. It is significant that Congress was not authorized to make or change the regulations with respect to the appointment of electors. Congress was authorized to determine the time of choosing the electors and the day on which they shall give their votes, which day shall be the same throughout the United States (art: II, sec. 4). Congress has passed an act to provide for the time of choosing electors. All of the States complied, including the State of Maine, but Congress did not undertake to regulate the manner of the election of Presidential electors. It did not undertake to supervise such elections. No such power is given to Congress with respect to electors. Hence, I repeat, the enforcement acts following the War Between the States made no reference to Presidential or Vice Presidential elections, or the elections of Presidential and Vice Presidential electors. Under the Constitution the legislature of each State directed the manner of appointment of Presidential electors. It is significant that in the Constitution the power to regulate the appointment or election of Presidential electors is not given to Congress (*In re Green* (134 U. S. 377)). The legislatures have exclusive power to direct the manner of Presidential elections (*McPherson* v. *Blacker* (146 U. S., p. 1)). I quote from the opinion by Chief Justice Fuller, on page 38:

> The fifteenth amendment exempted citizens of the United States from discrimination in the exercise of the elective franchise on account of race, color, or previous condition of servitude. The right to vote in the States comes from the States, but the right of exemption from the prohibited discrimination comes from the United States. The first has not been granted or secured by the Constitution of the United States, but the last has been (*U. S.* v. *Cruikshank* (92 U. S. 542); *U. S.* v. *Reese* (92 U. S. 214)).

As I have stated, in 1866 Congress provided for a uniform time for the election of Senators by the legislature—Statutes at Large 14, page 243. But it is significant that Congress, in passing the statute for congressional elections, recognized the right of the States, and the act of Congress fixing the time for the election of Representatives distinctly provided that it did not apply to any State whereby under the constitution State officials were elected at another time. Hence it is that Maine, where under the constitution State officials are elected in September, still elects her Senators and her Representatives during the month of September. The act of 1875—Eighteenth Statutes, page 400—provided for a uniform time for the election of Representatives, but exceptions were made that enable Maine, because of the constitutional September election, to elect Senators and Representatives at a different time from any other State in the Union. However, in Maine, because the Constitution authorizes Congress to provide a certain day for Presidential electors, Maine still votes for Presidential electors in November.

The bill embraces not only senatorial and congressional elections but elections for Presidential electors. The same may be said of the Hatch acts, the orginal of which was passed in 1939.

A statute was passed in 1907 preventing contributions by corporations in elections of Presidential electors, as a pernicious political activity. The acts of 1910, 1911, 1912, and 1913 were confined to pernicious political activities in senatorial and congressional elections. The Corrupt Practices Act of February 28, 1925, which repealed practically all of the prior acts, applied to expenditures and practices in connection with the election of Senators and Representatives, but it also prohibited contributions in connection with any election of Presidential electors.

Presidential elections are authorized, as are the election of Representatives in Congress, by the Constitution. There is the power of regulating the time, place, and manner of the elections of Representatives and Senators, but no power for regulating the time, place, and manner of elections of Presidential electors, under article I, section 8, clause 18, and I quote:

> To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

Congress thus has a right to protect and safeguard from fraud and corruption the election of Senators and Representatives as well as Presidential electors, but the power in Presidential electors does not come from the power of regulation, as in the case under article I, section 4, which is limited to Senators and Representatives.

If the advocates of the bill who assert that poll taxes are regulations are correct, then I maintain that Congress is without authority to provide for the elimination of poll taxes in the election of Presidential electors. The argument that a poll tax is a condition, a restriction, or a regulation and not a qualification falls to the ground, for if it be sound then the bill is unconstitutional in undertaking to regulate the election of Presidential electors. On the other hand, if Congress has a right to pass legislation to prohibit and prevent pernicious activities in congressional and Presidential elections, section 4, article I, is not applicable or the source of power. If the power of regulation for congressional elections is derived from section 4, then there is no power of regulation for Presidential elections.

IV. NINETEENTH AMENDMENT

It is universally agreed that the States can prescribe qualifications for voting. Women were qualified in some States. In other States they were disqualified. It would be just as logical to have maintained that Congress could have passed an act prohibiting disqualification on account of sex, and call it pernicious political activity as it is to say that Congress can denounce the payment of poll taxes as a political activity. It took a constitutional amendment to enfranchise women. It will take a constitutional amendment to eliminate the poll tax. Congress cannot change the qualification of voters in the States. The advocates of the pending bill limit the poll tax to Federal officials. They deny that the poll tax is a qualification. This is a mere ruse. The fact is that when the Constitution was adopted all of the States had property or tax qualifications for voters. It was a qualification and not a manner at the time the Constitution was adopted, and it is a qualification still.

If Congress has the right to strike down a qualification for voting prescribed by the State, then it is in the power of Congress to impose additional qualifications for voting for Members of Congress. If Congress has the right to restrict, it has the right to broaden. Article I, section 2, provides that the States shall prescribe the qualifications. If Congress now attempts to say that persons not qualified to vote under the State's laws may vote for Members of Congress, it would be equally in violation of the fundamental law. The bill is unconstitutional in dealing with qualifications under the guise of pernicious activity.

V. POLL TAX A STATE QUALIFICATION

Poll taxes as qualifications for voting have been upheld by the Supreme Court of the United States (*Breedlove* v. *Suttles* (302 U. S. 277)). In *Pirtle* v. *Brown* (118 Fed. 2, 218) certiorari was denied by the Supreme Court (62 Sup. Ct. Rept. 64, 314 U. S. 621). The privilege of voting in the State is conferred upon the State except as the same is limited by the fifteenth and the nineteenth amendments of the Federal Constitution. The State may condition suffrage as it deems appropriate.

VI. CLASSIC CASE

The proponents of the bill rely upon the recent case of *United States* v. *Classic* (313 U. S. 299). This case, however, is not in point. It does not involve the qualification of voters. It is a criminal prosecution to prevent a conspiracy to deprive a citizen of Louisiana from voting in a congressional election. In Louisiana the primaries elect the choice. The State conducts and pays the cost of the primary elections. The primary election was involved in the Classic case. The Court held in the Classic case that a citizen had a right to be protected in having his ballot cast and counted in a primary election for representative in the State of Louisiana under the facts in that case. It is sometimes loosely said that the Classic case is authority for the passage of the pending bill. I quote from the opinion of the court, from page 315 of the superior State court in that case:

> While, in a loose sense, the right to vote for representatives in Congress is sometimes spoken of as a right derived from the States (see *Minor* v. *Happersett* (21 Wall. 162, 170), *United States* v. *Reese* (92 U. S. 214, 217–218), *McPherson* v. *Blacker* (146 U. S. 1, 38–39), *Breedlove* v. *Suttles* (302 U. S. 277, 283)), this statement is true only in the sense that the States are authorized by the Constitution to legislate on the subject as provided by section 2, of article I, to the extent that Congress has not restricted State action by the exercise of its powers to regulate elections under section 4, and its more general power

under article I, section 8, clause 18, of the Constitution "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers." (See *Ex parte Siebold* (100 U. S. 371), *Ex parte Yarbrough*, supra (663, 664), *Swafford* v. *Templeton* (185 U. S. 487), *Wiley* v. *Sinkler* (179 U. S. 58, 64).)

Obviously included within the right to choose, secured by the Constitution, is the right of qualified voters within a State to cast their ballots and have them counted at congressional elections. This court has consistently held that this is a right secured by the Constitution (*Ex parte Yarbrough*, supra; *Wiley* v. *Sinkler*, supra; *Swafford* v. *Templeton*, supra; *United States* v. *Mosley*, supra; see *Ex parte Siebold*, supra; In re *Coy* (127 U. S. 731); *Logan* v. *United States* (144 U. S. 263)). And since the constitutional command is without restriction or limitation, the right, unlike those guaranteed by the fourteenth and fifteenth amendments, is secured against the action of individuals as well as of States (*Ex parte Yarbrough*, supra; *Logan* v. *United States*, supra).

The Court was passing upon the legality of a prosecution for conspiracy to prevent a citizen voting in a congressional election. The qualifications of the voter were not involved. It was admitted. There is no justification in the language quoted from the Classic case for the pending bill. The right to vote is derived from the States. The right to vote for a Member of Congress is guaranteed by the Federal Constitution, but the qualifications of electors is prescribed by the State. I call attention to the fact that the rights of qualified voters were under consideration. As stated, the right of qualified voters within a State to cast their ballots and have them counted at congressional elections was involved. The fact that then Chief Justice Stone spoke, as I have quoted, in the Classic case of the rights of qualified voters to be protected shows conclusively that while any statement as to qualifications of voters would have been obiter dicta in that case, nevertheless the opinion in expressed terms referred to qualified voters. Qualified voters are the voters qualified by the States.

VII. QUALIFICATIONS OF VOTERS FOR THE STATES

The Supreme Court of the United States in the Breedlove case, decided in 1937, held that the payment of a poll tax as a requirement or qualification for voting in elections for Representatives is not in violation of the Federal Constitution and is within the power of the State. The Court, as now constituted, in the Pirtle case denied a writ of certorari, and thus affirmed the doctrine announced in the Breedlove case.

The bill is really "fishing" legislation. The evident purpose is to undertake to secure favorable consideration before the Supreme Court as now constituted.

Some advocates of the bills have asserted that no State constitutions provide the collection of poll taxes as a qualification for voting. They are in error. The constitutions of Mississippi and Alabama, as well as the constitutions of the other States where poll taxes are now required, provide that poll taxes shall be a prerequisite and a qualification. The payment of taxes was a qualification obtained when the Constitution was adopted. They now obtain in the constitutions of at least eight of the States. The wisdom of the poll tax is for the States to decide. The question is whether Congress has the power to change or modify by adding to or taking from the qualifications prescribed by the States. The champions of the antipoll tax are experimenting with the courts and with the Constitution.

Hearings were conducted by the Judiciary Committee of the Senate on the Pepper bill. A subcommittee submitted an unfavorable report. Senator O'MAHONEY, chairman of the subcommittee, introduced Senate Joint Resolution 164 on October 5, 1942, proposing a constitutional amendment forbidding the collection of any tax or property qualification by the States. It is thus admitted that poll taxes cannot be abolished by Congress and that an amendment to the Federal Constitution is necessary to prohibit the States from prescribing the payment of poll taxes as a prerequisite to voting.

The Federal Constitution provides that the State shall determine the qualifications for voters in Federal as well as in State elections. Poll taxes now obtain in 32 States, but in only 8 of the States are they required as a prerequisite for voting. Congress is now asked to denounce as a pernicious political activity the payment of poll taxes as a qualification which such taxes have been prescribed as qualifications for voters from time immemorial. They are among the oldest of all taxes. The contention that poll taxes are a regulation or a restriction or a condition is a mere play upon words. They are qualifications in the constitutions and in the statutes in the States where they are required. They are denominated as qualifications by Story, Cooley, and by all the leading authorities on the Constitution and elections. The requirements may be regrettable, but unconstitutional action is no remedy for the alleged evil. It would be much wiser to rely upon the people to repeal without compulsion from the Federal authorities. The States were jealous of Federal constitutional encroachment at the time of the adoption of the Constitution. The States are still jealous of the rights reserved to them and the threat of unconstitutional encroachment is likely to hinder rather than promote the elimination of poll-tax requirements. At all events, the only remedy is to amend the Federal Constitution as was done in the case of the women's suffrage amendment to the Constitution.

Congress should set the example. No legislation in violation of the fundamental law of the land, no matter what the alleged excuse may be, should be passed by Congress. The people will have little regard for the statesmanship of Congress if Congress itself treats the Constitution as a scrap of paper. The refinement and the alleged distinctions in view of the plain language of the Constitution as to qualifications, including the payment of poll taxes, are distinctions without difference. If Congress can take from the qualifications of voters in Federal elections, it can add to such qualifications. Clearly there is no authority for such procedure under the Federal Constitution.

VIII. THE SMALL VOTE

Proponents of the bill refer to the small votes in general elections in the eight Southern States where poll-tax requirements still obtain. In Mississippi and the other Southern States the contests are settled in the primary elections. There are no contests in the general elections. In the primaries there are bitter contests. It is as difficult for a candidate to be nominated in a primary as it is for a candidate to be nominated and then elected in many other States. There are bitter contests in the primaries, but generally the primaries are decisive. The votes in the general elections are mere formalities. It is the primary vote that counts.

The number of voters participating in the primary elections in Mississippi and other States, where the poll tax obtains, compares favorably with the participation in primary elections in the States where there is no poll tax. Again, the percentage of qualified voters participating in primary elections in States like Mississippi compares favorably with the number participating in other Southern States like North Carolina and Louisiana, where there are no poll-tax requirements.

The poll tax does not discriminate against the Negro. The Supreme Court would not have upheld it if such had been the case. All are treated alike. Under the constitution of Mississippi voters were required not only to pay their poll tax but to pay all of their taxes before they are permitted to vote, prior to a constitutional amentment adopted in 1934, which only requires now the payment of poll taxes. Under the amendment, Mississippi passed in 1935 a statute requiring only poll taxes to vote. The remedy to eliminate poll taxes, however, is not with the Federal Government. It is a State function. Mississippi has provided that the payment only of a poll tax is requisite to vote in a primary election and that no poll tax shall be required of the man in the armed services.

Small votes, unfortunately, obtain not only in the South but in other parts of the country. This is regrettable, but, after all, democracy will be better promoted by an informed and enlightened franchise than by a numerous franchise. Intelligent voters in small numbers can be more helpful than ignorant voters in large numbers. Informed voters are more important than numerous voters.

Again, indifference in elections obtains not only in the South but, as I have suggested, in other parts of the country. In 1942 generally not more than one-third of the registered voters throughout the country participated in the primary elections. It is estimated that there are 42,191,179 registered voters and that 14,937,346 voted. The percentage of those who did vote is around 33⅓ percent. It varied in several States.

There are a number of factors responsible for the small vote:

First. There are always fewer votes than in Presidential contests. If it be said that voters in the World War II are apathetic, so were they in the World War I. Then again, the absence of acute issues in many States is responsible.

Second. Millions of voters are away from home in the Army and in the Navy, and millions of voters will not stop working in munitions plants to vote.

Third. There has been much migration of defense workers from one State to another.

Fourth. Long hours of work in war factories tend to keep voters away from the polls.

The Southern States to date have made a far better showing than have been made in many States. Texas, Georgia, South Carolina, and Tennessee stand at the top, with percentages of the registered voters participating in the elections ranging in these Southern States from 59 to 82 percent.

It is easy to charge. It is difficult to prove. With the latest information available, a larger percentage of voters have participated in the primary elections in the South than any other part of the country.

IX. REGISTRATION IS REQUIRED

There are other requirements in addition to age, residence, and the payment of taxes in Mississippi, as well as in other States. Under the Constitution the voter must be able to read or write the Constitution or to understand the Constitution when it is read to him. A literacy test obtains as it does in Massachusetts and many other States. If the Negro does not qualify it is not because of the poll tax. It is primarily because of the literacy test, and the literacy test applies to both whites and blacks. Educational qualifications not only obtain in Mississippi, but in practically all of the States of the Union. I do not recall an exception.

In Mississippi and other States registration is a qualification. The Supreme Court of the United States has recognized that registration is a qualification (*Wiley* v. *Sinkler*, 179 U. S., pp. 58, 62, and 64). Whether registration is a qualification or not, it was required and the requirement was upheld. It does not change the requirement by calling it a condition or a regulation. The distinction is without difference. They are all prerequisites to voting, and prerequisites of all kinds are generally qualifications.

X. REASONABLE CONCLUSION

While there have been divided courts and decisions with dissenting opinions, in many of the cases in the Supreme Court of the United States involving pernicious political activities under the enforcement acts first passed in 1870 and the Corrupt Practices Act of 1925, the question of the constitutionality of the poll tax in Federal elections has never been passed upon by the Court. No Federal statute preventing the payment of poll taxes has ever been passed, but the decisions of the Court, in all of the cases involving pernicious political activities and regulating the time, places, and manner of conducting senatorial and congressional elections, lead to the inevitable conclusion that the intent of the founding fathers was to leave the qualifications of senatorial and congressional electors with the State, with the power in Congress to make or alter regulations with respect to the time, places, and manner of elections so as to prevent pernicious political activities, in order that the Senators and Representatives, President and Vice President might be honestly elected and that the voters might be protected. The inevitable conclusion is that Congress is without power to prescribe or to abolish any qualification of electors for Senators and Representatives and for Presidential and Vice Presidential electors.

The anti-poll-tax bill is in violation of the rights of the States, vigorously asserted at the time of the adoption of the Constitution and upheld by the Congress for 153 years. The right to vote in a congressional election for Senators and Representatives and Presidential electors is guaranteed by the Federal Constitution. If such a right is secured by the Constitution, Congress can protect the manner of holding the election, but the States must prescribe the qualification of the voters.

It has been said that a right may exist although it has not been exercised. The answer is, however, that acquiescence for more than a century and a half means consent. The States claim the right to prescribe qualifications. The Federal Constitution gave the States the right. Congress has assented by refusal to undertake for a century and a half to prescribe qualifications.

XI. NOT PERMISSIBLE UNDER THE CONSTITUTION

The qualifications of voters are reserved to the States. They are among the powers not delegated to the United States and reserved to the States under the tenth amendment. Members of Congress cannot violate their oath to uphold the Constitution by voting for an unconstitutional bill.

The bill embraces elections for President and Vice President. No persons have a right to vote for President and Vice President. If Congress assumes the power to supervise elections, at least Congress should use accurate language. It is true that similar language is used in the Hatch Acts, but I hold no brief for the Hatch Acts. Mistakes and errors should not be repeated. The remedy is to eliminate them.

As I have pointed out, Presidential electors are not national officers.

> They are no more officers or agents of the United States than are the members of the State legislatures when acting as electors (Green, 134, U. S. 379).

As I have pointed out, the power and jurisdiction of the States as to the qualifications of Presidential electors are exclusive (*McPherson* v. *Blacker* (146 U. S. 35)). The inclusion in the bill of Presidential electors or elections for President and Vice President is without constitutional authority.

The bill declares that the payment of poll taxes is detrimental to the integrity of the ballot. There is no proof of such a claim. It charges the States where poll taxes are required with fraud. It convicts them of corruption without a trial. It has not been shown that they are evil, but as most of that evil is possible under them (*Williams* v. *Mississippi*, (170 U. S. 213)).

Does Congress have jurisdiction to convict States of fraud? If the State laws operate as a fraud on the United States, the courts have ample jurisdiction. They are authorized to apply the remedy. But the Supreme Court of the United States, in the Breedlove case, has upheld the power of the States to levy poll taxes. Congress would be thus in the position of convicting the Southern States and the court of last appeal of fraud by providing that poll-tax requirements are detrimental of the ballot. It is admitted that poll taxes obtained for 153 years, but it is asserted that conditions have changed and that Congress will be justified in providing that poll taxes are an interference. If they are—if they result in fraud—Congress has ample power under section 4 to regulate the manner of the election. The remedy is not to deprive the States of their rights respecting qualifications.

With the poll tax, the United States has existed and prospered for 153 years and has become the richest and most powerful Nation in the world. The poll tax is not impeding or destroying. The poll-tax States have a better government than they had preceding the poll tax.

The Federal Government has no power to prevent the levy of taxes by the States, and especially taxes for the promotion of public education.

If poll taxes are unconstitutional, if they have violated any rights of citizens, rich or poor, white or black, the Supreme Court of the United States would have so held. The right to vote for Senators and Representatives is derived from the Constitution, but the qualifications of voters are for the States.

The Constitution protects the right to vote only of those who are qualified under the State laws. If he is qualified, his right to vote in congressional elections will be protected. The Classic case so holds.

It is asserted that the poll tax is not a qualification and that it has nothing to do with the capacity of the voter to vote. It has as much to do with his qualifications as residence and as sex. These are among the universally admitted qualifications. At least it was the case with respect to sex before the nineteenth amendment.

The word "qualification" is thus defined by Webster:

> A condition precedent that must be complied with for the attainment of a status, the perfection of a right, etc., * * * as the qualification of citizenship.

A "qualified voter" is defined as:

> One who possesses certain specific qualifications for voting, especially as to citizenship, age, and residence, and sometimes also as to literacy and the ownership of property.

In the constitutional and ratification debates, Alexander Hamilton used the expression in connection with suffrage "prescribing qualifications of property." In the Yarbrough case the Court said:

> It adopts the qualification of those furnished as the qualification of its own electors for Members of Congress.

The Supreme Court has repeatedly held that the States have the right to prescribe who may vote.

The word "qualification" with respect to suffrage both before and after the formation of our Government and continuously down to the present date has been

used in the sense of defining the persons who were entitled to vote. The word was so interpreted by the members of the Constitutional Convention. They used the term "the right of suffrage." They used it in connection with the qualification of electors, as it finally appeared in section 2 of article I, and the interpretation of qualifications of voters has persisted to the present time. Volume 29, Corpus Juris Secundum, 1941, in the article on elections and under qualifications of voters includes—section 29, page 51—property, payment of taxes, and, at page 52, the payment of poll taxes. The same thing is true of 18 American Jurisprudence. Among other qualifications, it includes "poll and other taxes." In Story, Cooley, and other works on the Constitution taxes appear among the qualifications. They appear among the qualifications in State constitutions, including the eight Southern States, where poll taxes obtain. They appear among qualifications in all of the leading textbooks on elections.

The States have the power to tax. Congress has no veto over the power of the States to tax. Congress has no power to interfere with the collection of State taxes. The repeal of the poll tax would be a prohibition of the collection of such taxes.

When the Constitution was adopted each state possessed unlimited power over suffrage and generally prescribed qualifications, including property and taxes (*Miner* v. *Happersett* (88 U. S. 162)):

> Whether the requirements to be met in each State be termed "qualifications of electors" or be referred to by any other term, the State possessed and exercised the unlimited power over suffrage and the granting of the privilege of voting.

In adopting the Federal Constitution the States did not grant to Congress any of their powers over suffrage. They did, however, in article I, section 2, limit their own power over suffrage requirements for Senators and Representatives. If the payment of a tax as a prerequisite of the right of suffrage is a qualification, then the State must prescribe the same for both Senators and Representatives and members of the State legislature. Under the inherent power of suffrage, if the poll tax is not a qualification, then the States have the power to require the payment of the tax for Senators and Representatives without requiring it of those voting for members of their legislatures. The power of the States to impose conditions or requirements for suffrage, other than qualifications, is in no way restricted by either section 2 or any other provision of the Constitution as originally adopted. The absolute power of the States over suffrage, except as it is restricted by article I, section 2, and the fifteenth amendment, has been repeatedly upheld by the Supreme Court of the United States.

In the case of Breedlove against Suttles, the privilege of voting is not derived from the United States, but it is conferred by the State. The right of voting is guaranteed by the Constitution to qualified voters. Congress has no power to regulate or interfere with the exercise by the States of their power to prescribe suffrage requirements or other power to levy and collect a poll tax.

The power of suffrage is in the States (*Guinn* v. *United States* (238 U. S. 362)):

> The States have the exclusive power to determine the manner of choosing its electors to vote for President or Vice President of the United States, and confers no power on Congress whatsoever to regulate on the subject.

For this reason the bill is invalid. Under the second clause of article II, the legislature appoints the electors. No power of supervision or regulation is given to Congress. Under the fourth clause, Congress can fix the time of meeting. It has no other power (*McPherson* v. *Blacker* (146 U. S. 1)).

Under article I, section 2, and the seventeenth amendment, the States have the exclusive power to prescribe the qualifications of electors of Members of the Senate and of the House. As I have stated, power under section 2 of article I was a restriction upon the powers of the States. The States had these powers. They reserved them. The Constitution never conferred any power except that of regulating the time, places, and manner of elections upon Congress.

As I have stated, the proponents of the bill undertake to discredit Breedlove against Suttles, and particularly the following language of that decision:

> Privilege of voting is not derived from the United States, but it is conferred by the State and save as restrained by the fifteenth and nineteenth amendments and other provisions of the Federal Constitution the State may condition suffrage as it deems appropriate.

The right to vote is based upon article I, section 2, but the proponents overlook the distinction between privilege and right. The suffrage laws of the State determine those who are privileged to vote. The Constitution of the United States protects the right of those who are privileged in the exercise of that privilege—*Ex parte Yarbrough* (110 U. S. 651).

The Classic case, so often and so much relied upon by the advocates of the bill, recognizes the distinction between the right to vote by qualified voters and by those disqualified under the suffrage laws of the States. That case did not involve the question of the power of suffrage. Qualifications were not involved. The question was whether the Constitution extended protection to qualified voters.

The Breedlove case was decided in 1937. The Court, as now constituted, decided the Pirtle case in 1941. The supreme courts of numerous States sustained the validity of the poll-tax qualification. No decision has ever struck it down. American Law Reports, annotated, volume 139, page 572, states:

> The courts are unanimous in holding that failure to pay a valid poll tax if imposed as a condition of voting has the effect of disqualifying and rendering his voting invalid.

Innumerable decisions from many States of the Union are cited in support of the announcement.

As shown by the statements of the framers of the Constitution, by the decision of the Supreme Court of the United States, and by the decisions of the highest courts of the States, by the actions of Congress, and the actions of States with respect to constitutional amendments, the States reserved full and unlimited powers to prescribe who may vote at all elections except as restricted by the provision that the qualifications to vote for Senators and Representatives should not be different from those prescribed for voters of the most popular branch of the State legislature. The fact that Congress has never undertaken to interfere with the qualifications of voters except by constitutional amendment is conclusive that Congress is without authority to modify or repeal State qualifications for voting. It took the fifteenth amendment to prohibit the denial of the right to vote on account of race, color, or previous condition of servitude. It took the nineteenth amendment to prohibit such denial on account of sex. It will take a constitutional amendment to prohibit the payment of a poll tax as a qualification for voting in senatorial or congressional elections.

XII. FEDERAL AND STATE RIGHTS

The United States is but an aggregate of all the States in the Union. What exalted patriotism do Members of Congress possess that is not possessed by the members of the State legislatures? What virtues has Congress, not possessed by the citizens of the States? Who will say that the Congress of the United States is more interested in the welfare and representation of the State of New York than the citizens and the Legislature of New York? By what right does the Congress of the United States assume that the public interest will be better promoted by the assertion of a Federal right to control Federal elections than by the assertion of the guaranteed right of control in the States?

The old landmarks are often the best. Even if Congress possessed the power to regulate and prescribe qualifications in congressional elections—which I deny—it is a power that should be exercised only as a last resort to preserve the Government. We have had enough centralization. The States are closer to the people than Congress. In peace and in war there are functions for the States. The Federal Government should not encroach upon these functions. The States pass laws for the descent and distribution of property. They possess the power of life and death over the citizens in the exercise of their police powers. They protect the citizen in the enjoyment of life and property. Such protection is guaranteed by the States. Are these rights and privileges less sacred than the right of voting or the privilege of franchise? The States that have the power of life and death are wisely trusted to provide with the qualifications of voters.

Mr. COMBS. Mr. Speaker, the result of the vote on this bill is, of course, obvious before it is taken. I simply want to make a brief statement of my position. Without intending to criticize those who may take a different view, this bill seems to me so clearly unconstitutional I can see little room for argument. Section 2 of article 1 of the Constitution plainly and unequivocally states that "The electors in each State shall have the qualifications requisite for electors

of the most numerous branch of the State legislature." Therefore, the Constitution not only fails to confer upon the Federal Government the power of determining the qualifications of voters but it goes farther and specifically and unequivocally confers such power upon the States.

I shall, therefore, not further discuss the obvious unconstitutionality of the bill, but shall undertake to point out, briefly, one underlying fundamental reason why the framers of our Constitution saw fit to confer upon the States exclusive control of the ballot. The framers of our Constitution greatly feared centralizing too much power in the Federal Government. They went at great length to devise a framework of government which would insure against any possibility of a dictatorship ever arising in this country. Three great bulwarks against such possibility were as follows:

First. Public, free education was left to the States, thereby making it impossible that any dictator could ever indoctrinate the youth as Hitler did in Germany.

Second. The system of criminal law insofar as it is related to the activities of the citizens—the declaring of what acts of a citizen should be a crime and the punishment therefor was left to the States. Hence the national authorities can never establish a control of our people by the methods of the gestapo.

A third great safeguard was the placing exclusively under the authority of the States the control of the ballot. Without such control no dictator can ever dominate the Nation against the will of the people.

The pending bill would strike directly at the third great safeguard above mentioned. For if Congress can by statute, limit the authority of the States to prescribe the qualifications of the electors as is proposed in the pending bill then future Congresses can place added restrictions without apparent let or hindrance until the Federal Government shall have established full and complete control of the ballot.

I think it is most unfortunate that considerations of partianship and sectionalism have been allowed to obscure this vital issue.

If we in this Congress should exercise more restraint and patience this question of poll taxes would take care of itself in due course without an attempt such as this to do violence to one of the great fundamental principles of our organic law. Within the last few years the States of Louisiana, North Carolina, and Florida have amended their laws so as to eliminate the payment of poll taxes as a qualification for voting. The State of Tennessee attempted to abolish her poll tax but through a technicality the law was held invalid, but, no doubt, that State shortly will find means of abolishing the poll tax. Only seven States now levy a poll tax as a prerequisite to vote and in most of these the tax is so small as to interpose little restraint upon voting. For example, in my State, the poll tax is only $1.75, most of which goes to the public-school fund. It is not cumulative. So this matter is rapidly adjusting itself through action of the States. But the sponsors of this measure are unwilling to await these orderly constitutional processes and seem determined to force this bill through the House regardless of its obvious unconstitutionality. As a consequence I cannot do otherwise under my oath, as I understand it, than oppose this bill.

Mr. WHITTEN. Mr. Speaker, the determination of the House Republican leadership to bring this bill up under the suspension of rule whereby there is only 20 minutes of debate to the side is as close to a lynching of the Constitution of the United States as I can conceive. Here we have a bill, that in my mind, certainly is in violation of the Constitution of the United States. Many eminent lawyers agree with that view. If we admit that there are others of an opposite view, certainly such a serious question should not be brought up here before Members of Congress who have sworn to uphold the Constitution of the United States with 40 minutes of debate as to whether in voting for this bill the Member is violating his oath of office. Yet it is said that both parties have brought up this measure at various times. They have and if we don't mind the desire and willingness of certain leadership of both parties to blind themselves to the Constitution in their desire to appeal to various minority groups in their efforts to control and win national elections is going to ruin this Nation.

That the facts concerning the poll tax may be considered by those who read this RECORD, for there is consideration to be had here today, I repeat what I have said on this question heretofore.

Let us see about the poll tax in Mississippi. The poll tax was not passed for the purpose of keeping anybody from voting. In 1890, when it was first adopted, you people do not realize the poverty you had left in Mississippi. We had nothing which we could tax. Much of the property had been destroyed or gone into the hands of the scalawags and carpetbaggers who had come down there and ravished our land, taking away our wealth. We had to pass a poll tax, and every other type of tax, in order to raise the revenue to run that government.

The poll tax is levied on everyone, whether or not he ever votes. The only requirement in regard to voting is this: In order to vote a man must have paid that poll tax by the 1st of February of the year in which he offers to vote. Why did we do that? To keep the negro from voting? No; to keep some irresponsible, crooked politician from coming along just before the election and paying poll taxes in order to control votes. That is the reason for it.

You who have gone astray should come back and realize that we have not done and do not do what you have been led to believe.

When we were taken in as Members of this Congress we subscribed to an oath to support the Constitution of the United States. Each of you did that. How in the name of God can you shut your eyes to the Constitution and say, "I will leave it up to the Supreme Court?" I say to you that if you have studied the question and are in doubt, perhaps you have some reason to leave it to the Supreme Court, but if you shut your eyes and pay no attention to whether or not it is constitutional and then follow that course, you are liable to vote for some other law which will do just as much to your section as we think you are doing to the State governments in this Nation. There will be those among you, I know, who think that you may rise above the Constitution of the United States. There is just as much chance for the gentleman from New York [Mr. CELLER] or the gentleman from New York [Mr. MARCANTONIO] to rise above Hamilton and Jefferson, the framers of the Constitution, as there is for the gentleman from New York [Mr. MARCANTONIO] to contribute more to our war effort than his colleague Joseph Stalin.

From the propaganda which reaches my office from certain labor unions, and politicians in sections far removed from my State, most of whom have never been there, it appears to me that these folks are trying to use this so-called crusade against the seven Southern States not to improve the lot of the Negro in the South but to add to the Negro membership of their labor unions in the North and East, to appeal to the Negro vote in those sections, in other words to exploit him, to use him for their own purpose. They are not friends of the Negro of the South, nor really of the Nation. I know that those very persons come from sections where by the use of zoning ordinances, and limitations on building permits, they discriminate more against the Negro than has been thought of in the South. They do not like the Negro; they do not live with them, they do not permit the Negro to live in the white residential districts. Most of them are for Negroes in the abstract, but do not want anything to do with them personally, and privately will tell you so.

If it were truly the purpose of those behind this bill to benefit the Negro of the South, I can assure you that the approach here cannot and will not have that effect. There are some things which cannot be done by any law. The heart and mind of a people cannot be changed by law nor by force. Hitler tried this in Europe and we know it did not work. The Negro leaders sponsoring this measure are not interested in political equality; what they want is social equality, or rather social intermingling—and you know it. Today the Negro of the South can place his social life on the highest plane he may desire. We, of the white race, merely believe in and demand that he may go his way and that we may go ours. We will have no part of social intermingling in the South.

I tell you this shall not take place in the South. After the Civil War you turned loose in our midst hundreds of thousands of ex-slaves, wholly untrained in citizenship; then without perhaps intending to you sent sufficient carpetbaggers and sorry white men to make use of their votes and to exploit them and our country. Only in recent years has all this feeling engendered in our people completely died down.

We do not have now the racial strife which exists in Washington, Baltimore, Detroit, or Chicago. To be sure, we prevent the Negro from forcing himself into the white man's home, his place of worship and public places and accommodations which are limited to white trade. At the same time we provide separate accommodations for the Negro. What you do not see is that we protect the Negro from being disturbed by the white people of our section in his places of worship, in his home, and in public places which are exclusively for Negroes.

In Mound Bayou, Miss., an exclusively Negro town, we have a splendid example of how the Negro can get along if left to himself and that is what is desired by the southern Negro. His social standards and life there compare favorably with that of any other race. The Negro has his own schools, officers, and social life, unmolested by white social reformers. The people of the town are happy, the section prosperous. The Negro of the South has come far since the War Between the States.

We have taxed ourselves greatly and now spend a much larger percentage of our State's income on education of the Negroes than any State from which come you fellows who intend to reform the South. There are two Negro colleges in my own district and many others in the State. We are spending more on the protection of the Negro's health and to improve his living conditions in proportion to our ability than any other section of the Nation. The Negro of the South is in better shape financially and economically than ever before.

To be candid, at this time we do not want the Negro to control our politics and our Government any more than the people of Detroit would want the Negro section of the city to select the officers of the entire city. We had a taste of that through the dark years following the Civil War. We know the scum, both white and black, that were selected and ruled our country. It has taken many years for us to recover from that blight and to overcome the antagonisms which were developed.

We will not have social intermingling. The white people of the South want separate accommodations and separate social life. The Negro of the South wants his separate accommodations and social life. We believe he should have them free from the meddling of white exploiters. Frankly, we expect to see that the two races remain segregated for the good of both. To force us to do otherwise would lead to civil strife the like of which has never before been seen.

If the agitators of this question continue their present tactics you shall have all the Negroes in the North. Then the Harlem district of New York will furnish the officers for that city. The Negro city of Detroit will control Michigan politics, and the Negroes of Chicago will furnish the officers for the State of Illinois. Then, when it is too late, you will learn what we learned during the terrible days of reconstruction.

If you are opposed to discrimination, why is it you have not voted to abolish the discriminatory freight rates which have been a hold-back to the South since the beginning of our Nation's transportation began? If you want to help the Negro of the South, why have you opposed aid to education in the South? Why have you excluded the Negro from living in white residential sections of your cities? Why is it that you do not have him in your homes and working for you in your offices? You may help him in any way you like, but you shall not cause our great Nation to be referred to as that great mongrel nation of the Western Hemisphere except over the opposition of the entire Southland, both white and black.

I shall not go at length into the constitutional question involved for I learned last year that such discourse is wasted breath. Those of us who are opposed to this measure know it is unconstitutional. Those who support it are not interested, apparently, in whether it is constitutional or not, believing that they have a Supreme Court which will find it so. When this bill was before us last session, full, and to me unanswerable, briefs were filed showing this act to be unconstitutional. These briefs appear in the CONGRESSIONAL RECORD of September and November 1942. I shall not repeat them here, but earnestly request those conscientious Members of this House who signed the discharge petition bringing this measure designed to disunite the people of the South from the Nation and to reach out the tentacles of an ever-growing central government so as to take away the last vestige of State government, to read those briefs.

Suffice it to say here, that prior to the adoption of the Federal Constitution, the country was composed of free and equal sovereign States loosely bound together by a confederation. When the Constitutional Convention was held these sovereign States surrendered to the National Government as the central government certain rights and powers deemed by them necessary for the operation of the Federal Government, all of which are enumerated. All other powers were reserved to the States. Thus we have a Federal Government, intended by the States to have limited powers and considered a Government of limited powers for 150 years. And, in regard to the franchise, held to be limited by the Congress no later than 1920, for then, when women were first permitted to vote, such change was brought about by amendment to the Federal Constitution, ratified by the States, and not as here suggested by act of Congress. In other words, the statesmen of that period did not for one moment believe that the Federal Government could remove the restrictive qualifications fixed by the States which prohibited women from voting, except by constitutional amendment as authorized under the Federal Constitution.

The provisions of the Federal Constitution, article I, section 2, are as follows:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

Certainly, there is nothing in that provision which provides for its change by action of the Congress. That provision fixes the requirement for electors voting for Members of the House of Representatives. The writers of the Federal Constitution knew and accepted the fact that the various States fixed the qualifications for electors voting for the most numerous branch of their State legislature and the Federal Constitution by adopting such requirements as may be fixed by each State as the requirements for electors voting in national elections, can be changed only by amendment of the Federal Constitution.

This matter has been passed on many times by the Supreme Court of the United States and in each instance the Court has in no way stated that article I, section 2, can be changed except by amendment to the Constitution.

Voting has always been a privilege rather than a right. The right to vote comes from the grant of the privilege. We find this clearly stated in the case of *Breedlove* v. *Suttles* (302 U. S. 277), as follows:

> To make payment of poll taxes a prerequisite for voting is not to deny any privilege or immunity protected by the fourteenth amendment. Privilege of voting is not derived from the United States, but is conferred by the State, and save as restrained by the fifteenth and nineteenth amendments and other provisions of the Federal Constitution, the State may condition suffrage as it deems appropriate.

I call your attention further to the fact that when article I, section 2, was incorporated in the Federal Constitution, all States restricted the privilege of voting. That provision of the Federal Constitution was adopted with full knowledge that such restrictions were being exercised by the States, most of which had property qualifications, poll tax, and various educational requirements which must be met before the privilege of voting could be granted.

By amendments Nos. 14, 15, and 19, to the Federal Constitution, it was declared that State qualifications prerequisite for voting based on race, color, previous condition of servitude, and sex must no longer deny or abridge the right of citizens to vote. There, also, we find that it was recognized that the proper approach was by constitutional amendment.

So, in the present case, if the proponents of this measure want to get rid of the poll tax in the seven Southern States, the proper course is to have the Constitution amended so as to provide that payment of a poll tax shall not deny or abridge the right of a citizen to vote.

Today, with our boys fighting on the battle fronts of the world, with a greater percentage of those boys coming from the South than from any other section, at a time when above any other we need the united efforts of all our citizens, this bill is brought out to stir up the people of my section. Many of the group, particularly of the Democrats, who signed the discharge petition which brought this matter up, are the very ones who represent districts dominated by labor unions, and this fact, together with the propaganda with which they flood our offices, leads one to the belief that the

bill to some extent is aimed at the independent Members of Congress from the South who have consistently stood for the outlawing of strikes in war industries in time of war. I am advised that some Members signed this discharge petition to get even with Members from the South who voted for the Hobbs bill prohibiting highway robbery in the name of labor unions. It is all wrong to require the payment of $2 for the privilege of voting, but all right with such Members of the House to require the payment of $50 to a labor union for the privilege of working.

The right-thinking Members would do well to spend their time in correcting the ills with which certain labor union leaders have beset our war effort and leave alone matters of the kind involved in this bill, at least until we have won this terrible war in which our Nation is engaged.

The Representative from New Jersey [Mrs. NORTON], former chairman of the Labor Committee in the House, several years ago inserted a table in the RECORD supposedly showing that we had very little vote in Mississippi because of the poll tax. The figures she cited are those of the general election in November. Why, in the general elections we have no contest. Our election is the Democratic primary. The only time we have Republican opposition to the Democratic nominee is when the few Republicans in the State believe that party may get into power and they want to control the patronage. We actually have not enough Republicans to furnish postmasters when that party is in power.

The gentlewoman from New Jersey, Representative NORTON, in her statement, cited the fact that in her own district, which incidentally is that of "Boss" Hague, that out of a total population of 271,807 there were cast 131,654 votes. I shall not repeat here the newspaper stories which have appeared about the elections in that district. From all accounts, we still have a more uncontrolled free use of the ballot in my district in a poll-tax State than they have in Jersey City. I have heard the gentlewoman from New Jersey say on this floor that she was not worried about elections; that she had been told she could stay here as long as she liked. That could never happen in my State. Those of us from the South are not designated for office. We run for office because we want to. If we are elected it is because we get a majority of uncontrolled, individual votes from the people of the district. One certain way for defeat would be to try to have anyone or any organization dictate the choice of a Representative in Congress. I do not profess to know of my own knowledge, but most of the charges of rotten politics about which I read in the newspapers is to be found where there is a large Negro, or foreign population of the kind which would not have enough interest in their Government to pay a $2 poll tax for the privilege of voting. As to Jersey City, I do not know, but doubtless the facts are known to the Republicans here who are helping the Democrats from such sections to reform the politics of the South.

I say to you more is involved in this bill than the racial question. The very bedrock upon which our Nation was founded is involved. If the Federal Government can control the qualifications of electors and thus control elections, the State and the last vestige of State government is gone.

I say to you it is a serious matter to us. It is a serious matter to you, whether you realize it or not. You have seen the Federal Government, through pressure, gradually usurp practically every function of State government. By grants of money on condition, through the use of judicial construction, through the OPA, the WPA, and in every other conceivable way, your States are losing control to a Federal Government with its board of economists, theoretical experts, long-haired dreamers and college professors who have infested its departments and who cling on like leeches. I hate to believe that they and their actions are approved. I hate to believe you Members of this House are willing to tie another stone around the neck of State government, already having a struggle to exist. Do you not know that if by act of Congress you can remove the poll tax as a prerequisite for voting, that by the same token the Congress can pass restrictive provisions and some group interested in continued control of the Nation will do just that.

The governing body of the county in my State is the board of supervisors, some members of which have held to the belief that they can run the affairs of the county better than the citizenship. Some years ago I served in the State legislature of my State. I found there members who believed that they could run the counties better than any board of supervisors and the affairs of municipalities better than its officers, because they felt they knew more about it and the local officers could not be trusted. Since coming here to Congress I find that it is the idea and belief of many Members of Congress and of all appointed officials of the Federal Government that they know it all, that the State government cannot be trusted and that control had better be vested in the Federal Government, where the Federal departments can run the affairs of our people.

Frankly, I find that people differ very little. Each thinks his crowd can do better than any other. My State legislative body showed me little that would lead me to believe that they would in any way be an improvement over the local officers in running the affairs of our cities and counties, but frankly convinced me to the opposite. So it is here with all due deference to this House of Representatives and the various departments of the Federal Government. You have not shown me anything to indicate that the country will be better off run from Washington. Rather have I been further convinced that local government is the best. I am sold to the belief that local self-government, the people at home, without dictation from on high, will save the country, if given the opportunity. Not only in this instance of meddling with State control of elections are you interfering, but you are permitting it to be done every day. I hope the strong Members of this House, real Americans who believe in the original American form of government, who believe in the days when the Constitution meant something—and there are many—will wake up and force the return of the Government to the people. You can take a forward step along that line by voting against this bill.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. PICKETT. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 290, nays 112, not voting 28, as follows:

[Roll No. 127]

YEAS—290

Allen, Calif.	Elsaesser	Knutson
Allen, Ill.	Elston	Kunkel
Andersen, H. Carl	Engel, Mich.	Landis
Anderson, Calif.	Engle, Calif.	Lane
Andresen, August H.	Fallon	Latham
Andrews, N. Y.	Feighan	LeCompte
Angell	Fenton	LeFevre
Arends	Fernandez	Lemke
Arnold	Fletcher	Lesinski
Auchincloss	Fogarty	Lewis
Bakewell	Foote	Lodge
Banta	Forand	Love
Barrett	Fulton	Lynch
Bates, Mass.	Gallagher	McConnell
Beall	Gamble	McCormack
Bender	Gavin	McCowen
Bennett, Mich.	Gearhart	McDonough
Bennett, Mo.	Gillette	McDowell
Bishop	Gillie	McGregor
Blackney	Goff	McMahon
Blatnik	Goodwin	McMillen, Ill.
Bloom	Gordon	Mack
Boggs, Del.	Gore	MacKinnon
Bolton	Gorski	Madden
Bradley	Graham	Maloney
Bramblett	Granger	Mansfield
Brehm	Grant, Ind.	Marcantonio
Brophy	Griffiths	Martin, Iowa
Brown, Ohio	Gross	Mathews
Buchanan	Gwinn, N. Y.	Meade, Ky.
Buck	Gwynne, Iowa	Meade, Md.
Buckley	Hagen	Merrow
Buffett	Hall, Leonard W.	Meyer
Burke	Halleck	Michener
Busbey	Hand	Miller, Calif.
Butler	Harless, Ariz.	Miller, Conn.
Byrne, N. Y.	Harness, Ind.	Miller, Md.
Canfield	Hart	Miller, Nebr.
Cannon	Havenner	Mitchell
Carroll	Hedrick	Monroney
Carson	Heffernan	Morgan
Case, N. J.	Herter	Morton
Case, S. Dak.	Heselton	Muhlenberg
Celler	Hess	Mundt
Chadwick	Hill	Murdock
Chelf	Hinshaw	Murray, Wis.
Chenoweth	Hoeven	Nixon
Chiperfield	Holifield	Nodar
Church	Holmes	Norblad
Clason	Hope	Norton
Clevenger	Horan	O'Brien
Coffin	Howell	O'Konski
Cole, Kans.	Huber	O'Toole
Cole, N. Y.	Hull	Owens
Corbett	Jackson, Calif.	Patterson
Cotton	Jackson, Wash.	Philbin
Coudert	Javits	Phillips, Calif.
Crawford	Jenison	Phillips, Tenn.
Crosser	Jenkins, Ohio	Ploeser
Crow	Jennings	Plumley
Cunningham	Johnson, Calif.	Potts
Curtis	Johnson, Ind.	Poulson
Dague	Johnson, Okla.	Price, Ill.
Davis, Wis.	Jones, Ohio	Priest
Dawson, Ill.	Jones, Wash.	Rabin
Dawson, Utah	Jonkman	Ramey
Delaney	Judd	Rayfiel
Devitt	Karsten, Mo.	Reed, Ill.
D'Ewart	Kean	Rees
Dingell	Kearney	Reeves
Dirksen	Kearns	Riehlman
Dolliver	Keating	Robertson
Dondero	Keefe	Robsion
Donohue	Kefauver	Rockwell
Douglas	Kennedy	Rogers, Mass.
Eaton	Keogh	Rohrbough
Eberharter	Kersten, Wis.	Rooney
Elliott	King	Ross
Ellis	Kirwan	Russell
	Klein	Sabath
		Sadlak

Sadowski	Smith, Maine	Tollefson
St. George	Smith, Wis.	Towe
Sanborn	Snyder	Twyman
Sarbacher	Somers	Vail
Sasscer	Spence	Van Zandt
Schwabe, Mo.	Springer	Vorys
Scoblick	Stefan	Vursell
Scott, Hardie	Stevenson	Walter
Scott, Hugh D., Jr.	Stigler	Weichel
	Stockman	Welch
Scrivner	Stratton	Wigglesworth
Seely-Brown	Sundstrom	Wilson, Ind.
Shafer	Talle	Wolcott
Sheppard	Taylor	Wolverton
Simpson, Ill.	Thomas, N. J.	Woodruff
Simpson, Pa.	Thomas, Tex.	Youngblood
Smith, Kans.	Tibbott	Zimmerman

NAYS—112

Abernethy	Fisher	Peden
Albert	Flannagan	Peterson
Allen, La.	Folger	Pickett
Almond	Gary	Poage
Andrews, Ala.	Gathings	Preston
Barden	Gossett	Price, Fla.
Bates, Ky.	Grant, Ala.	Rains
Battle	Gregory	Rankin
Beckworth	Hale	Rayburn
Bell	Hardy	Redden
Boggs, La.	Harris	Reed, N. Y.
Bonner	Harrison	Rich
Boykin	Hendricks	Richards
Brooks	Hobbs	Riley
Brown, Ga.	Hoffman	Rivers
Bryson	Jarman	Rizley
Bulwinkle	Jensen	Rogers, Fla.
Burleson	Johnson, Ill.	Schwabe, Okla.
Byrnes, Wis.	Jones, Ala.	Short
Camp	Jones, N. C.	Sikes
Chapman	Kerr	Smathers
Clark	Kilburn	Smith, Va.
Colmer	Kilday	Stanley
Combs	Lanham	Taber
Cooley	Larcade	Teague
Cooper	Lucas	Trimble
Cox	Lyle	Wadsworth
Cravens	McMillan, S. C.	West
Davis, Ga.	Mahon	Wheeler
Davis, Tenn.	Manasco	Whitten
Deane	Mills	Whittington
Domengeaux	Morris	Williams
Dorn	Morrison	Wilson, Tex.
Doughton	Murray, Tenn.	Winstead
Drewry	Norrell	Wood
Durham	Pace	Worley
Evins	Passman	
Fellows	Patman	

NOT VOTING—28

Bland	Hartley	McGarvey
Clements	Hays	Macy
Clippinger	Hébert	Mason
Cole, Mo.	Jenkins, Pa.	O'Hara
Courtney	Johnson, Tex.	Pfeifer
Ellsworth	Kee	Powell
Fuller	Kelley	Smith, Ohio
Gifford	Lea	Thomason
Hall, Edwin Arthur	Ludlow	Vinson
	Lusk	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Kelley and Mr. Pfeifer for, with Mr. Vinson against.

Mr. Macy and Mr. Powell for, with Mr. Hays against.

Mr. McGarvey and Mr. Fuller for, with Mr. Johnson of Texas against.

Mr. Jenkins of Pennsylvania and Mr. Hartley for, with Mr. Bland against.

Mr. Cole of Missouri and Mr. Gifford for, with Mr. Hébert against.

Mr. Mason and Mr. Edwin Arthur Hall for, with Mr. Courtney against.

Additional general pairs:

Mr. Ellsworth with Mr. Clements.
Mr. O'Hara with Mrs. Lusk.
Mr. Smith of Ohio with Mr. Lea.
Mr. Clippinger with Mr. Kee.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PICKETT asked and was given permission to revise and extend his remarks on H. R. 29 and include therein certain extraneous matter.

GENERAL LEAVE TO REVISE AND EXTEND REMARKS

Mr. PICKETT. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill may have five legislative days in which to revise and extend their remarks.

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

There was no objection.

Mr. PICKETT. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks on the bill just passed.

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

There was no objection.

Mr. GAMBLE. Mr. Speaker, I ask unanimous consent to include in the request made by the gentleman from Texas [Mr. PICKETT] for Members to extend their remarks preceding the roll call all Members who may wish to extend their remarks.

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

There was no objection.

STUDY OF INTERNAL REVENUE LAWS

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 293, Rept. No. 1014), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Ways and Means, acting as a whole or by subcommittee, is authorized and directed to continue its full and complete investigation and study of the need for amendment and revision of the internal revenue laws.

For the purpose of carrying out this resolution the committee or subcommitte is authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, and to hold such hearings, as it deems necessary.

STUDIES RELATING TO AGRICULTURE

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 298, Rept. No. 1015), which was referred to the House Calendar and ordered to be printed:

Resolved, That the Committee on Agriculture, acting as a whole or by subcommittee, is authorized to conduct studies, investigations, and to inquire into any matter within its jurisdiction, including but not limited to the study of long-range problems affecting agriculture and forestry; the study of the operation and effectiveness of measures taken pursuant to Public Law 8, Eightieth Congress, to control foot-and-mouth disease or rinderpest; to study and make investigations into the existence and causes of shortages and surpluses of food and other agricultural commodities; to study the current and prospective demand for food and other agricultural commodities at home and abroad, and the effect thereof upon domestic agriculture.

SEC. 2. For the purposes of this resolution, the Committee on Agriculture, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within or outside the United States, whether the House is in session, has recessed or has adjourned, to hold such hearings, to make such inspections or investigations, to take such testimony, and to use any governmental facility without reimbursement, as it deems necessary.

SEC. 3. The committee shall issue such reports as it deems desirable, including reports to the House of Representatives, with recommendations for legislation or otherwise.

NAVY SCHOOL AT MONTEREY, CALIF.

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 318, Rept. No. 1016), which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 1341) to authorize the Secretary of the Navy to construct a postgraduate school at Monterey, Calif. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Armed Services, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS SUBCOMMITTEE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Appropriations for the Department of Agriculture may have until midnight tonight to file a report.

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

There was no objection.

EXTENSION OF REMARKS

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

Mr. HAYS (at the request of Mr. TRIMBLE) was given permission to extend his remarks in the RECORD.

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

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD in two instances and to include two editorials from the Brooklyn Eagle.

Mr. BEALL asked and was given permission to extend his remarks in the RECORD and include a statement.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD in two instances and include excerpts.

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

RECORD in two instances and include extraneous matter.

THE LATE HONORABLE ROBERT L. OWEN

Mr. STIGLER. 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 Oklahoma?

There was no objection.

Mr. STIGLER. Mr. Speaker, it is with deep regret that I announce the death of one of Oklahoma's first United States Senators, Senator Robert Latham Owen. He passed away last Saturday morning at 5 a. m. Funeral services will be held this afternoon at Gawler's Funeral Home at 2:30 p. m., and tomorrow his body will be taken to Lynchburg, Va.

Senator Owen was one of our most brilliant men, and was largely responsible for the Federal Reserve and Child Labor Acts. He served for many years as chairman of the Senate Banking and Currency Committee.

Born in Lynchburg, Va., the son of Robert L. Owen, president of the Virginia & Tennessee Railroad, and Narcissa Chisholm, a Cherokee Indian, he attended Washington and Lee University. In 1887 he went to the Cherokee National Indian Territory, where he taught in a Cherokee male seminary and later edited the Cherokee Nation, an Indian publication.

He established the First National Bank of Muskogee, which is in my district, and served as its president for 10 years, and at his death was one of the directors.

In 1920 he was proposed as a Democratic candidate for President, but later withdrew his name. He served as a Democratic Senator from Oklahoma from 1907 to 1925.

For the past several years he was known as the father of the global alphabet. He hoped to establish the 37-letter alphabet of dashes, curves, and cues to break down the world's language barriers.

His wife died last year. He is survived by a daughter, Mrs. Dorothea Whittemore. I extend my deepest sympathy to Mrs. Whittemore on the death of this great man—her father and my friend.

Mr. JOHNSON of Oklahoma. Mr. Speaker, my State of Oklahoma was saddened last Saturday by the announcement of the death of one of her most illustrous sons, the Honorable Robert Latham Owen.

Robert L. Owen, of Indian and Scotch-Irish descent, was born in Lynchburg, Va., in 1856. He received his education in Lynchburg, Baltimore, and at Washington and Lee.

Toward the end of the century he moved to the Indian Territory, where he taught in the Cherokee Orphan Asylum in what is now the State of Oklahoma. Later he entered the practice of law and became prominently identified in banking and industrial circles. In 1890, he founded the First National Bank of Muskogee and served as president of that institution for 10 years.

In 1892, 15 years before Oklahoma became a State, Robert L. Owen organized the first Democratic Party in the Indian Territory. His interest in the political affairs of his State and Nation remained steadfast throughout the years.

The year Oklahoma received her sovereignty and became the forty-sixth State in the Union, 1907, Robert L. Owen was the unanimous choice of both houses of the Oklahoma Legislature to represent the new State as one of her two Members of the United States Senate, a position he held with distinction for 21 years.

It can truly be said of Robert L. Owen that during the 21 years he served in the United States Senate he was indeed a giant and took his place among the great statesmen of that period. Senator Owen's achievements as a Member of the United States Senate were outstanding. He secured the establishment of the Senate Committee on Banking and Currency in 1913 and served as its first chairman. He was perhaps best known for his part in coauthoring the Federal Reserve System with the Honorable Carter Glass, of Virginia, who was at that time chairman of the Banking and Currency Committee of the House of Representatives. Senator Owen was also coauthor of the Farm Loan Act.

During his declining years the Oklahoma statesman turned his thoughts and efforts toward world peace and devoted most of his time to perfecting what he called the global alphabet.

At a recent luncheon given in his honor by the members of the Oklahoma congressional delegation, the Senator explained his global alphabet in detail and expressed the belief that widespread usage of this alphabet by all countries would bring about a better understanding in the world brotherhood of man and that it would be a means of preventing future wars.

I remember at the conclusion of the luncheon, when I was talking with Senator Owen about his authoring the Federal Reserve System, he said:

> Yes; that was a truly great work and probably a great milestone in my career, but the really great monument to me in the years to come will be my part in perfecting the global alphabet.

Senator Owen was president emeritus of the National Popular Government League, a life member of the Elks, and a Thirty-second Degree Mason.

The people of Oklahoma feel that in the passing of this great man, who reached such a position of trust and honor that many votes were cast in his behalf for the Democratic nomination for President of the United States at the San Francisco Convention in 1920, that they have truly lost one of their greatest sons.

Mr. PEDEN. Mr. Speaker, on July 19, 1947, the career of a distinguished Oklahoman came to a close. Former Senator Robert Latham Owen died, after an illness of several weeks. This Nation lost one of its outstanding and most useful citizens.

Vigorous and hard working to the last, the former Senator earned and held the respect and admiration of all who knew or came in contact with him.

In 1907, the statehood year for Oklahoma, he was elected to the United States Senate by the unanimous vote of both Houses of the State Legislature, with every member present and every member voting. That, in itself, indicates the esteem with which he was held by his fellow Oklahomans. That he continued to be held in this same high regard by the people whom he represented, was indicated by the overwhelming plurality which he received on his two succeeding reelections to that office in 1912 and 1918. His term of service in the Senate expired in 1925, when he retired to enter the private practice of law.

His service to the Nation did not cease with his retirement to private life, however, and possibly his most ardent efforts toward universal fellowship and understanding came during the last 22 years of his life. An accomplished linguist, he worked for several years on the creation of a global alphabet consisting of 33 symbols, representing various phonetic sounds. He was president of the World Language Foundation, and through his work on this project, had expanded his contacts and endeavors until they were universal in score.

During his 18 years as a Member of the United States Senate, Senator Owen led the fight for much constructive legislation. He was responsible, in a large measure, for the Federal Reserve Act, the Farm Loan Act, the Child Labor Act, and, in 1908, he led the contest for direct election of Senators.

A fitting tribute to this statesman is contained in the remarks of Hon. T. P. Gore, who served with Senator Owen as the other of the first two Senators from Oklahoma. In addressing the Oklahoma delegation at a luncheon in honor of Senator Owen, on February 3, 1945, Senator Gore paid this tribute:

> Senator Owen's fingerprints will be found on all the great measures that were passed during his tenure in the Senate. They were years crowded with service. I remember in reading the autobiography of John Morley, the great English statesman, that he closed a summary of his career with this remark: "I said things that made a difference." That is about the highest claim he could have made. That is about the highest tribute that one man can pay to another. It means that such a man was a living force, that he was an effective force, that he exerted an influence, that to some extent he changed the course of human events, that to some extent he changed the current of history.
>
> It is a still higher tribute to say that such changes improved the state of human affairs, accelerated the pace of progress, and contributed to the sum total of human well-being and human happiness. Owen as well as Morley said and did things that made a difference. No man as active as Senator Owen in the furtherance of his views could entirely escape opposition, but I believe that none of his opponents ever challenged either his sincerity or his ability. Ability is a gift, sincerity is a virtue. Owen has both.

Mr. Speaker, the life of this great Oklahoman and statesman will serve as an inspiration to all who may learn of his unselfish service to the Nation and the world. Until his death, he was actively at work for a world at peace. Our challenge today is that his untiring efforts and devotion to peace will not have been in vain.

Mr. MORRIS. Mr. Speaker, I have just recently learned of the death of my

good friend and fellow Oklahoman, former United States Senator Robert Latham Owen, of the State of Oklahoma. The State of Oklahoma and the whole country, also, have lost a noble, sincere, loyal, and patriotic servant. Senator Owen served his State and his country with singular devotion and intelligence for many years. All the time he was a Member of the United States Senate, which was from Statehood until 1925, he gave unstintedly of his great energies to the best interests of the people of his State and of the whole Nation; and the people of the State of Oklahoma, whom he so well represented, are as one in their mourning the loss of such an able and dependable public servant. He was in fact a statesman of the very first order.

Mr. ALBERT. Mr. Speaker, I join my colleagues from Oklahoma in deeply regretting the death of a great Oklahoman and a great American, the Honorable Robert L. Owen. Senator Owen was one of Oklahoma's first and most distinguished United States Senators. He represented our State in the United States Senate for 18 years. His outstanding service as a legislator is well known to most of the Members of this House.

Senator Owen was a scholar, a statesman, and, above all else, a friend to man. In his early youth he manifested great interest in foreign affairs and in the study of foreign languages as a means of bridging the gap between people of different tongues. By the time he had finished college he had mastered five foreign languages, fluency in which he retained to the date of his death. It was his interest in mankind which prompted this devotion to the study for foreign languages. It was his interest in mankind which caused him to leave his native State of Virginia and help open the frontiers of my own beloved Oklahoma. It was his interest in mankind that attracted his attention to public affairs and caused him to seek a seat in the United States Senate. It was his interest in mankind which on his retirement from the Senate caused him to work for a quarter of a century on the preparation of a global alphabet as an avenue to the study of foreign languages and the consequent mutual understanding between men of all races and all tongues.

Senator Owen lived to be 91 years of age. His keen mind retained its brilliance and his generous soul retained its love to the very last. Only a few days ago, after Senator Owen had been moved to the hospital where he died, he called my office to inquire as to the status of the Educational Exchange Act. His interest in humanity was consistent to the end. Those of us who knew him and who were fortunate enough to receive his counsel are filled with grief over the departure of a great man and a loyal friend. Still, somehow, we cannot but rejoice over the fullness of the life he lived. We are sure in our hearts that the magnitude of his deeds in this world will bring glory to his soul in the Great Beyond.

Mr. MONRONEY. Mr. Speaker, I join the other Members of the Oklahoma delegation in expressing the great loss, not only to our State, but to the Nation in the passing of a great statesman, ex-Senator Robert L. Owen.

No man in Oklahoma's history has so distinguished himself in carving a lasting record of constructive work for the State as Senator Owen has done. From his entrance into the Senate in 1907 until he left it for voluntary retirement in 1925, his was a record of great constructive achievement for the Nation as well as for his State.

His great contribution to the Nation as the original exponent of the Federal Reserve System, with all of its banking and credit reform, will long be remembered in the history of this Nation. Although he was never accorded his due credit for this great reform, it was his original idea and effort that did most to bring about its enactment.

The long record of legislative history is filled with his constructive contributions to his Nation as one of America's most distinguished and learned sons.

His retirement from the Senate did not dim his always energetic interest in public affairs. He was a welcome and helpful witness countless times before the Senate and House committees, studying important national and international subjects. His special studies were often printed as House and Senate documents, so great was the Members' respect for his learning and experience.

Even in his last years, well over 90 in age, his energy was boundless.

With a vision that world peace could not be possible with its inhabitants divided by a multiplicity of languages, he launched his global alphabet. This great work has attracted the attention of the world's linguists, and he spent his own money and time in hope of seeing this contribution to world peace, through making English the world language, launched. Several books dealing with the global alphabet in many languages were published at his own expense, and his constant effort to receive world acceptance of the idea was his great final ambition.

The world will miss the genius of Robert L. Owen, but his past work in behalf of all the people will live in their hearts.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—ECONOMIC REPORT (H. DOC. NO. 409)

The SPEAKER laid before the House the following message from the President of the United States, which was read by the Clerk and, together with accompanying papers, referred to the Joint Committee on the Economic Report and ordered printed with illustrations:

The Honorable the PRESIDENT OF THE SENATE.

The Honorable the SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIRS: I am presenting herewith a midyear economic report to the Congress. This is supplementary to the Economic Report of the President of January 8, 1947, and is transmitted in accordance with section 3 (b) of the Employment Act of 1946.

In preparing this report I have had the advice and assistance of the Council of Economic Advisers, members of the Cabinet, and heads of independent agencies.

Respectfully,

HARRY S. TRUMAN.

THE WHITE HOUSE, *July 21, 1947.*

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

UNIFORMITY OF GEOGRAPHIC NOMENCLATURE IN THE FEDERAL GOVERNMENT

The Clerk called the first bill on the calendar (H. R. 1555) to promote uniformity of geographic nomenclature in the Federal Government, and for other purposes.

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

Be it enacted, etc., That the Secretary of the Interior, hereinafter called the Secretary, shall provide for uniformity in geographic nomenclature and orthography throughout the Federal Government. In the exercise of his powers under this act the Secretary shall consult with the Board on Geographical Names established by this act. He may exercise his powers through such officials as he may designate.

SEC. 2. In carrying out the purposes of this act, the Secretary shall decide the standard names, their orthography and areal application, whether theretofore in use or proposed for use, of geographic features and places in the United States, its Territories and possessions, and in areas not under the recognized sovereignty of another nation; and in areas under the recognized sovereignty of another nation he shall determine the official forms of the names, their orthography and application, of geographic features, places, and political divisions, for the use of this Government; and he may hereafter change such names or the orthography or application of such names; and he shall decide all other questions of geographic nomenclature which may arise in the Federal Government.

SEC. 3. The Secretary shall cause such studies and investigations to be made and such records to be kept as may be necessary or desirable in carrying out the purposes of this act.

SEC. 4. There is hereby established a Board on Geographical Names, hereinafter called the Board. The membership of the Board shall include one representative from each of the Federal agencies administratively determined by the Secretary to be a principal map-making agency, at least one representative from each of the Departments of State, War, Navy, Post Office, Interior, Agriculture, and Commerce, and one representative each from the Government Printing Office, the Library of Congress, and such other Federal agencies and non-Federal organizations as the Secretary, upon recommendation of the Board, shall from time to time find desirable. The Federal Government members of the Board shall be appointed by the respective heads of the departments or independent agencies they represent and all other members shall be appointed by the Secretary. Each member shall be appointed for a 2-year term but may be reappointed to successive terms. The members of the Board shall serve without compensation. The Board shall nominate a Chairman to be appointed by the Secretary.

SEC. 5. The Board may, at its discretion, review any matters of geographic nomenclature and the findings of the Board, subject to the approval of the Secretary, shall be followed. In addition, the Board may make such further recommendations to the Secretary as it may deem desirable to carry out the purposes of this act.

SEC. 6. For the guidance of the Federal Government, the Secretary shall publish from time to time and in such form as will carry out the purposes of this act, decisions with respect to geographic names and principles of geographic nomenclature and orthography, and may revise and amend the same as found necessary. The Secretary

shall also furnish such additional information with respect to geographic names as will assist in carrying out the purposes of this act.

SEC. 7. With respect to a geographic name the pertinent decisions and principles issued by the Secretary shall be standard for all material published by the Federal Government.

SEC. 8. The intention of the Secretary to render decisions on standard names or their orthography or areal application shall be communicated to the Board 30 calendar days in advance of such decisions, and his intention to render determinations on all other matters of geographic nomenclature shall be communicated to the Board 90 calendar days in advance of such determinations: *Provided, however*, That upon approval of any name or other matter of geographical nomenclature by the Board the periods stated in this section shall be deemed to have expired.

SEC. 9. Nothing in this act shall be construed as applying to the naming of the offices or establishments of any Federal agency.

SEC. 10. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That the Secretary of the Interior, hereinafter called the Secretary, conjointly with the Board on Geographic Names, as hereinafter provided, shall provide for uniformity in geographic nomenclature and orthography throughout the Federal Government. The Secretary may exercise his functions through such officials as he may designate, except that such authority as relates to the final approval or review of actions of the Board on Geographic Names shall be exercised by him or his Under or Assistant Secretaries.

"SEC. 2. There is hereby established a Board on Geographic Names, hereinafter called the Board. The membership of the Board shall include one representative from each of the Departments of State, War, Navy, Post Office, Interior, Agriculture, and Commerce, and from the Government Printing Office, and the Library of Congress. The Board may also include representatives from such Federal agencies as the Secretary, upon recommendation of the Board, shall from time to time find desirable, even though these agencies are in the departments otherwise represented on the Board. The members of the Board shall be appointed by the respective heads of the departmeints or independent agencies that they represent. Each member shall be appointed for a 2-year term but may be reappointed to successive terms. The members of the Board shall serve without additional compensation. The Board shall nominate a Chairman to be appointed by the Secretary, and shall establish such working committees as are found desirable.

"SEC. 3. The Board, subject to the approval of the Secretary, shall formulate principles, policies, and procedures to be followed with reference to both domestic and foreign geographic names; and shall decide the standard names and their orthography for official use. The principles, policies, and procedures formulated hereunder shall be designed to serve the interests of the Federal Government and the general public, to enlist the effective cooperation of the Federal departments and agencies most concerned, and to give full consideration to the specific interests of particular Federal and State agencies. Action may be taken by the Secretary in any matter wherein the Board does not act within a reasonable time. The Board may make such recommendations to the Secretary as it finds appropriate in connection with this act.

"SEC. 4. The Secretary shall cause such studies and investigations to be made and such records to be kept as may be necessary or desirable in carrying out the purposes of this act, and he shall provide a place of meeting and staff assistance to the Board. The staff shall be responsible to the Secretary, who shall prescribe its relations to the Board and the committees of the Board. The Secretary may establish, from time to time, upon recommendation of the Board, advisory committees of United States citizens who are recognized experts in their respective fields to assist in the solution of special problems arising under this act.

"SEC. 5. For the guidance of the Federal Government, the Secretary shall promulgate in the name of the Board, from time to time and in such form as will carry out the purposes of this act, decisions with respect to geographic names and principles of geographic nomenclature and orthography. The Secretary shall also furnish such additional information with respect to geographic names as will assist in carrying out the purposes of this act.

"SEC. 6. With respect to geographic names the pertinent decisions and principles issued by the Secretary shall be standard for all material published by the Federal Government. The United States Board on Geographical Names in the Department of the Interior, created by Executive order, is hereby abolished, and the duties of said board are transferred to the Board herein created, and all departments, bureaus, and agencies of the Federal Government shall refer all geographic names and problems to the said Board for the purpose of eliminating duplication of work, personnel, and authority.

"SEC. 7. Nothing in this act shall be construed as applying to the naming of the offices or establishments of any Federal agency.

"SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act."

The committee amendment was agreed to.

Mr. COLE of New York. Mr. Speaker, I understand a similar Senate bill (S. 1262) is on the Speaker's table. I ask unanimous consent to substitute the Senate bill for the House bill.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, hereinafter called the Secretary, conjointly with the Board of Geographic Names, as hereinafter provided, shall provide for uniformity in geographic nomenclature and orthography throughout the Federal Government. The Secretary may exercise his functions through such officials as he may designate, except that such authority as relates to the final approval or review of actions of the Board on Geographic Names shall be exercised by him, or his Under or Assistant Secretaries.

SEC. 2. There is hereby established a Board on Geographic Names, hereinafter called the Board. The membership of the Board shall include one representative from each of the Departments of State, War, Navy, Post Office, Interior, Agriculture, and Commerce, and from the Government Printing Office, and the Library of Congress. The Board may also include representatives from such Federal agencies as the Secretary, upon recommendation of the Board, shall from time to time find desirable, even though these agencies are in the departments otherwise represented on the Board. The members of the Board shall be appointed by the respective heads of the departments or independent agencies that they represent. Each member shall be appointed for a 2-year term but may be reappointed to successive terms. The members of the Board shall serve without additional compensation. The Board shall nominate a chairman to be appointed by the Secretary, and shall establish such working committees as are found desirable.

SEC. 3. The Board, subject to the approval of the Secretary, shall formulate principles, policies, and procedures to be followed with reference to both domestic and foreign geographic names; and shall decide the standard names and their orthography for official use. The principles, policies, and procedures formulated hereunder shall be designed to serve the interests of the Federal Government and the general public, to enlist the effective cooperation of the Federal departments and agencies most concerned, and to give full consideration to the specific interests of particular Federal and State agencies. Action may be taken by the Secretary in any matter wherein the Board does not act within a reasonable time. The Board may make such recommendations to the Secretary as it finds appropriate in connection with this act.

SEC. 4. The Secretary shall cause such studies and investigations to be made and such records to be kept as may be necessary or desirable in carrying out the purposes of this act, and he shall provide a place of meeting and staff assistance to the Board. The staff shall be responsible to the Secretary, who shall prescribe its relations to the Board and the committees of the Board. The Secretary may establish from time to time, upon recommendation of the Board, advisory committees of United States citizens who are recognized experts in their respective fields to assist in the solution of special problems arising under this act.

SEC. 5. For the guidance of the Federal Government, the Secretary shall promulgate in the name of the Board, from time to time and in such form as will carry out the purposes of this act, decisions with respect to geographic names and principles of geographic nomenclature and orthography. The Secretary shall also furnish such additional information with respect to geographic names as will assist in carrying out the purposes of this act.

SEC. 6. With respect to geographic names, the pertinent decisions and principles issued by the Secretary shall be standard for all material published by the Federal Government. The United States Board on Geographical Names in the Department of the Interior created by Executive order, is hereby abolished, and the duties of said Board are transferred to the Board herein created, and all departments, bureaus, and agencies of the Federal Government shall refer all geographic names and problems to the said Board for the purpose of eliminating duplication of work, personnel, and authority.

SEC. 7. Nothing in this act shall be construed as applying to the naming of the offices or establishments of any Federal agency.

SEC. 8. There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

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

A similar House bill (H. R. 1555) was laid on the table.

PENALTY FOR ENTERING NATIONAL FORESTS UNLAWFULLY

The Clerk called the bill (H. R. 1826) making it a petty offense to enter any national-forest land while it is closed to the public.

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

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to know what this bill is and what kind of notice the Department is supposed to give the public before a man could be arrested for going on to public land.

Mr. HOPE. This bill is very much desired by the Forest Service for protection against forest fires. It is occasionally necessary at certain times of the year, when the fire hazard is great, to close a national forest against the entry of the public.

There is already a provision which provides a penalty for an individual who trespasses on the national forests. That is a pretty severe penalty. This calls for a lesser penalty. A case brought under the present law must be tried in the United States District Court upon information filed by the United States District Attorney, and the penalty is out of line with the size of the crime, you might say, because many of these people are perhaps just petty trespassers. But there ought to be some way that they can be kept out when there is a fire hazard.

The purpose of this bill is to make it a petty offense, so that if these people do trespass they can be brought before a United States commissioner and fined a smaller amount than provided in the present law.

Mr. RICH. Let me ask this question: Suppose a State forest were dry and some fishermen should go into the forest without seeing any sign that told them this was Federal land or that it was posted against entry; suppose they went in there to fish or camp, what would the penalty be?

Mr. HOPE. Let me say in the first place that it does not apply to State land; it applies to the national forests.

Mr. RICH. But the national forest is the same thing.

Mr. HOPE. The penalty provided under this bill is a fine of not to exceed $500 or imprisonment not to exceed 6 months in jail. That is the maximum, the gentleman understands.

Mr. RICH. That means that if some individual were going through the forest and did not notice any signs posting the forest against entry showing that the Interior Department or the Department of Agriculture said they were not permitted on these lands; that if the individual, not knowing the lands were posted, not seeing signs, entered them and was caught, he could be put in jail for 6 months and fined $500?

Mr. HOPE. The gentleman understands that is the maximum penalty that could be imposed. Such an individual certainly would have the defense that the land was not posted. It seems to me that would be a defense.

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

Mr. HOPE. I yield.

Mr. SHORT. The trespass must be knowing and willful upon the part of the individual.

Mr. HOPE. That is the person, of course, whom it was intended to cover.

Mr. RICH. It seems to me this is a pretty strong bill and that it may do more damage than good.

Mr. HOPE. I hope the gentleman from Pennsylvania will not object because it is very important in the interest of conservation that there be some method by which the Forest Service can act in these matters. As I said before they can now arrest a man, but the present law carries a much higher penalty.

Mr. RICH. If a man did not intend to enter the forest and set a fire yet you are going to jail him and fine him just because you are afraid he might for some reason set a fire. While I do not want any fires set in the national forest, I do not want them to burn, it seems to me you are going too far in this legislation. It ought to be stopped.

Mr. HOPE. The gentleman understands that a closure order is put into effect only when there is grave danger of fire. The Forest Service wants people to use the national forests, but there are certain times and periods of severe drouth when the public should be kept out of certain areas of the national forests.

Mr. RICH. And all of these western States want this legislation, do they?

Mr. HOPE. No; the States are not asking for it; the Forest Service is asking for it to protect the forests.

Mr. RICH. Mr. Speaker, I withdraw my reservation of objection.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, would the gentleman from Kansas, chairman of the Committee on Agriculture, agree that it is the intent of the law that it apply only to willful trespass?

Mr. HOPE. I am sure that is the way it will be applied. I cannot construe the law because the law speaks for itself. I would not want to mislead the gentleman by saying that it would have to be a willful trespass. It is the intention to keep off those who are willful trespassers. Undoubtedly if a person went on these by mistake that would be a defense.

Mr. CASE of South Dakota. If a man unintentionally happened to step on national forest land, or if he cut across a mountain or valley to save a long walk around or if he had proper business on forest ground to see some cattle, for instance, would the gentleman want to say that he would automatically be liable to be charged with an offense and subjected to fine and imprisonment?

Mr. HOPE. I am not sure he would not be.

Mr. KEARNEY. I believe under the penalty statutes, in order to get a conviction it would have to be willful. If a man violates the law it must be a willful violation.

Mr. CASE of South Dakota. In view of the discussion on that I would like to have it clear. I did not intend to raise any question but in view of what has been said it should be clear that it is not here intended to make it illegal if a man happens to step on some national forest property without having gotten permission from a national forest official.

Mr. HOPE. I am sure, and I believe the gentleman is sure, that the law would not be applied that way.

Mr. CASE of South Dakota. With that understanding, I withdraw my reservation of objection.

Mr. SHORT. Mr. Speaker, reserving the right to object, I have two or three national forests in my district and this concerns me. Unless you put specifically in the law that the trespasser knowingly and willingly violates the rules and regulations I think I shall be constrained to object.

Mr. HOPE. I hope the gentleman will not object.

Mr. SHORT. Any person who innocently is found in a national forest, unwittingly and without malice aforethought, certainly should not be subjected to fine and imprisonment unless he has willfully violated the law.

Mr. HOPE. The gentleman understands that there is on the statute books at the present time a law with a much more severe penalty than is provided here; so that whether this act is passed or not the other would be in effect.

Mr. SHORT. Under those circumstances I withdraw my objection, and will run the risk of taking the lesser evil.

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

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

Be it enacted, etc., That whoever, without lawful authority or permission, shall go upon any national-forest land while it is closed to the public by or under authority of a regulation of the Secretary of Agriculture made pursuant to law shall be fined not more than $500, or imprisoned without hard labor for not more than 6 months, or both: *Provided*, That nothing herein shall be construed to limit the authority of the Secretary of Agriculture under other law to otherwise provide for regulating the occupancy and use of national-forest lands and lands administered by the Forest Service.

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.

VACANCY IN OFFICE OF DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK

The Clerk called the bill (H. R. 1436) to repeal the prohibition against the filling of a vacancy in the office of district judge in the southern district of New York.

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

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

There was no objection.

MINIMUM ALLOWANCE PAYABLE FOR REHABILITATION IN SERVICE-CONNECTED CASES

The Clerk called the bill (H. R. 3308) to increase the minimum allowance payable for rehabilitation in service-connected cases.

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

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

There was no objection.

FISH HATCHERY AT ROGERS CITY, MICH.

The Clerk called the bill (H. R. 210) to establish rearing ponds and fish hatchery at or near Rogers City, Mich.

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

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

There was no objection.

FISH HATCHERY AT ST. IGNACE, MICH.

The Clerk called the bill (H. R. 214) to establish rearing ponds and a fish hatchery at or near St. Ignace, Mich.

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

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

There was no objection.

FISH HATCHERY AT CHARLEVOIX, MICH.

The Clerk called the bill H. R. 215) to establish rearing ponds and a fish hatchery at or near Charlevoix, Mich.

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

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

There was no objection.

FISH HATCHERY AT THE ANNA RIVER, MICH.

The Clerk called the bill (H. R. 216) to establish rearing ponds and a fish hatchery at the Anna River, Mich.

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

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

There was no objection.

UNITED STATES GEOLOGICAL SURVEY

The Clerk called the bill (H. R. 3106) to reenact and amend the Organic Act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued duties and functions and by redefining their geographic scope.

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

Mr. MACKINNON. I ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

PROMOTING CERTAIN MINING ON UNITED STATES LANDS

The Clerk called the bill (H. R. 3022) to promote the mining of coal, phosphate, sodium, oil shale, gas, and sulfur on lands acquired by the United States.

The SPEAKER. Is there objection to the present consideration?

Mr. CARROLL. Mr. Speaker, reserving the right to object, I would like to have the chairman of the subcommittee explain this bill to determine whether or not it affects tidelands; the oil situation on the coastal waters of the United States.

Mr. BARRETT. Mr. Speaker, if the gentleman will yield, I might say to the gentleman that I have an amendment prepared which will except tidelands from the provisions of this bill. I shall offer that amendment at the proper time.

Mr. CARROLL. Would the gentleman explain to the Members of this body what this bill does?

Mr. BARRETT. The Department of the Interior presently has jurisdiction over all of our public domain for mineral-leasing purposes. They have had a very satisfactory leasing system under the Leasing Act of 1920, as amended. Under the Reorganization Act, that Department handles mineral leases on all Federal lands. The purpose of this bill is to provide that all acquired lands of the United States shall be leased under the same conditions that presently applies to the public domain. That system has worked well and a uniform system will be of great help to those applying for these leases. I understand there are about 150,000,000 acres of acquired lands scattered throughout the United States. This bill applies only to those lands. In many States of the West the oil industry finds one set of regulations on applications for oil and gas leases applies to public domain lands and an entirely different set of regulations applies to acquired lands even though the lands are the same in every respect and in many cases are adjoining.

Mr. CARROLL. Then the amendment the gentleman proposes now specifically exempts the tide oil lands in the coastal areas?

Mr. BARRETT. That is right.

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

Mr. CARROLL. I yield to the gentleman from Alabama.

Mr. HOBBS. May I ask the gentleman if he knows whether or not the Department of Agriculture objects to this bill?

Mr. BARRETT. I might say that a representative of the Department of Agriculture appeared before our committee and raised some objections to the provisions of this bill. However, the Department of the Interior is very much in favor of the bill because it would facilitate the administration of their work. The gentleman well knows, as I said, that under the Executive order of the President the jurisdiction of leasing these lands presently lies in the Department of the Interior and not in the Department of Agriculture.

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

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

Mr. CELLER. I might ask the gentleman who now has the power to lease these lands?

Mr. BARRETT. The power to lease these lands rests exclusively with the Department of the Interior. In order to place the authority and responsibility for executing oil and gas leases and other mineral leases in the hands of one department of Government the President under the Reorganization Act transferred authority for that purpose to the Interior Department on all lands belonging to the United States.

However, the Department of the Interior leases the lands not under the rules and regulations of its own department but rather under the regulations of the department that formerly had jurisdiction of the lands before the transfer. This has caused considerable confusion and the purpose of this bill is simply to provide uniformity.

Mr. CELLER. Does the gentleman think a bill as important as this, which even would require, in the gentleman's opinion, an amendment to avoid any conflict with the recent Supreme Court decision with reference to tidelands, should be considered without a considerable degree of debate? It is too important to be considered on the Consent Calendar, is it not?

Mr. BARRETT. I might say to my colleague that the committee considered the bill carefully and reported it out unanimously. It has been on the floor before. The question of the tidelands has been discussed and debated, and the amendment affecting the tidelands has been accepted by the States that are interested in the matter.

Mr. CARROLL. May I say to the gentleman from New York that I sat as a member of the committee and discussed the implications of this matter. As the gentleman from Wyoming has indicated, it is a transfer from the Department of Agriculture to the Department of the Interior for the purpose of developing some of the resources of the West.

Mr. CELLER. May I ask whether the Department of the Interior has given wholehearted approval to this bill?

Mr. BARRETT. Indeed it has.

Mr. CARROLL. Mr. Speaker, if there are no further questions on this point, I withdraw my reservation of objection.

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

Mr. HOBBS. I object, Mr. Speaker.

The SPEAKER. Three objections are required to strike the bill from the calendar.

Mrs. DOUGLAS. I object, Mr. Speaker.

Mr. CELLER. I object, Mr. Speaker.

MARKETING AGREEMENTS AND ORDERS

The Clerk called the bill (H. R. 452) to amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders.

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

Be it enacted, etc., That the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

By adding at the end of section 2 (U. S. C., 1940 ed., title 7, sec. 602) the following:

"(3) Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements for agricultural commodities or the products thereof, other than milk and its products, in interstate commerce as will

effectuate such orderly marketing of such agricultural commodities as will be in the public interest."

SEC. 2. Section 8c (6), as amended (U. S. C., 1940 ed., title 7, sec. 608c (6)), is amended to read as follows:

"(6) In the case of agricultural commodities and the products thereof, other than milk and its products, orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others:

"(A) Limiting, or providing methods for the limitation of, the total quantity of any such commodity or product, or of any grade, size, or quality thereof, produced during any specified period or periods, which may be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods by all handlers thereof.

"(B) Allotting, or providing methods for allotting, the amount of such commodity or product, or any grade, size, or quality thereof, which each handler may purchase from or handle on behalf of any and all producers thereof, during any specified period or periods, under a uniform rule based upon the amounts sold by such producers in such prior period as the Secretary determines to be representative, or upon the current quantities available for sale by such producers, or both, to the end that the total quantity thereof to be purchased, or handled during any specified period or periods shall be apportioned equitably among producers.

"(C) Allotting, or providing methods for allotting, the amount of any such commodity or product, or any grade, size, or quantity thereof, which each handler may market in or transport to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, under a uniform rule based upon the amounts which each such handler has available for current shipment, or upon the amounts shipped by each such handler in such prior period as the Secretary determines to be representative, or both, to the end that the total quantity of such commodity or product, or any grade, size, or quality thereof, to be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods shall be equitably apportioned among all of the handlers thereof.

"(D) Determining, or providing methods for determining, the existence and extent of the surplus of any such commodity or product, or of any grade, size, or quality thereof, and providing for the control and disposition of such surplus, and for equalizing the burden of such surplus elimination or control among the producers and handlers thereof.

"(E) Establishing or providing for the establishment of reserve pools of any such commodity or product, or of any grade, size, or quality thereof, and providing for the equitable distribution of the net return derived from the sale thereof among the persons beneficially interested therein.

"(F) Requiring or providing for the requirement of inspection of any such commodity or product produced during specified periods and marketed by handlers.

"(G) In the case of hops and their products, in addition to, or in lieu of, the foregoing terms and conditions, orders may contain one or more of the following:

"(i) Limiting, or providing methods for the limitation of, the total quantity thereof, or of any grade, type, or variety thereof, produced during any specified period or periods, which all handlers may handle in the current of or so as directly to burden, obstruct, or affect interstate or foreign commerce in hops or any product thereof.

"(ii) Apportioning, or providing methods for apportioning, the total quantity of hops of the production of the then current calendar year permitted to be handled equitably among all producers in the production area to which the order applies upon the basis of one or more or a combination of the following: The total quantity of hops available or estimated will become available for market by each producer from his production during such period; the normal production of the acreage of hops operated by each producer during such period upon the basis of the number of acres of hops in production, and the average yield of that acreage during such period, as the Secretary determines to be representative, with adjustments determined by the Secretary to be proper for age of plantings or abnormal conditions affecting yield; such normal production or historical record of any acreage for which data as to yield of hops are not available or which had no yield during such period shall be determined by the Secretary on the basis of the yields of other acreage of hops of similar characteristics as to productivity, subject to adjustment as just provided for.

"(iii) Allotting, or providing methods for allotting, the quantity of hops which any handler may handle so that the allotment fixed for that handler shall be limited to the quantity of hops apportioned under preceding section (ii) to each respective producer of hops; such allotment shall constitute an allotment fixed for that handler within the meaning of subsection (5) of section 8a of this title (U. S. C., 1940 ed., title 7, sec. 608a)."

SEC. 3. Section 10 (b) (2) (U. S. C., 1940 ed., title 7, sec. 610 (b) (2)) is amended to read as follows:

"(2) (i) Each order relating to milk and its products issued by the Secretary under this title shall provide that each handler subject thereto shall pay to any authority or agency established under such order such handler's pro rata share (as approved by the Secretary) of such expenses as the Secretary may find will necessarily be incurred by such authority or agency, during any period specified by him, for the maintenance and functioning of such authority or agency, other than expenses incurred in receiving, handling, holding, or disposing of any quantity of milk or products thereof received, handled, held, or disposed of by such authority or agency for the benefit or account of persons other than handlers subject to such order. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of milk or product thereof covered by such order which is distributed, processed, or shipped by such cooperative association of producers.

"(ii) Each order relating to any other commodity or product issued by the Secretary under this title shall provide that each handler subject thereto shall pay to any authority or agency established under such order such handler's pro rata share (as approved by the Secretary) of such expenses as the Secretary may find are reasonable and are likely to be incurred by such authority or agency, during any period specified by him, for such purposes as the Secretary may, pursuant to such order, determine to be appropriate, and for the maintenance and functioning of such authority or agency, other than expenses incurred in receiving, handling, holding, or disposing of any quantity of a commodity received, handled, held, or disposed of by such authority or agency for the benefit or account of persons other than handlers subject to such order. The pro rata share of the expenses payable by a cooperative association of producers shall be computed on the basis of the quantity of the agricultural commodity or product thereof covered by such order which is distributed, processed, or shipped by such cooperative association of producers. The payment of assessments for the maintenance and functioning of such authority or agency, as provided for herein, may be required under a marketing agreement or marketing order throughout the period the marketing agreement or order is in effect and irrespective of whether particular provisions thereof are suspended or become inoperative.

"(iii) Any authority or agency established under an order may maintain in its own name, or in the name of its members, a suit against any handler subject to an order for the collection of such handler's pro rata share of expenses. The several district courts of the United States are hereby vested with jurisdiction to entertain such suits regardless of the amount in controversy."

SEC. 4. Section 8c (2) (U. S. C., 1940 ed., title 7, sec. 608c (2)) is amended by inserting a colon in lieu of the period at the end thereof and by adding the following: *"Provided,* That, in addition to the commodities specified, orders may be issued pursuant to the provisions of this section with respect to other agricultural commodities or the products of such commodities or to any regional or market classification thereof if (A) the Secretary determines that the issuance of an order with respect to any such commodity or product would more effectively advance the interests of the producers thereof, pursuant to the declared policy, and (B) a majority of the producers of such commodity or product, who, during a representative period determined by the Secretary, have been engaged, within the production area specified by the Secretary in the production for market of the commodity specified, or who, during such representative period, have been engaged in the production of such commodity for sale in the marketing area specified by the Secretary, voting in a referendum conducted by the Secretary, approve or favor the application of the provisions of section 8c to such commodity or product. Subsection (12) shall be applicable to any such referendum."

With the following committee amendments:

Page 2, line 3, strike out "or the products thereof" and insert "enumerated in section 8c (2)."

Page 2, line 11, strike out lines 11 to 15 inclusive, and insert the following:

"(6) In the case of fruits (including pecans and walnuts but not including apples, other than apples produced in the States of Washington, Oregon, and Idaho, and not including fruits, other than olives, for canning) and their products, tobacco and its products, vegetables (not including vegetables, other than asparagus, for canning) and their products, soybeans and their products, hops and their products, honeybees, and naval stores as included in the Naval Stores Act and standards established thereunder (including refined or partially refined oleoresin), orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others."

Page 8, line 22, strike out all of section 4.

The committee amendments were agreed to.

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

The Clerk read as follows:

Amendment offered by Mr. GOFF:

Insert the words "or freezing" immediately after the word "canning" in lines 19 and 21 on page 2.

On page 8, following line 21, insert a new section reading as follows:

"SEC. 4. Section 8c (2) (U. S. C., 1940 ed., title 7, sec. 608c (2)) is amended by in-

serting the words 'or freezing' immediately after the word 'canning' wherever said word 'canning' appears in said section."

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.

AIR-MAIL DELIVERY BY GOVERNMENT-OWNED TRUCKS

The Clerk called the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of the city in which there has been established a Government-owned vehicle service to be delivered by Government-owned motor vehicles.

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

Mr. YOUNGBLOOD. I object, Mr. Speaker.

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

Mr. BUCK, Mr. RICH, and Mr. KEAN objected.

COAST GUARD

The Clerk called the bill (H. R. 72) to increase the number of authorized aviation stations operated by the Coast Guard, and for other purposes.

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

Be it enacted, etc., That the sixth paragraph under the heading "Coast Guard" of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916 (U. S. C., 1940 ed., title 14, sec. 29), is amended to read as follows:

"For the purpose of saving life and property along the coasts of the United States and at sea contiguous thereto, and to assist in the national defense, the Secretary of the Treasury is authorized to establish, equip, and maintain aviation stations, not exceeding fifteen in number, at such points on the Atlantic and Pacific coasts, the Gulf of Mexico, and the Great Lakes, as he may deem advisable, and to detail for aviation duty in connection therewith officers and enlisted men of the United States Coast Guard. At five of these stations there may be instituted schools for the purpose of special instruction in aeronautics, and the Secretary of the Treasury is authorized to employ such expert instructors in aeronautics and such assistant instructors also skilled in aeronautics as he may deem necessary, and to fix the compensation of each such instructor and assistant instructor at a rate not in excess of the rate of the aggregate pay of a commander in the Coast Guard who receives additional pay under the provisions of section 18 of the Pay Readjustment Act of 1942, as amended, for participation in regular and frequent aerial flights."

With the following committee amendments:

Page 1, line 10, after the words "coasts of", insert the words "and in the interior of."

Page 1, line 10, after the words "United States", insert the words "and its possessions."

Page 1, line 10, after the words "and at sea", insert a comma and strike out the words "contiguous thereto."

Page 2, line 2, after the words "at such points" add the words "in the United States and its possessions."

Page 2, beginning on line 2, strike out the words "on the Atlantic and Pacific coasts, the Gulf of Mexico, and the Great Lakes."

Page 2, line 5, after the word "duty", insert the words "and instruction."

Page 2, beginning on line 6, after the words "United States Coast Guard", strike out all the remainder of the bill.

The committee amendments were agreed to.

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

CONVERSION OF CERTAIN NAVAL VESSELS

The Clerk called the bill (H. R. 3315) to authorize the conversion of certain naval vessels.

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

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

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

Mr. HESS. Mr. Speaker, reserving the right to object, the Navy is most anxious to have this work proceed on the conversion of these ships. If this bill is passed over without prejudice, it will probably have to go over to the next session of Congress. Plans are being prepared at the present time for the construction and conversion of these 16 vessels. There will be no additional appropriation required. The money is available in the fund called Construction of Ships, and there will be no additional appropriation required for the work. The Armed Services Committee brings this bill before the House today with a unanimous vote. It authorizes the conversion of certain naval vessels. The bill would grant to the Secretary of the Navy authority to embark upon a program of ship conversion without limitation of expenditures on any one vessel, but within the total sum appropriated for the purpose.

Under existing law—the act of July 18, 1935—the total expenditures for repairs and alterations of a single naval vessel may not exceed $450,000 for any 18 consecutive months, provided that the Secretary of the Navy is authorized to complete such work as may exceed the above limit, provided that appropriated funds are available, and provided further that he report the circumstances to the Congress at the next regular session. In addition, under article 37 of the act of August 2, 1946, the Secretary of the Navy is "authorized in time of war and until the end of the first fiscal year thereafter to exceed the statutory limit on repairs and alterations of vessels whenever he deems it necessary."

H. R. 3315, A BILL TO AUTHORIZE CONVERSION OF CERTAIN NAVAL VESSELS

The development of devices for incorporation on naval vessels to meet the demands of naval warfare which resulted from World War II experience, and the development of the vessels themselves are continuing at a rapid rate. The necessity for exercising with these new devices and for extensive training in their use is urgent and will not wait for the building of new ships in which to install them. The Navy already has a large number of ships, many of which, with modification, can be used to apply these new developments.

The conversion work for which this bill gives legislative authority partakes of the nature of shipbuilding. Under the authority of this bill, the Navy can undertake work at a cost in excess of the existing expenditure limitation which has been suspended by other legislation, but which will again become effective upon removal of the war powers. These conversions can be undertaken only when funds are provided by the Congress after approval of the work by the President and report to the Congress. Although the bill provides that the President shall cause the Secretary of the Navy to report such contemplated conversions to the Congress, it would not be necessary to obtain legislative authority in each case.

Under the provisions of this bill the Navy will be in a position to gain the advantage of experience with newly developed devices and operating techniques in the minimum elapsed time. Considering the current rapid pace of scientific and engineering developments and the necessity for equal rapidity in developing the techniques of their employment, it is considered that this legislative authority, which in one bill saves the time of many hearings, is essential to progress. In announcing its intentions to the Congress, as provided in the bill, the Navy will be prepared to discuss and justify the undertaking of prospective conversions together with the costs involved and can do this without delay which would necessarily result from separate legislative action in the case of each vessel.

Illustrative of the types of conversion for which this bill creates legislative authority are the conversions before Congress covered under Navy Department appropriation bill for 1948 under the heading "Construction of ships." Conversions requested under this heading include:

(A) Nine 2,100-ton destroyers for conversion to fast destroyer escorts. The development abroad of submarines capable of operating submerged at high speed has made it mandatory that we develop devices and techniques to combat them and gain practical experience in the use of these devices.

(B) Two fleet-type World War II submarines for conversion to the carrying of troops. Nations of both sides of the conflict made successful use of submarines for landing small parties of troops through waters not controlled by them. The situations which gave rise to this requirement are usual in warfare. The Navy considers it essential that the full capabilities of this type of operation and of the capacity of submarines to implement it be developed at least on a prototype basis, which this is.

(C) One fleet-type World War II submarine for conversion to a cargo carrier. This conversion is an extension of experience gained in the war and constitutes a necessary supporting element for the troop carrier as well as a means to provide support for friendly forces in otherwise occupied territory.

(D) One fleet-type World War II submarine for conversion to frigid zone picket duty. The necessity for picket ships capable of concealment was amply demonstrated off Okinawa where the destroyers assigned on picket station suffered heavy casualties. This conversion will amplify the limited experience already gained in the use of submarines for specialized picket work by such special devices as are or may be developed to suit them for the work in frigid zone conditions.

All of the above conversions of submarines are somewhat experimental in character. It is expected that exercise and training in them will not only advance the special techniques involved but will show the way toward further improvements in the devices which they carry.

(E) One landing ship dock and one attack cargo vessel for conversion to the requirements of frigid zone service. Many lessons have been learned as to the special requirements that must be fulfilled by ships and their equipment in the rigorous cold weather experienced during recent expeditions into such waters. The purpose of these conversions is to apply these lessons, and through further exercise in polar waters, to prove and extend them.

H. R. 3115 was considered by a subcommittee of the Armed Services Committee and after complete hearings, some in open session and some in executive session, the bill was unanimously reported to the full committee, where it met approval and a recommendation for early consideration by the House. I trust the bill will pass the House without a dissenting vote.

Mr. KEAN. May I say to the gentleman from Ohio that this authorization is for $55,000,000, and it would greatly embarrass the Members on the objectors' committee in the future if we let a bill go through on the Consent Calendar which provides for an authorization of $55,000,000, and we could not very well object to a bill going through containing $5,000,000 or $10,000,000.

I agree with the gentleman so far as the objectives of the bill are concerned. I hope the gentleman may be able to take the matter up so that it can be brought up under suspension of the rules and thus be passed right away.

Mr. HESS. It is true that this is an authorization, but if the gentleman will read the hearings he will find in answer to a question which I propounded that the money is available. The testimony is as follows:

Mr. HESS. At the present time, as I understand it then, with this fund of IRNV you could convert ships or construct new ships; is that correct?

Admiral MILLS. That is correct, sir.

Mr. HESS. There is no additional appropriation necessary, the funds have been appropriated for that purpose?

Admiral MILLS. Yes, sir.

Mr. HESS. Authorization is necessary, however?

Admiral MILLS. That is correct, sir. It is necessary in connection with this new appropriation.

Therefore, the funds are available.

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

Mr. HESS. I yield.

Mr. COLE of New York. Is it not correct that an authorization is necessary to the extent that the present law limits the amount of money spent on the alteration of vessels to $450,000?

Mr. HESS. That is correct. That is the limit within an 18-month period.

Mr. COLE of New York. And an authorization is necessary to exceed that amount, whether it is $55,000,000 or whatever it may be. That is the only authorization that is necessary, and that is the only authorization that this bill carries.

Mr. HESS. That is correct. That is the only authorization contained herein.

Mr. COLE of New York. The authorization carried in this bill permits the Navy to exceed the $450,000 present limitation.

Mr. HESS. If the Navy saw fit, however, under another act, they could proceed to convert these ships without coming to Congress for an authorization, providing that it could be done prior to the end of the emergency.

Mr. COLE of New York. So the net result of this bill is not an authorization for $55,000,000? The effect of the authorization is to remove the $450,000 limitation, which was imposed by Congress in 1935 in the midst of a period of economy.

Mr. HESS. That is correct.

Mr. KEAN. This provides for no ceiling at all?

Mr. COLE of New York. That is the net effect of this bill so far as alterations by way of conversion of vessels is concerned.

Mr. KEAN. In that case, Mr. Speaker, I think perhaps that it would not embarrass us and, therefore, I feel justified in withdrawing my unanimous-consent request.

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

Mr. RICH. Mr. Speaker, reserving the right to object what do you expect to do with the vessels after they are reconditioned?

Mr. HESS. They are to be used in the naval service. There are to be 16 vessels converted. Two submarines are to be converted into troop-carrying ships, one into a cargo-carrying ship. Two landing ship docks are to be converted to polar service ships. One attack transport is to be converted into a polar service ship, and one submarine is to be converted to a polar picket, and nine destroyers are to be converted to antisubmarine vessels.

Mr. RICH. I was interested in finding out whether we were going to recondition a lot of merchant ships and then give them away to some foreign country.

Mr. HESS. No; these ships are not merchant ships. These are combatant ships.

Mr. RICH. If they were, I would not permit this to go through.

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

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

Be it enacted, etc., That, for the purpose of improving the military characteristics of combatant and auxiliary vessels of the United States Navy, the President of the United State is hereby authorized to convert such vessels as he may consider best suited for the purposes of national defense without limitation on expenditures for any one vessel within the total sum appropriated for the purpose.

With the following committee amendment:

Insert at the end end of the bill "*Provided*, That prior to converting vessels pursuant to authority contained in this act the President shall cause the Secretary of the Navy to report such conversions to Congress: *Provided further*, That no conversion allowed herein shall be such as to place a converted vessel in a type or category different from its original type or category."

The committee amendment was agreed to.

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

COLLECTION AND PUBLICATION OF STATISTICAL INFORMATION BY THE BUREAU OF THE CENSUS

The Clerk called the bill (H. R. 1821) to provide for the collection and publication of statistical information by the Bureau of the Census.

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

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

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN]?

There was no objection.

TO AUTHORIZE LEASES OF REAL OR PERSONAL PROPERTY BY THE WAR AND NAVY DEPARTMENTS

The Clerk called the bill (H. R. 3471) to authorize leases of real or personal property by the War and Navy Departments, and for other purposes.

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

Mr. BUCK. Mr. Speaker, reserving the right to object, this bill involves property worth hundreds of millions of dollars. It was not so long ago that Congress passed the Surplus Property Act which had a bearing upon the property covered by this bill. This bill therefore reverses the national public policy.

In view of the facts I have stated, I ask unanimous consent that this bill be passed over without prejudice.

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

Mr. ANDREWS of New York. Mr. Speaker, reserving the right to object, I understand the gentleman from New York [Mr. BUCK] is asking that the bill be passed over without prejudice. I may say to the membership that this bill has the unanimous approval of 33 men on the Armed Services Committee, who studied the matter carefully. It is true that it contravenes, to some extent, the

Surplus Property Act, but by permitting the Army and Navy to lease these stand-by plants of various descriptions, particularly having to do with machine tools, it will save the Government a great many millions of dollars in leases, which otherwise will become dump plants.

As far as I am concerned, the gentleman from New York [Mr. BUCK] is the only Member I have heard who has raised any objection. We can ask to suspend the rules and pass the bill, but rather than have it passed over without prejudice, I shall object.

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

Mr. ANDREWS of New York. I reserve the objection and I yield.

Mr. SHAFFR. Mr. Speaker, the Government simply wants to lease 77 plants, which we have to keep in our possession in case of another emergency. Together with these, there are 92,000 items of tool machinery that are now in war assets and can be sold at any time to any nation if bids are received, and bids are being received. It is very important that this bill be passed. Now, the gentleman says it contravenes the Surplus Property Act. The Surplus Property Administration had representatives at all of the hearings that were held on this bill, and not one objection was offered and not a bit of testimony was offered from the Surplus Property Administration. However, since that time they find that they do want a couple of amendments, and I have agreed, if this bill is passed by the House, to take their amendments in the Senate bill.

Mr. SHORT. Mr. Speaker, will the gentleman yield at that point?

Mr. ANDREWS of New York. I yield.

Mr. SHORT. We have invested $750,000,000 in synthetic-rubber plants alone. We do not want to scuttle all of these wartime plants. Some of them will be continued in operation by the Government. Others will be kept in a stand-by condition, for use in case of emergency. The purpose of this legislation is really to prevent the Army and Navy from declaring surplus many of these plants, and many of these machine tools that are very difficult to secure, and to sell them for 10 cents on the dollar. This legislation is to protect the American taxpayers and to insure the safety and security of our Nation. I do hope that my good friend the gentleman from New York [Mr. BUCK] will not object to its immediate consideration.

Mr. BUCK. Further reserving the right to object, Mr. Speaker, outside of the Committee on the Armed Services I doubt if 10 Members of the House have read the bill or seen the report. I, therefore, object to its immediate consideration.

The SPEAKER. Objection is heard.

SETTLEMENT OF DAMAGE CLAIMS RESULTING FROM EXPLOSIONS AT PORT CHICAGO, CALIF., ON JUNE 17, 1944

The Clerk called the bill (H. R. 669) to provide a method of paying subrogation claims arising out of insurance payments for damages sustained as the result of explosions at Port Chicago, Calif., on June 17, 1944.

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

Mr. RICH. Mr. Speaker, reserving the right to object, I think the bill should be explained. I want to know what it is proposed to do, why special legislation is needed to settle claims resulting from this explosion different from claims resulting from any explosion.

Mr. CASE of New Jersey. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. CASE of New Jersey. The Navy is not permitted to pay more than $1,000 under general law. Many of the claims involved here call for the payment of more than that amount. They have all been investigated and a complete report on each claim has been made by the Navy. As a result of legislation passed in previous Congresses we have already paid a lot of claimants as approved by that report in amounts up to $3,000. This would allow the payment of claims not so paid but favorably reported in the same investigation including some subrogated claims.

Mr. RICH. Would any claim be for an amount over $3,000?

Mr. CASE of New Jersey. Yes; all these claims would be over that amount, but they have already been presented and have been investigated by the Navy and appear in the same report.

Mr. RICH. Why should we make any difference in the case of these claims? Why should they not go through the courts?

Mr. CASE of New Jersey. These claims have already been carefully investigated.

Mr. RICH. Who made the investigation?

Mr. CASE of New Jersey. Qualified officers of the Navy pursuant to authorization by an act of Congress for the purpose of determining the validity and amounts to be allowed.

Mr. RICH. Does not the law under the new set-up require that they go through the courts?

Mr. CASE of New Jersey. No; this is not the sort of case where they would go through the courts. They were investigated by the Navy.

Mr. RICH. What is the total amount of all the claims?

Mr. CASE of New Jersey. There are two types of claims: One, those which have been insured; and, two, those which have not; and those which have not been paid would amount altogether as covered by this bill to around $1,350,000.

Mr. RICH. How about these claims over $3,000 that are now covered by a bonding company? Has the bonding company been required to pay the amounts for which premiums were paid at the time they issued the insurance?

Mr. CASE of New Jersey. The claims included in this bill perhaps would include claims that are insured of persons suffering loss as well as those not insured, and to the extent of the contracts between the insurance company and the claims, some insurance companies may recover some of that.

Mr. RICH. We had an occasion in the Sergeant at Arms office where some moneys were taken from the office and the officer was bonded; yet a bill was passed the other night by unanimous consent with regard to that matter. We did not know anything about it, we did not know it was being called up. We do not want to have the same situation arise with respect to these claims and let the bonding companies get away.

Mr. CASE of New Jersey. These cases have all been investigated very carefully and very thoroughly by the Navy Department. In some instances the insurance companies may be subjugated to the original claimants, especially where the companies may have paid the claimants.

Mr. RICH. Has this been considered by a committee of the House?

Mr. CASE of New Jersey. Yes; by the Subcommittee on Claims of the Judiciary Committee and reported favorably.

Mr. RICH. Unanimously reported?

Mr. CASE of New Jersey. Without objection.

Mr. RICH. That is too bad.

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

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

Be it enacted, etc., That, in addition to the claims arising out of the explosions at Port Chicago, Calif., on June 17, 1944, which the Secretary of the Navy was authorized to pay under the act of September 8, 1944 (Public Law No. 423, 78th Cong.), the Secretary of the Navy is authorized and directed to make a thorough investigation of the merits of those claims (hereinafter called subrogation claims) against the United States by persons who, as insurers, have paid insurance claims for property damage, death, or personal injuries, alleged to have been caused by such explosions, if such subrogated claims are submitted to the Department of the Navy in writing within 6 months after the date of the enactment of this act.

SEC. 2. The appropriations for the Naval Establishment for the fiscal year 1947 shall be available for payment, and payment is hereby authorized, upon approval of the Secretary of the Navy or his designate, of subrogation claims referred to in section 1 hereof arising out of payment of insurance claims (a) for disability or death resulting from personal injury sustained by persons not then members of tthe armed forces or civilian employees of the United States: *Provided*, That settlement shall not aggregate in excess of $5,000 with respect to the disability or death of any one person nor shall any such settlement be made in amounts which would not be allowable, or in respect of insurance beneficiaries who would not be eligible, under the United States Employees' Compensation Act, as amended, if the disabled or deceased person were an employee of the United States; or (b) for property loss or damage: *Provided*, That settlement shall not be made in excess of $5,000 in respect of injury to any one building or structure.

SEC. 3. Any settlement made under the provisions of section 2 hereof shall be in full settlement of all such subrogation claims against the Government of the United States.

SEC. 4. In connection with any settlement authorized by section 2 hereof, the Secretary may require assignment to the United States of any right of action against third parties arising from the death, injury, or property damage with respect to which such settlement is made.

SEC. 5. The Secretary of the Navy shall transmit to the Congress each subrogation claim submitted to the Navy Department in accordance with section 1 hereof not settled by him, with supporting papers and a report

of his finding of facts and recommendations thereon and also a report of each subrogation claim settled and paid by him pursuant to section 2 hereof. Such reports shall contain a brief statement of the character and justice of each claim so transmitted or settled, the amount claimed, and the amount found due.

With the following committee amendment:

Page 1, after the enacting clause, strike out the remainder of the bill, and insert in lieu thereof: "That for the purpose of effecting the settlement of all claims against the United States resulting from the explosions which occurred at the Naval Ammunition Depot at Port Chicago, Calif., on July 17, 1944, which have not been settled by the Secretary of the Navy, the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, in full settlement of all such claims, the respective sums found to be due in the report of the Secretary of the Navy to Congress dated September 13, 1945, and entitled "Summary of Reports of the Secretary of the Navy to Congress of the United States pursuant to Public Law 423, Seventy-eighth Congress, second session, of claims resulting from the explosion which occurred at the Naval Ammunition Depot, Port Chicago, Calif."; and claims not filed within the limitation established by said Public Law 423 but which are filed within 6 months after the date of the approval of this act are authorized hereof in the respective amounts found to be due by the Secretary of the Navy: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $5,000."

The committee amendment was agreed to.

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

The title of the bill was amended so as to read: "A bill to provide a method of paying all unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 14, 1944, in the amounts found to be due by the Secretary of the Navy."

A motion to reconsider was laid on the table.

AUTHORIZING ESTABLISHMENT OF A NAVAL POSTGRADUATE SCHOOL AT MONTEREY, CALIF.

The Clerk called the bill (H. R. 1314) to authorize the Secretary of the Navy to construct a postgraduate school at Monterey, Calif.

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

Mr. KEAN. Mr. Speaker, a rule has been granted for the consideration of this bill. I therefore ask that it be passed over without prejudice.

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

There was no objection.

CONSTRUCTION AND OPERATION OF CERTAIN SYNTHETIC FUEL DEMONSTRATION PLANTS

The Clerk called the bill (H. R. 2161) to amend the act entitled "An act authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal, oil, shales, agricultural and forestry products, and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes," approved April 5, 1944 (58 Stat. 190).

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

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

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

There was no objection.

RESTRICTIONS ON PROPERTY OF INDIANS WHO SERVED IN THE ARMED FORCES

The Clerk called the bill (H. R. 1113) to provide for the removal of restrictions on property of Indians who served in the armed forces.

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

Mr. COLE of New York. Mr. Speaker, reserving the right to object, this is one of two similar bills on the general subject matter reported by the Committee on Public Lands. This bill relates to all Indians who served in the armed forces. As amended by the committee, it permits all Indians to have their legal restrictions removed by following a legal procedure. Later on in the calendar is a similar bill relating to the Osage Indians. I wonder if this bill is approved whether it will be necessary to have the other one passed?

Mr. SCHWABE of Oklahoma. Mr. Speaker, the bill under consideration now, H. R. 1113, as amended, is entirely different from the scope of the bill dealing with the Osage Indians in Oklahoma referred to by the gentleman and which appears as H. R. 3325, page 48 of the Consent Calendar for today. That bill, following the usual custom of dealing with the Osage Indians, is special legislation permitting the Osage Indians who were in the armed forces and who are now veterans to come under the general GI bill of rights and borrow money. It is a removal of restriction and applies only to the Osage and to no other Indians in the United States.

Mr. COLE of New York. May I inquire if the gentleman is familiar with H. R. 1113 which is now before the House?

Mr. SCHWABE of Oklahoma. Yes.

Mr. COLE of New York. And the provisions of that bill do not cover the situation in relation to the Osage Indians?

Mr. SCHWABE of Oklahoma. No; it does not.

Mr. COLE of New York. Mr. Speaker, I withdraw my reservation of objection.

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

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

Be it enacted, etc., That the Secretary of the Interior is authorized and directed, upon application by any Indian who shall have served honorably in the armed forces of the United States in time of war, to remove all restrictions upon the lands, interests in lands, funds, or other property of such Indian, and, if such lands or interests in lands are held by the United States in trust for such Indian, to issue an unrestricted patent in fee therefor. No lands or other property with respect to which restrictions are removed or a patent in fee issued pursuant to this act shall be liable to the satisfaction of any debt contracted prior to such removal of restrictions or issuance of patent.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That any Indian who is a citizen of the United States and who wishes to be freed of the disabilities and limitations specially applicable to Indians may, upon reaching the age of 21, apply to any naturalization court for the area in which he resides for a 'writ of competency.' The court shall set a hearing date not less than 30 days nor more than 60 days from the day it receives the application; and notify the head of the local, county, or parish governmental unit; the local welfare department; the superintendent of the applicant's tribe or the Commissioner of Indian Affairs; the head or representative of its governing body; and any other persons the court considers appropriate.

"SEC. 2. At the hearing the court shall examine the applicant and permit the persons who were notified to give information helpful to the court in determining the applicant's competency. In determining competency, the court shall consider significant factors bearing upon the applicant's moral and intellectual qualifications and his ability to manage his own affairs. If the court finds the applicant competent, it shall issue a 'writ of competency,' freeing him of all disabilities and limitations specially applicable to Indians; and the recipient shall no longer be entitled to share any of the benefits or gratuitous service extended to Indians by the Bureau of Indian Affairs. In the event the court denies a 'writ of competency,' the applicant may file a new application 1 year following the date of denial.

"SEC. 3. When presented with a 'writ of competency,' the Secretary of the Interior shall take the steps necessary to give the applicant full ownership and control of the money and property held in trust for him by the Secretary; issuing, in the case of land, appropriate patents in fee, provided the Secretary may make such provisions as he deems necessary to insure repayment of money loaned to the applicant by the Federal Government or the tribe.

"SEC. 4. After receiving a 'writ of competency,' the applicant shall continue on the tribal rolls as a member of the tribe until he and the tribe agree to a full settlement of (a) the applicant's claims against the tribe and tribal property and (b) the claims of the tribe against the applicant and his property.

"SEC. 5. Any Indian born after the date this act is enacted who is a citizen of the United States, and any child of a parent or parents who have been issued 'writs of competency' shall, upon reaching the age of 21, be free of all disabilities and limitations specially applicable to Indians: *Provided*, That no 'writ of competency' shall be issued under this section if the Commissioner of Indian Affairs files an objection with the court."

Mr. CASE of South Dakota. Mr. Speaker, I desire to offer an amendment, which I sent to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota to the committee amendment: Page 3, line 20, strike out "Any Indian born after the date this act is enacted who is a citizen of the United States, and."

Mr. CASE of South Dakota. Mr. Speaker, this amendment would strike from the bill the part which makes an Indian child born after the date of this act automatically an unrestricted citizen

and gives him the same rights as the other Indians have to apply for full-fledged citizenship; it leaves the provisions which make automatic full rights for the children of emancipated parents.

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

Mr. CASE of South Dakota. I yield to the gentleman from Pennsylvania.

Mr. RICH. You are not trying to include Indians that are not covered under this act?

Mr. CASE of South Dakota. No. As a matter of fact it works in the other direction.

Mr. RICH. The fact is that we used to have about 30,000 Indians and we were trying to have them self-sustaining. Now we have four times as many Indians in the last 10 years as we ever had and it is costing 10 times more than it was supposed to cost in about 1933. It seems to me about time that we get these Indians to be American citizens.

Mr. CASE of South Dakota. That is exactly what this bill seeks to do. Of course, the gentleman is referring to certain policies of the Indian Office. He is not referring to any policy of mine. For, let me say that the gentleman from South Dakota, speaking, has introduced bills of this kind in the last three Congresses. In fact, I think those who know the history of this legislation will bear me out when I say that my bills, H. R. 5115, of the Seventy-eighth Congress, H. R. 3710, of the Seventy-ninth Congress, and H. R. 2958, of this Eightieth Congress, each of which was described as an emancipation act, have had a great deal to do with developing the features embodied in this bill which has come from the committee headed by the very able gentleman from Montana [Mr. D'EWART].

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

Mr. CASE of South Dakota. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I fail to get the meaning and the effect of the gentleman's amendment. Will the gentleman explain it again?

Mr. CASE of South Dakota. Section 5 of the bill, I might say, as it was reported in the committee amendment, automatically makes any child born after the enacment of this act free and unrestricted, regardless of the status of his parents. The general terms of the bill would make it possible for Indians to apply to naturalization courts and get unrestricted rights as citizens to handle their property and to manage their own affairs. The Office of Indian Affairs has been opposed to the enactment of the bill. The last time it was called on the Consent Calendar it was objected to by the gentleman from New York, who explained to me later that he did so because of the opposition of the Indian Office. My understanding is that opposition was particularly strong against the language in section 5, which said that every Indian child born tomorrow or later should automatically have full citizenship. So I am merely seeking to eliminate certain language in an effort to avoid further objections to passage of the bill today. Striking out this language would leave the children of non-emancipated parents with the same rights that every other Indian would have under the bill, to let them go to court and apply when they become 21. My amendment leaves in automatic, full citizenship for the children of emancipated parents.

Mr. McCORMACK. In other words, under existing law, an Indian has to apply for citizenship?

Mr. CASE of South Dakota. Under existing law he does not even have the right to apply.

Mr. McCORMACK. Does the gentleman not think it is about time in the history of the United States that a full-blooded Indian is entitled to citizenship?

Mr. CASE of South Dakota. I certainly do and that has been the purpose of the successive emancipation bills which I have introduced; I only regret that it was not until we got a Republican Congress that we could get a bill out of committee on the subject. This bill, I should add, has the support of gentlemen on both sides of the aisle, Republican and Democrat, and did in committee.

Mr. KNUTSON. Mr. Speaker, if the gentleman will yield, I will say that in Minnesota they vote.

Mr. CASE of South Dakota. They do in South Dakota, too, may I say to the gentleman.

Mr. KNUTSON. Under the act of 1924.

Mr. CASE of South Dakota. They vote in South Dakota.

Mr. McCORMACK. I did not hear the gentleman.

Mr. KNUTSON. I just made the observation that Indians can vote in Minnesota.

Mr. CASE of South Dakota. This bill does not deal with the question of suffrage. That became a matter for the States to handle after President Coolidge signed the original act for basic citizenship.

Mr. KNUTSON. There are so many down East who think that because they have part Indian blood that they are Indians. Now, in South Dakota, more particularly in Minnesota and Wisconsin and Michigan we have no more Indian trace.

Mr. McCORMACK. They are Americans.

Mr. KNUTSON. They are Americans, and they fill all the positions that full-blooded Caucasians do.

Mr. McCORMACK. The only thing that concerns me is this: As I understand the gentleman's amendment, it will require children born of parents of the Indian race to go through the steps now, under existing law, to become complete citizens of the United States; is that correct?

Mr. CASE of South Dakota. No, not under existing law. This bill seeks to make a road for full citizenship for those who want it. That is what the bill as a whole does. The bill, if it become law, would give them that right which they do not now have.

Mr. McCORMACK. The thought enters my mind that we are all descendants of somebody who came from abroad, except the Indians. I do not know how far back they go. They are the only ones, it seems to me, that have the unadulterated right to say that they are not aliens; no matter how far back.

Mr. CASE of South Dakota. The gentleman's logic is admirable. I wish he might have voiced it on this subject in the Seventy-eighth and Seventy-ninth Congresses when he was majority leader. I wish he would now address it to the Secretary of the Department of the Interior and the Commissioner of Indian Affairs who have consistently refused to accept that point of view. I hope he will voice it to the President if we are successful in sending this bill to the White House for signature. This bill represents the furthest that we have been able to travel in the direction of making natural-born American Indians unrestricted citizens; to have the right to become full-fledged citizens.

Mr. McCORMACK. I think the gentleman recognizes the point of my inquiry, and that is, if they are not citizens now, I am wondering who has a better right to full citizenship.

Mr. CASE of South Dakota. No one. I might say that an Indian who served in both World War I and World War II asked me the question, "How many wars do we have to help the United States win before we can have the simple right to become full-fledged citizens, the right that our former enemies would have if they came over here and applied for naturalization?"

Mr. McCORMACK. Does the gentleman's amendment provide for that?

Mr. CASE of South Dakota. My amendment deals with the children born after the date of this act. The bill itself goes to the problem that the gentleman has raised.

Mr. McCORMACK. Are those born after the date of the enactment of this bill automatically citizens, under the gentleman's amendment?

Mr. CASE of South Dakota. No. The first sections of the bill give to the Indians the right to apply before a naturalization court to establish their entitlement and their qualifications for unrestricted citizenship. Section 5 of the committee amendment originally proposed that the children of Indians who establish their right in naturalization court should automatically become full-fledged citizens and be issued writs of competency when they became 21. That is in the bill and would not be changed by the amendment; in fact I think I suggested that provision when the committee was working on the bill. I pointed out that when the parent became an unrestricted citizen, that he had been adjudged competent and very properly should replace the Government as guardian of his minor child. Later there was put in that section the language that any Indian born after the date this act is enacted would automatically become a citizen. Personally I had no objection to it. There was some objection to that, however, on the ground that some of these would be the children of Indian parents who themselves had not established their competency and whose children ought not to become citizens automatically but should have the same right to apply that the others had. That, I understood was a basic objection of the Indian office to the bill

and was largely responsible for the objection to the bill when it was called on the calendar 2 weeks ago. My amendment leaves it up to the individual Indian to make his election, unless his parents have already settled the matter. I am not arguing for it; I merely am trying to get the bill passed without objection since this may be our last chance before Congress adjourns.

Mr. McCORMACK. Take the case of a child born in the United States of parents who are not citizens. The child is a constitutional citizen of the United States, even though the parents are not naturalized citizens.

Mr. CASE of South Dakota. Yes. Of course, that goes to a different matter.

Mr. McCORMACK. There are new Members of the House from States that have Indian populations who are interested in the amendment. I do not know why I should take the burden, but I wanted to call attention to the fact that I consider those of the Indian race about as good Americans as we have. Certainly some day in the very near future, if not now, children born of Indian parents should have all the rights of full-fledged American citizens.

Mr. CASE of South Dakota. They certainly should. I am very happy to have the gentleman say that so definitely and positively. This bill moves in that direction. In my judgment the gentleman from Montana [Mr. D'EWART] and the members on his committee on both sides of the aisle deserve appreciation and praise for the patient hearings they held and for the thoughtful efforts they put into the writing of this emancipation bill. If it passes and becomes law it will become a red-letter day in the history of the American Indian who has so well demonstrated his loyalty and bravery and his entitlement to full citizenship in the United States.

Mr. HARLESS of Arizona. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I take this time to tell you that less than a month ago I spent several days on the Navajo Reservation in Arizona. I found 60,000 Navajos there and less than 40,000 of whom can speak the English language. I found that only 5,000 of some 20,000 school-age children are going to school and not even the least bit of an attempt is being made to educate them. Those people are practically starving to death and some will starve to death next winter. One of the major reasons for their present plight is that they have not been allowed to become citizens of the United States. I see no reason why those people who are born here cannot be citizens, just as much so as anyone born here of parents who came from abroad.

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

Mr. HARLESS of Arizona. I yield to the gentleman from Minnesota.

Mr. MACKINNON. Is it not a fact, however, that the Navajo Indians stand in a position entirely different from that of any other Indians in America by virtue of the fact that they never signed a treaty with the Government?

Mr. HARLESS of Arizona. They signed a treaty in 1868. Among many other things the Government of the United States guaranteed 1 teacher for every 30 students, and to this day our Government has never fulfilled that treaty.

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

Mr. HARLESS of Arizona. I yield to the gentleman from Michigan.

Mr. HOFFMAN. If you could send them abroad and have them classified as displaced persons, we would take care of them.

Mr. HARLESS of Arizona. Almost 4,000 of them served in the Army of the United States, and they fought and died for our country, yet they are not permitted to be citizens to this day.

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

Mr. HARLESS of Arizona. I yield to the gentleman from North Dakota.

Mr. LEMKE. I wish to inform the House that the amendment will do just the opposite of what this House wants.

Mr. HARLESS of Arizona. That is right. This amendment will keep those people from becoming citizens unless they apply. They should be citizens if they are born here, regardless of the citizenship of their parents.

Mr. LEMKE. How many children born today are fit for citizenship? They will be fit for citizenship at the age of 21, if you vote down the amendment.

Mr. HARLESS of Arizona. The boys and girls born on the reservation should become citizens, and they will not be subjected to the embarrassment they have been subjected to, and they will not starve. Some 60,000 are crowded on a reservation that cannot adequately support more than 10,000.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. HARLESS of Arizona. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. As far as I am personally concerned, I would have gone further than this bill would go.

Mr. HARLESS of Arizona. I wish to thank the gentleman from South Dakota. The Bureau of Indian Affairs apparently wants to keep the Indians under subjection as long as they can. The time has come when the Indians can be made useful citizens of the United States.

Mr. CASE of South Dakota. I will submit a unanimous-consent request to withdraw the amendment, because I personally would go further than that. I thought it would aid the passage of the bill.

Mr. HARLESS of Arizona. If the gentleman does not want this amendment, it is perfectly all right with me for him to withdraw it.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to withdraw the amendment.

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

There was no objection.

The committee amendment was agreed to.

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

BRAINERD WAR DEAD NATIONAL MEMORIAL

The Clerk called the bill (H. R. 3614) to provide for the establishment of the Brainerd War Dead National Memorial.

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

Mr. BUCK. Mr. Speaker, this bill is opposed by the Battle Monuments Commission on the ground that it would set a precedent. Therefore, I ask unanimous consent that the bill be passed over without prejudice.

Mr. KNUTSON. Mr. Speaker, reserving the right to object, I can well understand the fear that some Members may have that this bill may establish a precedent. I would like to make a brief statement in which I believe I can convince the House that it would not do so.

It merely permits the people of Brainerd to erect a monument to be turned over to the Battle Monuments Commission to commemorate the exceptionally heroic exploits by the members of Battery A, One Hundred and Ninety-fourth Armored Tank Battalion, formerly a unit in the Minnesota National Guard.

I may say that Battery A was the first mechanized unit ever sent abroad in this or any other war. The city of Brainerd wishes to give suitable recognition to those who made the supreme sacrifice at that time, also to the survivors who for four long years underwent the horrors of Japanese prisons. Two-thirds of that outfit lost their lives in the bloody battle of Bataan, and those who returned home came back from captivity broken in body and in spirit. The city of Brainerd has a larger percentage of Gold Star Mothers than any other community in the country. It is my understanding, Brainerd also has more war widows for its size than any other community in the country.

Certainly, it would be most fitting for the Congress to give approval to this measure so that we might give this little bit of recognition to the memory of those who went forth from Crow Wing County never to return.

We do not have a single Federal battle monument in the State of Minnesota. The First Minnesota Regiment saved the day at Gettysburg. It came out with the greatest percentage of casualties of any regiment that fought in the entire Civil War—80 percent. We do not have a Federal monument to them save at Gettysburg. The Government has not erected a monument to those men of the First Minnesota Regiment which turned Pickett back at Gettysburg three times and came out with less than 30 percent of their enrollment. Is it not about time we give a small meed of recognition to such outstanding examples of bravery and sacrifice?

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

Mr. KNUTSON. I yield to my good friend from Wyoming.

Mr. BARRETT. Mr. Speaker, I should like to say to the gentleman from New York that the committee considered this bill very carefully. They heard the Battle Monuments Commission. The committee reported this bill unanimously. The bill merely provides that the city of Brainerd and other cities nearby, may

donate the land and buildings, in order to honor their war dead. I do not see why any Member of this House should object to this bill.

Mr. KNUTSON. Was the action of the committee unanimous?

Mr. BARRETT. The action of the committee was unanimous. There is no appropriation whatsoever involved in this bill.

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

There was no objection.

SHASTA NATIONAL FOREST

The Clerk called the bill (H. R. 3175) to add certain public and other lands to the Shasta National Forest, Calif.

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

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

Be it enacted, etc., That, subject to any valid claim or entry now existing and hereafter legally maintained, and for the purposes of protecting, improving, and utilizing their forests, watershed, recreational and other resources, all lands of the United States within the following-described areas are hereby added to and made parts of the Shasta National Forest and hereafter shall be subject to all laws and regulations applicable to the national forests: Section 31, township 36 north, range 4 west; sections 11 to 16, inclusive, 20 to 29, inclusive, 33 to 36, inclusive, township 36 north, range 5 west; sections 5 to 9, inclusive, 16 to 21, inclusive, 29 to 32, inclusive, township 35 north, range 3 west; all township 35 north, range 4 west; sections 1 to 4, inclusive, 9 to 17, inclusive, 20 to 29, inclusive, 31, 33 to 36, inclusive, township 35 north, range 5 west; sections 35, 36, township 35 north, range 6 west; sections 26 to 34, inclusive, township 34 north, range 2 west; sections 5 to 11, inclusive, 13 t 36, inclusive, township 34 north, range 3 west; all township 34 north, range 4 west; all township 34 north, range 5 west; sections 1, 2, 3, 10 to 14, inclusive, 23 to 36, inclusive, 35, 36, township 34 north, range 6 west; sections 4 to 7, inclusive, township 33 north, range 2 west; sections 1 to 17, inclusive, township 33 north, range 3 west; sections 1 to 12, inclusive, township 33 north, range 4 west; sections 1 to 18, inclusive, township 33 north, range 5 west; sections 1 to 4, inclusive, 9 to 14, inclusive, township 33 north, range 6 west; all Mount Diablo base and meridian: *Provided*, That lands within the flow lines of reservoirs operated or maintained as parts of the Central Valley reclamation project or otherwise occupied and used for the operation of said project shall continue to be administered by the Bureau of Reclamation of the Department of the Interior.

SEC. 2. The provisions of the Forest Exchange Act of March 20, 1922, as amended (42 Stat. 465; U. S. C., title 16, secs. 485, 486), are hereby made applicable to the areas described herein.

SEC. 3. This act shall become effective July 1, 1948.

With the following committee amendments:

On page 2, line 1, insert "range 3 west; sections 7 to 36, inclusive, township 36 north."

Page 2, line 14, strike out "36" and insert "26."

The committee amendments were agreed to.

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

ADDITIONAL INDUCEMENTS TO PHYSICIANS AND SURGEONS IN THE UNITED STATES MILITARY, NAVAL, AND PUBLIC HEALTH SERVICES

The Clerk called the bill (H. R. 3851) to provided additional inducements to physicians and surgeons to make a career of the United States military, naval, and public health services, and for other purposes.

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

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

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

There was no objection.

EXTENDING POWERS OF THE PRESIDENT UNDER TITLE III OF THE SECOND WAR POWERS ACT

The Clerk called the bill (H. R. 3152) to extend certain powers of the President under title III of the Second War Powers Act.

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

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

Be it enacted, etc., That, notwithstanding any other provision of law, title III of the Second War Powers Act, 1942, as amended and extended, shall continue in effect for the purpose of allocating the use of transportation equipment and facilities by rail carriers to and including June 30, 1948.

With the following committee amendment:

Page 1, line 7, strike out "June 30" and insert "January 31."

The committee amendment was agreed to.

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

INTERPARLIAMENTARY UNION

The Clerk called the bill (S. 1005) to amend the Act of June 28, 1935, authorizing participation by the United States in the Interparliamentary Union.

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

Mr. CELLER. Mr. Speaker, reserving the right to object, I would like to make a brief statement with reference to the Interparliamentary Union, and to state that there seems to be a small clique or coterie of Members of the House and Senate who consistently go to the sessions of the Interparliamentary Union, and the rank and file of the Members of the House apparently have no such privilege.

I asked those in charge the terms and conditions of the Members who went to the sessions of the Interparliamentary Union recently held in Egypt. I was told that I would be informed suitably prior to the journey to Egypt. I registered a complaint that I was never informed. Then a few Members went, and no Member in general was asked to go. I think that is wrong and it is a misappropriation of the funds of the House, if every Member seeking to go does not have an opportunity to present his credentials.

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

Mr. CELLER. I yield.

Mr. REED of New York. What the gentleman is stating is absolutely true. The time has come when the cards should be laid on the table.

Mr. CELLER. I am laying the cards on the table. For that reason I would like to have some explanation by those Members in the House with authority to speak with reference to the Interparliamentary Union. Unless I get some information, I shall object.

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

Mr. CELLER. I yield.

Mr. RICH. If everybody is permitted to go to this Interparliamentary Union without any authorization from Members of Congress, I think you ought to object to it.

Mr. CELLER. Every Member does not care to go. There will be probably 10 or 15 Members who desire to go and they should be privileged to go, if there is such a thing as the Interparliamentary Union—and there is such a thing—and if we so desire we should be privileged to attend with other Members of other parliaments of the world and thrash out various world problems.

Mr. RICH. You have asked for information.

Mr. CELLER. And nobody has given as yet suitable information to me, and unless they do give it to me I shall object.

I was willing to go to Egypt and if necessary would have paid my own expenses. But I and nearly all Members were kept uninformed and in the dark.

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

Mr. CELLER. I yield.

Mr. KEFAUVER. For the information of the gentleman and the Members of the House, a meeting was called by former vice president of the Interparliamentary Union, Senator BARKLEY.

Mr. CELLER. Where and when was that meeting?

Mr. KEFAUVER. The chairman of the Foreign Affairs Committee the gentleman from New Jersey, Dr. EATON, made an announcement on the floor and it was placed in the RECORD, as to when that meeting was to be held. The meeting was held and delegates to the meeting were elected.

Mr. CELLER. Who elected the members to the Interparliamentary Union? the chairman, the gentleman from New Jersey, Dr. EATON?

Mr. KEFAUVER. Every Member of the House and Senate are automatically members of the Interparliamentary Union. They were given notice to attend.

Mr. CELLER. Of course, if any announcement was made very few could have been present because the whole business was shrouded in mystery. Why was not an invitation extended to each Member instead of holding a meeting with a chosen few present?

Mr. SMITH of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield.

Mr. SMITH of Wisconsin. It is my understanding that the Members to go as delegates are selected and were selected

at the last session of Congress by the President pro tempore of the Senate and the Speaker of the House.

Mr. CELLER. What were the qualifications of the Members thus selected by the President pro tempore and by the Speaker? Have not all of us sufficient qualifications?

Mr. SMITH of Wisconsin. The only qualifications are that they be a Member of either body.

Mr. CELLER. I sought to go but was denied the privilege. I persisted in trying to get the necessary information, but got no invitation. I was not in the so-called esoteric circle.

Mr. RICH. They refused to let the gentleman go?

Mr. CELLER. Yes.

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

Mr. CELLER. Mr. Speaker, I object.

EXTENDING VETERANS' PREFERENCE BENEFITS TO WIDOWED MOTHERS OF CERTAIN EX-SERVICEMEN

The Clerk called the bill (H. R. 1426) to extend veterans' preference benefits to widowed mothers of certain ex-servicemen.

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

Mr. RICH. Mr. Speaker, reserving the right to object, may we have an explanation of the bill?

Mrs. ST. GEORGE. This bill gives privileges that are already enjoyed by the widows of veterans to the widowed mothers of ex-servicemen. It gives them a civil-service preference of 10 points.

Mr. RICH. The gentlewoman means it is intended to extend that preference to mothers?

Mrs. ST. GEORGE. Widowed mothers only, mothers who might be dependent on the son. It gives them this preference to enter the civil service.

Mr. RICH. The ones now in the civil service or those who take examinations?

Mrs. ST. GEORGE. Yes; those who seek to come in.

Mr. RICH. They are to be given 10 points preference?

Mrs. ST. GEORGE. But they must be widows.

Mr. RICH. It seems to me this is of such importance that it should be fully discussed on the floor of the House and not be passed by unanimous consent.

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

Mr. McCORMACK. Mr. Speaker, I object.

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

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

Be it enacted, etc., That section 2 of the Veterans' Preference Act of 1944 is amended by striking out the period at the end thereof and inserting a semicolon and the following: "and (5) widowed mothers (if they have not remarried and were widows at the time of the death or disability of their ex-serviceman son)—

"(A) of deceased ex-servicemen who lost their lives while on active duty in any branch of the armed forces of the United States during any war, or in any campaign or expedition (for which a campaign badge has been authorized); or

"(B) of service-connected permanently and totally disabled ex-servicemen,

if said ex-serviceman was separated from such armed forces under honorable conditions."

With the following committee amendments:

On page 2 after line 6 insert a new section, as follows:

"SEC. 2. Section 3 of the Veterans' Preference Act of 1944 is amended by striking out 'and (3),' after the second comma in the first sentence, and inserting the following: '(3), and (5),'."

On page 2 after line 6 insert a new section, as follows:

"SEC. 3. Section 10 of the Veterans' Preference Act of 1944 is amended by striking out 'and (3)' and inserting '(3), and (5).'"

The committee amendments were agreed to.

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

ADJUDICATION OF CERTAIN CLAIMS RESULTING FROM THE EVACUATION OF CERTAIN JAPANESE UNDER MILITARY ORDERS

The Clerk called the bill (H. R. 3999) to authorize the Attorney General to adjudicate certain claims resulting from evacuation of certain persons of Japanese ancestry under military orders.

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

Mr. BUCK. Mr. Speaker, reserving the right to object, this is no doubt a meritorious bill, yet it could cost $360,000,000. I therefore ask that the bill be passed over without prejudice.

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

There was no objection.

FEDERAL AID IN FISH RESTORATION AND MANAGEMENT PROJECTS

The Clerk called the bill (H. R. 1693) to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes.

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

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

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

There was no objection.

DOMESTIC MINERAL DEVELOPMENT

The Clerk called the bill (H. R. 1602) to establish within the Department of the Interior a National Minerals Resources Division, and for other purposes.

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

Mr. KEAN. Mr. Speaker, this bill is now under consideration in the House. I ask unanimous consent that it be passed over without prejudice.

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

There was no objection.

RECOGNITION OF SERVICES OF EMPLOYEES ENGAGED IN CONSTRUCTION OF PANAMA CANAL

The Clerk called the bill (H. R. 2273) to amend the act of May 29, 1944, providing 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.

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

Mr. BUCK. Mr. Speaker, this bill would involve the United States Government in a continuing obligation of about $300,000 a year. I therefore ask that the bill go over without prejudice.

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

There was no objection.

AMENDING PHILIPPINE REHABILITATION ACT

The Clerk called the bill (S. 1020) to amend the Philippine Rehabilitation Act of 1946, as amended.

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

Mr. KEAN. Mr. Speaker, reserving the right to object, may we have an explanation by the gentleman from Minnesota?

Mr. JUDD. Mr. Speaker, this bill amends the act passed a year ago to help in the rehabilitation of the Philippines. Among other things it set up a War Damage Commission to receive, process, and settle claims from individuals and firms for damages incurred during the war. Without assistance in rehabilitation, our 50 years' investment in the Philippines cannot be preserved.

The bill does three simple things. First, it amends the act so that the American personnel who are sent out on the War Damage Commission and will be there for the life of the commission, 4 more years, can accumulate annual leave up to a total of 90 days. That puts them on a par with Government employees in this country. There are not as many inducements to take such leave over there or places to go as employees here have. It is not fair to deny them the privilege of accumulating leave up to 90 days which they can spend here, if they wish, when they eventually come back to this country.

Second, it allows the commission to use the facilities of the Government of the Republic of the Philippines, which has replaced the Commonwealth of the Philippines which existed at the time the bill was passed.

Third, it increases the amount of the $400,000,000 authorization already enacted last year that may be used for administrative expenses. At the time the bill was prepared by the Committee on Insular Affairs 1 percent was allowed for administrative expenses, for examining the claims and so forth. At that time some of us thought it was too small to do a careful job but that is all they asked for. Now the claims are coming in in a flood and the Commission has asked for 4 percent of the total or $16,000,000 for administrative expenses. The

Senate passed the bill in that form but our committee thought there was no justification now for such an amount and cut the figure down to $8,400,000. It does not increase the total amount of money appropriated, it increases the percentage of the total that may be used by the Commission in processing claims in order to reduce to the minimum any fraud or improper expenditures.

Mr. CRAWFORD. Is that roughly 2 percent?

Mr. JUDD. Yes.

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

Mr. RICH. Mr. Speaker, I object.

OVERTIME FOR SUPERVISORS IN POSTAL SERVICE

The Clerk called the bill (H. R. 3075) to amend the act of July 6, 1945, relating to the classification and compensation of employees of the postal service, so as to provide proper recompense in the form of compensatory time for overtime performed by supervisors.

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

Be it enacted, etc., That the act known as Public Law 134, Seventy-ninth Congress, entitled "An act to reclassify the salaries of postmasters, officers, and employees of the postal service; to establish uniform procedures for computing compensation; and for other purposes," approved July 6, 1945, is amended as follows:

Section 3 is amended as follows:

"SEC. 3. When the needs of the service require employees to perform service on Saturdays, Sundays, or holidays, they shall be allowed compensatory time for such service on one day within five working days next succeeding the Saturday or Sunday and within 30 days next succeeding the holiday: *Provided*, That the Postmaster General may, if the exigencies of the service require, authorize the payment of overtime to employees other than supervisory employees whose base salaries are more than $3,600 per annum for services performed on Saturdays, Sundays, and Christmas Day during the month of December in lieu of compensatory time: *Provided further*, That supervisory employees shall be allowed compensatory time for services performed in excess of 8 hours per day, and those whose base salaries are more than $3,600 per annum shall be allowed compensatory time for services performed on Saturdays, Sundays, and on Christmas Day during the month of December within 180 days from the days such service was performed: *And provided further*, That the provisions of this section shall not apply to employees of the railway mail service and the air-mail service, post-office inspectors, rural carriers, traveling mechanicians, examiners of equipment and supplies, clerks in third-class post offices, and employees paid on an hourly basis."

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

SCHICK GENERAL HOSPITAL

The Clerk called House Concurrent Resolution 54.

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

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

There was no objection.

COMMUNIST PARTY

The Clerk called the bill (H. R. 3623) to provide that members of the Communist Party shall be ineligible for veterans' benefits, and for other purposes.

Messrs. MARCANTONIO, CELLER, and KLEIN objected.

CITY OF EL PASO, TEX.

The Clerk called the bill (H. R. 489) for the relief of the city of El Paso, Tex.

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

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of El Paso, Tex., the sum of $3,293.95. Such sum represents the amount of a judgment (plus interest and costs) rendered against the city of El Paso, in the case of Francisco Mendoza et al. against city of El Paso, Forty-first District Court, El Paso County, No. 53430, for damages on account of the death on June 9, 1943, of Lionides Rodolfo Mendoza, as a result of falling from a temporary walk on the Park Street Bridge over the Franklin Canal. Such canal and the bridges thereover are owned by the United States, and such temporary walk was constructed and was being maintained by the Bureau of Reclamation in connection with repair work which the United States was performing on such bridge, and not by the city of El Paso.

With the following committee amendment:

Page 2, after line 8, insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

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

AUTHORIZING COMPTROLLER GENERAL TO ALLOW CREDITS AND RELIEVE CERTAIN DISBURSING AND CERTIFYING OFFICERS OF THE WAR AND NAVY DEPARTMENTS

The Clerk called the bill (H. R. 1466) authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing and certifying officers of the War and Navy Departments in the settlement of certain accounts.

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

There was no objection.

Mr. COLE of New York. Mr. Speaker, there is on the Speaker's desk a similar Senate bill, S. 323, and I ask unanimous consent that this be substituted in lieu of the House bill.

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

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

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized, through such officer as he may designate, and within 2 years from the passage of this act, (a) to relieve disbursing and certifying officers, including special disbursing agents of the War and Navy Departments, from accountability or responsibility for losses, occuring between September 8, 1939, to July 1, 1946, of funds, or of accounts, papers, records, vouchers, or data pertaining to said funds, for which said officers or agents were accountable or responsible and (b) to allow credits, in the settlement of accounts of said officers or agents, for payments made in good faith on public account during said period, notwithstanding failure to comply with the requirements of existing law or regulations pursuant thereto: *Provided*, That in cases of losses or payments involving more than $2,500 the Comptroller General shall exercise the authority herein only upon the written recommendation of the Secretary of War or the Secretary of the Navy, which recommendation shall be concurred in by the Attorney General if the amount exceeds $10,000 and which recommendation shall also set forth the facts relative to such loss or payment and shall state that such transaction, expenditure, loss, or payment appears to be free from fraud or collusion and incurred or made in good faith: *Provided further*, That the Comptroller General in all cases shall certify that such transaction, expenditure, loss, or payment appears to be free from fraud and collusion and incurred or made in good faith.

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

A similar House bill (H. R. 1466) was laid on the table.

A motion to reconsider was laid on the table.

EXPANDING FOREST USE IN ALASKA

The Clerk called the bill (H. R. 1809) to facilitate the use and occupancy of national-forest lands, and for other purposes.

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

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, I would like to ask the Chairman of the Committee on Agriculture why the committee thought it desirable to propose a committee amendment to restrict this bill to Alaska?

Mr. HOPE. I might say to the gentleman that there was some opposition in the committee to the extension of this legislation to the national forests generally. There was no objection to the extension in Alaska, and the committee reported the bill with the amendment with the idea, I think, that in another year we may go into this entire question. But, there was a special case made out so far as Alaska was concerned.

Mr. CASE of South Dakota. I withdraw my reservation of objection, Mr. Speaker, but I would like to speak in opposition to the committee amendment.

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

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

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

There was no objection.

AMENDING FEDERAL FOOD, DRUG, AND COSMETIC ACT

The Clerk called the bill (H. R. 4071) to amend sections 301 (k) and 304 (a) of the Federal Food, Drug and Cosmetic Act, as amended.

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

Mr. LANDIS. I object, Mr. Speaker.

CONVEYING CERTAIN LAND TO MONTGOMERY COUNTY, PA.

The Clerk called the bill (H. R. 3862) to authorize the Federal Works Administrator to grant and convey to Montgomery County, Pa., a certain parcel of land of the United States in Norristown Borough, Montgomery County, Pa., for the purpose of erecting an additional annex to the present courthouse.

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

Be it enacted, etc., That the Federal Works Administrator is hereby authorized to sell and convey to Montgomery County, Pa., at a purchase price of not less than 50 percent of the appraised value of the land as determined by the Federal Works Agency, a certain parcel of land, hereinafter described, which is a part of the property of the United States of America, upon which the Norristown post office is erected, said parcel of land to be held and used by the county of Montgomery for the purpose of erecting an additional annex to the present courthouse.

The aforesaid parcel of land is situated in Norristown Borough, Montgomery County, Pa., bounded and described in accordance with a plan and survey thereof, prepared for Montgomery County by Warren F. Cressman, county engineer, a registered professional engineer, February 12, 1924, and approved by the Board of Commissioners of Montgomery County, September 17, 1945, as follows to wit:

Beginning at a point on the northeasterly side of Penn Street (40 feet wide) at the distance of three hundred and fifty-two feet and ten and three-quarters inches northwestwardly from the northwesterly side of De Kalb Street (66 feet wide), said point being a corner in the property line of the United States of America post-office property and county of Montgomery property; thence extending along said property line north twenty-nine degrees eight minutes east one hundred and nine feet and one-half inch to a point, a corner of the above-mentioned properties and property of the Reformed Church of the Ascension; thence extending along the property line of the United States of America and the Reformed Church of the Ascension south sixty-one degrees ten minutes east eighteen feet and six and one-quarter inches to a point, a corner of the United States of America property and property of the Reformed Church of the Ascension; thence extending through the property of the United States of America south twenty-eight degrees forty-eight minutes west one hundred and nine feet and three-quarters of an inch to a point in the northeasterly side of the aforesaid Penn Street, the aforesaid line being a continuation of the property line of the Reformed Church of the Ascension property and property of the United States of America; thence along the said northeasterly side of Penn Street north sixty-one degrees seven minutes west nineteen feet and one and three-quarters inches to the place of beginning; containing two thousand and fifty-four square feet of land, more or less.

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.

DISPOSING OF CERTAIN OBSOLETE COMBAT MATERIALS

The Clerk called the bill (H. R. 774) to amend an act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective Departments.

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

Be it enacted, etc., That the act entitled "An act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannonballs in their respective Departments," approved May 22, 1896, as amended, is amended to read as follows:

"That the Secretary of War and the Secretary of the Navy and the Secretary of the Treasury are each hereby authorized, in their discretion, to loan or give to soldiers' monument associations, posts of the Grand Army of the Republic, posts of the Veterans of Foreign Wars of the United States, posts of the American Legion, and other recognized war-veteran associations, State museums, and incorporated museums operated and maintained for educational purposes only, whose charter denies them the right to operate for profit, municipal corporations, and posts of the Sons of Veterans Reserve, condemned or obsolete ordnance, guns, projectiles, books, manuscripts, works of art, drawings, plans, models, and other condemned or obsolete material which may not be needed in the service of either of said Departments.

"Such loan or gift shall be made subject to rules and regulations covering the same in each Department, and the Government shall be at no expense in connection with any such loan or gift."

SEC. 2. All acts or parts of acts in conflict with this act are hereby repealed.

With the following committee amendments:

Page 2, line 11, strike out "ordnance, guns, projectiles" and insert "combat material."

Page 2, line 12, strike out "plans, models, and other condemned or obsolete material" and insert "plans and models."

Page 2, line 19, strike out lines 19 and 20 and insert:

"SEC. 2. The act of May 22, 1896, as amended, shall not be construed as altering, amending, or repealing the provisions of any other law under authority of which the President, the Secretary of War, the Secretary of the Navy, or the Secretary of the Treasury may dispose of Government material."

The committee amendments were agreed to.

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

PARCELS OF PUBLIC DOMAIN WHICH MAY BE SOLD

The Clerk called the bill (H. R. 3971) to amend section 2455 of the Revised Statutes, as amended, to increase the size of isolated or disconnected tracts or parcels of the public domain which may be sold, and for other purposes.

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

Mr. CARROLL. Mr. Speaker, reserving the right to object, I would like to have the chairman of the subcommittee explain the purposes of this bill.

Mr. BARRETT. Mr. Speaker, this bill merely enlarges the acreage of isolated tracts that may be sold by the Department of the Interior. It merely involves those separate and distinct isolated tracts scattered throughout the West, that the Department of the Interior is very anxious to dispose of and to sell in the same manner as provided by existing law.

Mr. CARROLL. And this bill has the approval of the Secretary of the Interior?

Mr. BARRETT. It has.

Mr. CARROLL. I withdraw my reservation of objection, Mr. Speaker.

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

Mr. FULTON. I object, Mr. Speaker.

TRANSFERRING SURPLUS REAL PROPERTY TO INTERIOR DEPARTMENT

The Clerk called the bill (H. R. 3703) to authorize transfer of surplus real property to the jurisdiction of the Department of the Interior for consolidation of Federal holdings within areas administered by the National Park Service.

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

Be it enacted, etc., That any Federal owningsings or disposal agency is authorized with the approval of the President of the United States, to transfer surplus real property or interest therein to the Department of the Interior without reimbursement or transfer of funds, having an aggregate appraised value not to exceed $500,000, upon determination by the Secretary of the Interior that it is in the Federal interest to consolidate such Federal holdings within areas administered by the National Park Service.

SEC. 2. Any real property or interest therein transferred pursuant to section 1 of this act shall become a part of the area with which it is consolidated and shall be subject to all the laws and regulations applicable thereto. The authorization conferred by this act, unless extended by Congress, shall expire July 1, 1952.

With the following committee amendment:

Page 1, strike out line 3 and insert, "That any Federal agency administering real property surplus to its needs, or any other Federal agency or instrumentality holding such property for disposal only, is authorized."

The committee amendment was agreed to.

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

ADDITION OF CERTAIN OREGON LANDS, SILVER CREEK PROJECT

The Clerk called the bill (H. R. 3684) to provide for the addition of certain revested Oregon and California Railroad grant lands to the Silver Creek recreational demonstration project, in the State of Oregon, and for other purposes.

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

There was no objection.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1348, be considered in lieu of the House bill.

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

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

Be it enacted, etc., That, in order to carry out the purposes of the act of June 6, 1942 (56 Stat. 326; 16 U. S. C., secs. 459r–459t), relating to the disposition of recreational demonstration areas, and to effectuate

the transfer to the State of Oregon, pursuant to that act, of the Silver Creek recreational demonstration project, the following-described revested Oregon and California Railroad grant lands shall hereafter be administered as a part of the Silver Creek recreational demonstration project and shall be subject to all of the provisions of the aforesaid act of June 6, 1942:

WILLAMETTE MERIDIAN

Township 8 south, range 1 east:

Section 13, east half southeast quarter and southeast quarter northeast quarter;

Section 25, all;

Section 35, north half northeast quarter northeast quarter and north half south half northeast quarter northeast quarter;

Township 8 south, range 2 east:

Section 17, south half southwest quarter and northwest quarter southwest quarter;

Section 19, lots 3, 4, and northeast quarter;

Section 29, west half; and

Section 31, north half;

comprising one thousand seven hundred and ninety-one and ninety-three one-hundredths acres.

SEC. 2. The following-described lands also shall become a part of the Silver Creek recreational demonstration project and shall be subject to the provisions of the act of June 6, 1942, upon acquisition of title thereto by the Oregon and California Revested Lands Administration:

WILLAMETTE MERIDIAN

Township 8 south, range 1 east: Section 36, northeast quarter, northwest quarter north half southeast quarter northwest quarter, north half south half southeast quarter northwest quarter, north half northwest quarter northwest quarter, and north half south half northwest quarter northwest quarter; comprising two hundred and sixty acres.

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

A similar House bill (H. R. 3684) was laid on the table.

UNRESTRICTED DEEDS FOR ALASKA TOWN-SITE LANDS

The Clerk called the bill (H. R. 3503) to permit the issuance of unrestricted deeds for town-site lands held by Alaska natives, and for other purposes.

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

Be it enacted, etc., That the trustee or trustees to whom a patent has been issued for a town site surveyed pursuant to section 11 of the act of March 3, 1891 (26 Stat. 1095), or section 3 of the act of May 25, 1926 (44 Stat. 629), upon a finding by the Secretary of the Interior or his authorized representative (a) that any Alaska native who claims and occupies a tract of land within such town site is competent to manage his own affairs and has petitioned the Secretary or his authorized representative for an unrestricted deed, or (b) that any such native has renounced, in such written form as the Secretary shall prescribe, any claim to membership in any native tribe, band, or community and any claim to special services from the Federal Government by reason of his being an Alaska native, shall issue to such native an unrestricted deed, and thereafter all restrictions as to sale, encumbrance, or taxation of said lands shall be removed, but said land shall not be liable to the satisfaction of any debt, except obligations owed the Federal Government, contracted prior to the issuing of such deed.

SEC. 2. For the purposes of all Federal laws, treaties, orders, and regulations pertaining to Indian affairs, or to the natives of Alaska as such, any Alaska native who has filed a relinquishment as provided in the preceding section shall, thereafter, be considered a non-Indian and a non-native, and shall be treated as removed from the operation of any restrictive provisions, special services, or other disabilities or privileges peculiarly applicable to Indians or natives of Alaska; and any person whose status as an Alaska native or Indian under Federal law has been so terminated shall not be eligible to reestablish such status for purposes of Federal surveillance or subsidy as an Alaska native or Indian, by reason of native blood, subsequent inheritance of restricted native lands, subsequent admission to membership in any native tribe, band, or community, or for any other reason.

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.

PENSACOLA NATIONAL MONUMENT

The Clerk called the bill (H. R. 3416) to provide for the establishment of the Pensacola National Monument.

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

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to acquire on behalf of the United States, by transfer, gift, purchase, condemnation, or otherwise, the following parcels of land, together with any improvements thereon, now located in the harbor defenses of Pensacola on lands owned by the War Department, in Escambia County, State of Florida:

(1) Old Fort San Carlos and Old Fort Barrancas (approximate area 4 acres).

(2) Old Fort Redoubt (approximate area 4 acres).

(3) Old Fort Pickens (approximate area 5 acres).

SEC. 2. The property acquired under the provisions of section 1 of this act shall constitute the Pensacola National Monument, which is hereby established and set apart for the preservation of historical associations connected with Pensacola and its harbor defenses.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have supervision, management, and control of such national monument, and shall restore, maintain, and preserve it in a suitable and enduring manner which, in his judgment, will provide for the benefit and enjoyment of the people of the United States.

SEC. 3. The Secretary of the Interior is authorized to maintain either in an existing structure acquired under the provisions of section 1 of this act or in a building constructed by him for the purpose a museum for relics and records pertaining to Pensacola and its harbor defenses and for other articles of national and patriotic interest, and to accept on behalf of the United States, for installation in such museum, articles which may be offered as additions to the museum.

SEC. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

With the following committee amendments:

Page 1, line 9, after the word "Florida" insert ", not needed by either the War or Navy Department."

Page 2, line 4, after the word "act" insert "shall be held by the Secretary of the Interior pending determination by the said Secretary as to its national signficance for national monument purposes. In the event that the said Secretary shall determine it to be in the national interest the area, upon the publication of a secretarial order in the Federal Register,"

Page 2, line 5, after the comma following the word "Monument", strike out the words "which is hereby established and."

Page 2, line 23, change "SEC. 4" to "SEC. 5," and insert a new section 4, as follows:

"In the event that the said Secretary shall determine that the area would be more suitably administered as a State historical park, the said Secretary is hereby authorized to transfer title to the land, and jurisdiction of the area, to the State of Florida: *Provided*, That the State shall perpetually maintain the area for State historical park use. In the event that the State shall ever abolish the historical park, or attempt to alienate the lands, title shall revert to the United States."

The committee amendments were agreed to.

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

BUREAU OF RECLAMATION

The Clerk called the bill (H. R. 3218) to authorize an emergency fund for the Bureau of Reclamation to assure the continuous operation of its irrigation and power systems.

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

Mr. RICH. I object, Mr. Speaker.

APPOINTMENT OF CERTAIN UNITED STATES COMMISSIONERS

The Clerk called the bill (H. R. 2645) to provide that appointments of United States commissioners for the Isle Royale, Hawaii, Mammoth Cave, and Olympic National Parks shall be made by the United States district courts without the recommendation and approval of the Secretary of the Interior.

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

Be it enacted, etc., That the first sentence of section 5 of the act entitled "An act to accept the cession by the State of Michigan of exclusive jurisdiction over the lands embraced within the Isle Royale National Park, and for other purposes," approved March 6, 1942 (U. S. C., 1940 ed., Supp. V, title 16, sec. 408m), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate."

SEC. 2. The first paragraph of section 6 of the act entitled "An act to provide for the exercise of sole and exclusive jurisdiction by the United States over the Hawaii National Park in the Terrtiory of Hawaii, and for other purposes," approved April 19, 1930, as amended (U. S. C., 1940 ed., title 16, sec. 395e), is amended by striking out "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate."

SEC. 3. The first sentence of section 5 of the act entitled "An act to accept the cession by the Commonwealth of Kentucky of exclusive jurisdiction over the lands embraced within the Mammoth Cave National Park; to authorize the acquisition of additional lands for the park in accordance with the act of May 25, 1926 (44 Stat. 635); to authorize the acceptance of donations of land for the development of a proper entrance road to the park; and for other purposes," approved June 5, 1942 (U. S. C., 1940 ed., Supp. V, title 16, sec. 404c-5), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The."

SEC. 4. The first sentence of section 5 of the act entitled "An act to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within

the Olympic National Park, and for other purposes," approved March 6, 1942 (U. S. C., 1940 ed., Supp. V, title 16, sec. 256d), is amended by striking out "Upon the recommendation and approval of the Secretary of the Interior of a qualified candidate, the" and inserting in lieu thereof "The."

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.

RESEARCH LABORATORY IN NORTH DAKOTA LIGNITE REGION

The Clerk called the bill (H. R. 2453) to provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite, for the development of new uses and markets, for improvement of health and safety in mining; and for a comprehensive study of the region to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace.

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

Mr. RICH. Reserving the right to object, Mr. Speaker, I should like to have some explanation of this bill. It seems to me it is a pretty good program, and we ought to have it explained.

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

Mr. LEMKE. Reserving the right to object, Mr. Speaker, it was clearly shown before my committee that we will soon be at the end of our petroleum reserves, and this bill will help to get synthetic petroleum from rock shale and lignite, and many other materials that are at present very scarce and are needed for national defense. I therefore object to the request of the gentleman from Pennsylvania that the bill be passed over without prejudice.

Mr. RICH. I withdraw my reservation of objection, Mr. Speaker.

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

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

Be it enacted, etc., That the Secretary of the Interior, acting through the United States Bureau of Mines, is authorized and directed to establish, equip, and maintain a research laboratory in the lignite-consuming region of North Dakota to conduct researches and investigations on the mining, preparation, and utilization of lignite coal and to develop new scientific, chemical, and technical uses and new and extended markets and outlets for lignite coal and its products. Such laboratory shall be planned as a center for information and assistance in matters pertaining to conserving resources for national defense and security; to the more efficient mining, preparation, and utilization of lignite coal; and pertaining to safety, health, and sanitation in mining operations and other matters relating to problems of the lignite industry.

SEC. 2. For the purpose of this act the Secretary, acting through the United States Bureau of Mines, is authorized to acquire land and interests therein, and to accept in the name of the United States donations of any property, real or personal, and to utilize voluntary or uncompensated services at such laboratory. The Secretary is authorized and directed to cooperate with other departments or agencies of the Federal Government, States, and State agencies and institutions, counties, municipalities, business or other organizations, corporations, associations, universities, scientific societies, and individuals, upon such terms and conditions as he may prescribe.

SEC. 3. The Secretary, acting through the United States Bureau of Mines, shall make a report to Congress at the beginning of each regular session of the activities of, expenditures by, and donations to, the laboratory established under this act.

SEC. 4. The Secretary of the Interior, acting through the United States Bureau of Mines, may, in his discretion, create and establish an advisory committee composed of not more than six members to exercise consultative functions, when required by the Secretary, in connection with the administration of this act. The said committee shall be composed of representatives of lignite coal-mine owners, of representatives of lignite coal-mine workers and the public in equal number. The members of said committee shall be appointed by the Secretary of the Interior without regard to the civil-service laws.

SEC. 5. In order to carry out the purposes of this act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of (a) $750,000 for the erection and equipment of a building or buildings, including plumbing, lighting, heating, general service, and experimental equipment and apparatus, the necessary roads, walks, and ground improvement, and land for the site of the building if no land is donated; and (b) $250,000 annually for the maintenance and operation of the experimental station, including personal services, supplies, equipment, and expenses of travel and subsistence.

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

The title was amended so as to read: "A bill to provide for the establishment and operation of a research laboratory in the North Dakota lignite-consuming region for investigation of the mining, preparation, and utilization of lignite, for the development of new uses and markets, for improvement of health and safety in mining; and for a comprehensive study of the possibilities for increased utilization of the lignite resources of the region to aid in the solution of its economic problems and to make its natural and human resources of maximum usefulness in the reconversion period and time of peace."

A motion to reconsider was laid on the table.

MAMMOTH CAVE NATIONAL PARK, KY.

The Clerk called the bill (H. R. 2096) to amend section 11 of the act approved June 5, 1942 (56 Stat. 317), relating to Mammoth Cave National Park in the State of Kentucky, and for other purposes.

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

Be it enacted, etc., That the second paragraph of section 11 of the act approved June 5, 1942 (56 Stat. 317, 319; 16 U. S. C., sec. 404c-11), is hereby amended to read as follows:

"In order to provide for acquisition of property on behalf of the United States, in accordance with the provisions of this section, there is hereby authorized to be appropriated the sum of not to exceed $350,000. Any of the funds appropriated pursuant to the provisions hereof which are not needed to acquire property as authorized by this section may, in the discretion of the Secretary of the Interior, be used to acquire lands and interests in lands required for the development of a proper and suitable entrance road to Mammoth Cave National Park, as authorized in section 12 of this act: *Provided*, That no part of this appropriation shall be used for road development or construction until after all the lands within the maximum boundaries as authorized by the act of May 25, 1926 (44 Stat. 635), have been acquired by purchase, condemnation, or otherwise."

With the following committee amendment:

Page 2, line 7, after "this", strike out the remainder of the bill and insert the following: "act. The funds heretofore deposited in the Treasury under special fund receipt account 146664 shall, upon the passage of this act, be transferred to the general fund of the Treasury as miscellaneous receipts."

The committee amendment was agreed to.

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

MISSISSIPPI RIVER PARKWAY SURVEY

The Clerk called the bill (H. R. 1710) to authorize the survey of a proposed Mississippi River Parkway for the purpose of determining the feasibility of such a national parkway, and for other purposes.

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

Mr. PETERSON. Mr. Speaker, reserving the right to object, may I say to my colleague that the committee went into this particular bill carefully and reported it out unanimously with an amendment, however, reducing the amount of the authorization by $100,000. The clerk in writing up the report inadvertently did not include the amendments and reduce the amount mentioned by $100,000. In view of the amendment and in view of the fact this is purely a survey which would enable them to go ahead in an orderly way and coordinate other activities, would the gentleman withdraw his request and permit the bill to be considered at this time? Colleagues on both sides of the House have asked me to introduce the bill. I have no personal interest in this and am acting merely as a servant of the committee.

Mr. BUCK. Can the gentleman tell us what the cost of the survey is?

Mr. PETERSON. We have an amendment which I have sent to the Clerk's desk reducing the amount to a maximum of $150,000. It is not to exceed that. We anticipate that it will be even less than that, but this will enable the highway departments of the various States and the various Government departments to coordinate their activities. As I say, I am purely a servant of the committee. Colleagues on both sides of the House have asked me to introduce the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BUCK]?

Mr. PETERSON. Mr. Speaker, I object.

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

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

INDIAN LIQUOR LAWS IN MINNESOTA

The Clerk called the bill (H. R. 1049) to repeal certain acts of Congress, known as Indian liquor laws, in certain parts of Minnesota.

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

Mr. REES. Mr. Speaker, reserving the right to object, I would like to have an explanation of this bill.

Mr. KNUTSON. Mr. Speaker, we are told that when the Pilgrims landed at Plymouth Rock, the first thing they did was to fall on their knees and thank Providence for their safe deliverance. Then, they turned around and fell on the Indians.

I want to say to my friend from Kansas that we do not have any Indians left, as we understand the term, in Minnesota, except on what is known as the Red Lake Reservation, which would not be affected by this legislation. Under existing law, for instance, E. L. Rogers, a graduate of the University of Minnesota, and county attorney of Cass County, could not go in to buy a glass of beer because he has a strain of Indian blood. There is no such thing as a full-blooded Indian left in Minnesota, not even on the Red Lake Reservation. My authority for that statement is the Indian Bureau. The Indians were pretty well bleached out during the logging days, and we feel it is time to treat them as whites. I hope that the gentleman from Kansas will not object to consideration of the bill.

There is another point. The Indians have some very valuable lake shore property in that area, and I am sure the gentleman from Kansas has seen some of our beautiful lakes. It is impossible for them to lease or rent those lands to anyone for tourist resorts because, under the law, it would not be lawful for the lessee to sell even beer.

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

Mr. KNUTSON. I yield.

Mr. REES. If this is such wonderful legislation as the gentleman seems to think, although he has not explained it yet, why does it just apply to Minnesota? Why not make it Nation-wide if it is such a good thing?

Mr. KNUTSON. Because as you go farther west, we have more and more preponderance of Indian blood. You see, up in our country the Indians are named McDonald, Schwartz, Olson, Casey, Le Due, and so forth. My Indian name is Give-we-Zance but I have long since discarded it as it is no good on legal documents, nor helpful in campaigns as my brethren have long since outgrown Indian terms and tribal customs. In any event, it is about time we began to treat them as white people. Our Indians are very much humiliated over being classified as incompetents. I say "Indians." Of course, that is what they are under the present practice; but these Americans resent very much being treated as an inferior race. They contributed more troops per capita in World War I and World War II than any other class. Why, they were even fighting for the preservation of the Union back in the sixties. Yet we keep on treating them as though they live in tepees and wigwams and wear moccasins and blankets. Among them we find locomotive engineers, farmers, mechanics, some are lawyers and doctors; they are about everything that the white man is. Once in a while one of them even robs a bank. I mention that to show that he is thoroughly civilized.

Mr. REES. I agree the Indian has not had a fair deal, as he is entitled to. The gentleman from Massachusetts [Mr. McCORMACK] suggested that we ought to see that he is given his rights for citizenship. I am in accord with his views. I think, however, we should take that up with the Department of the Interior. But I do not understand that the gentleman has made a case on legislation that seems of such great importance to him. If it is, he should get a rule and bring this bill in under a rule.

Mr. KNUTSON. It is of no personal importance to me, because I have no Indian blood in my veins. I am Nordic. I assume the gentleman is a Nordic. You know the Nordics love to regulate everybody and everything. That is their one failing. If a Nordic cannot handle liquor, he does not want anyone else to have it. I will admit I have to fight against myself continually, because I want to regulate everybody and everything. I used to think I would like to regulate the President, but in the last few days I have come to the conclusion that is too big a job for me. But I hope the gentleman will not offer objection to the present consideration of the measure. It is high time we give this belated justice to a fine people whom we have despoiled, and kept in involuntary confinement all too long.

Mr. REES. Mr. Speaker, I have the very highest respect for the gentleman, and with great reluctance I am going to ask unanimous consent that this bill be passed over without prejudice.

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

Mr. KNUTSON. Mr. Speaker, I object.

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

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

Be it enacted, etc., That hereafter, in the State of Minnesota, section 2139, United States Revised Statutes, as amended by the act of June 15, 1938 (52 Stat. 696), now 25 United States Code 241, shall apply only to persons and transactions on the Indian reservations.

With the following committee amendment:

Page 1, line 6, strike out "on the Indian reservations" and insert "within the Indian country, which term shall include any Indian allotment while the title to the same shall be held in trust by the United States."

The committee amendment was agreed to.

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

DISPOSAL OF MATERIALS ON PUBLIC LANDS OF THE UNITED STATES

The Clerk called the bill (S. 1185) to provide for the disposal of materials on the public lands of the United States.

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

Mr. HOBBS. Mr. Speaker, reserving the right to object, I would like to have an explanation of what this bill provides.

Mr. BARRETT. Mr. Speaker, this bill authorizes the Secretary of the Interior to dispose of sand, stone, gravel, yucca, and several other materials from the public domain under the same rules and regulations that have been in effect for quite some time. Under the committee amendment, some other items have been added to the bill.

Mr. HOBBS. That is what I am interested in. What are those additional items and what is the whole thing about?

Mr. BARRETT. I may say they are yucca, manzanita, mesquite, cactus, and common clay. Most of these are peculiar to the Southwestern States and particularly Arizona and New Mexico.

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

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

Be it enacted, etc., That the Secretary of the Interior, under such rules and regulations as he may prescribe, may dispose of materials including sand, stone, gravel, and timber or other forest products, on public lands of the United States, if the disposal of such materials (1) is not otherwise expressly authorized by law, including the United States mining laws, (2) is not expressly prohibited by laws of the United States, and (3) would not be detrimental to the public interest. Such materials may be disposed of only in accordance with the provisions of this act and upon the payment of adequate compensation therefor, to be determined by the Secretary. Where the lands have been withdrawn in aid of a function of a Federal department or agency other than the Department of the Interior or of a State, Territory, county, municipality, water district, or other local governmental subdivision or agency, the Secretary of the Interior may make disposals under this act only with the consent of such Federal department or agency or of such State, Territory, or local governmental unit. Nothing in this act shall be construed to apply to lands in any national forest, national park, or national monument or to any Indian lands, or lands set aside or held for the use or benefit of Indians, including lands over which jurisdiction has been transferred to the Department of the Interior by Executive order for the use of Indians.

SEC. 2. Where the appraised value of the material exceeds $1,000, it shall be disposed of by the Secretary to the highest responsible qualified bidder by competitive bidding and publication of notice of the proposed disposal once each week for a period of at least 30 days in a newspaper of general circulation in the county in which the material is located. Where the appraised value of the material is $1,000 or less, it may be disposed of by the Secretary upon such notice and in such manner as he may prescribe.

SEC. 3. All moneys received from the disposal of materials under this act shall be disposed of in the same manner as moneys received from the sale of public lands.

With the following committee amendments:

Page 1, line 5, after the word "including", insert: "but not limited to."

Page 1, line 5, after the word "gravel", insert "yucca, manzanita, mesquite, cactus, common clay."

Page 2, line 5, insert *"Provided, however,* That, to the extent not otherwise authorized by law, the Secretary is authorized in his discretion to permit any Federal, State, or Territorial agency, unit, or subdivision, including municipalities, or any person, or any association or corporation not organized for profit, to take and remove, without charge, materials and resources subject to this act, for use other than for commercial or industrial purposes or resale."

Page 3, line 5, after the word "of", strike out "at least 30 days" and insert "four consecutive weeks."

Mr. D'EWART. Mr. Speaker, I ask unanimous consent that the gentleman from Oregon [Mr. STOCKMAN] may extend his remarks at this point.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. D'EWART]?

There was no objection.

Mr. STOCKMAN. Mr. Speaker, S. 1185 is a bill to provide for the disposal of materials on the public lands of the United States. These are the so-called unreserved public lands that are not included in National Parks, monuments, or reservations of any kind and for which there is now no legislative authority to dispose of such materials as sand, stone, gravel, and timber or other forest products.

During the emergency period, authority was granted by the Second War Powers Act to the Secretary of the Interior to make disposals of such materials in such manner as he deemed fit. Cutting rights to the valuable timber on these lands were sold on competitive bid to timber operators who harvested the mature timber on the lands in accordance with the specifications laid down by the Department. With no damage being done to the lands, the timber was cut and manufactured into lumber—timber which would have become overmature and decadent if allowed to stand.

With the expiration of the Second War Powers Act, the authority to dispose of these materials also expired. The Department of Interior now has many requests for cutting rights which are being held pending authorizing legislation.

It is estimated that there is a total of three and a half to five million acres of commercially productive forest land included in these small tracts of public land, with a potential yield of 6,000,000,000 feet. The value of this timber is approximated at twenty to twenty-five thousand dollars.

We have the assurance of the Department of Interior that all cutting of timber on this land will be on a scientific basis and will benefit the growth and yield of these forest stands.

This legislation interferes in no way with any existing regulation concerning public lands. There are 56 applications on file now with the Department of Interior for cuting rights to these timber tracts. If granted, it would mean a revenue to the Federal Government, provide badly needed lumber, and prevent needless waste of a resource.

Passage of S. 1185 will provide the Department with the statutory authorization to approve these sales and others.

Mr. ENGLE of California. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, this is an important bill to those engaged in the lumber industry in the West and is important also from the standpoint of lumber conservation. At the present time there is no authorization for the Department of the Interior to sell timber and timber products on the public domain. Such authority did exist during the war under a temporary act which expired when the President proclaimed the cessation of hostilities on December 31, 1946. That act proved to be useful. Many tracts of public domain are scattered throughout the West, often intermingled with private timber holdings and Forest Service lands. These areas cannot be economically harvested unless harvested in conjunction with other adjacent areas. Unless the Secretary of the Interior has the authority to sell the timber it becomes overripe, falls down, and becomes a fire menace. This is a condition which certainly should not exist during the desperate lumber shortage this country is now facing. In addition, it is the practice of the Interior Department to require that any cutting on these public domain lands be done according to sustained-yield practices where that is practicable. I am glad to see the favorable action of the Congress on this bill before adjournment.

Mr. MURDOCK. Mr. Speaker, I move to strike out the last word, and I ask unanimous consent to revise and extend my remarks.

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

There was no objection.

Mr. MURDOCK. Mr. Speaker, when Calendar No. 301 was before us a few minutes ago, a gentleman asked concerning the items which the committee had added and included in the bill. I would like to speak regarding one of those items which is a little-known product of the southwestern deserts likely to have great commercial value in the not-far-distant future. I am referring now to yucca, or Spanish bayonet, of which there are several varieties. Included under the general name of yucca is bear grass and several other kindred types of desert vegetation. This bill, H. R. 4079, would amend the Taylor Grazing Act in such a way as to permit the Secretary of Interior to sell that desert product whenever it is in demand or found to have commercial value.

Yucca is an interesting plant growing over a large area in the Pacific Southwest. It thrives on scant rainfall and does best at certain altitudes, but is quite generally found in parts of Arizona, Nevada, New Mexico, and west Texas. It is thought that it might be cultivated and produced more abundantly than in its wild state in the semiarid regions. The plant furnishes many useful products and may prove in coming years to be a valuable resource in the far southwest.

The leaves of yucca produce a high grade of hard fiber from which rope or binder twine may be made. Beargrass yields a soft fiber suitable for twine or even for burlap cloth. These things we have long imported from abroad, but they may be found growing in abundance in the Pacific Southwest, needing only American ingenuity to increase their supply and devise means of handling them in mass production at low cost. Apparently a recent invention enables the extraction of the fiber mechanically in mass production and at relatively low cost. Such being the case, only improved methods of harvesting the foliage and also possibly making the crop grow more abundantly is required now to produce a new American industry. The passage of this act today will make it possible to harvest this foliage where its growth is suitable for such, and that is a long step in making it commercially feasible.

This amazing desert plant, yucca, produces many byproducts, in addition to fiber, and it may well be that some of its byproducts will be found to be more valuable than its main product. In any event, Mr. Speaker, this bill today has great significance, and I am glad to support it on the floor of the House, just as I did in committee consideration.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were 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.

DEFERMENT OF CERTAIN IRRIGATION CONSTRUCTION CHARGES AGAINST LANDS UNDER THE FLATHEAD INDIAN IRRIGRATION PROJECT

The Clerk called the bill (S. 753) to authorize the Secretary of the Interior to defer the collection of certain irrigation construction charges against lands under the Flathead Indian irrigation project.

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

Mr. RICH. Mr. Speaker, reserving the right to object, may we have an explanation of the bill?

Mr. D'EWART. Mr. Speaker, a similar bill has been passed by the Senate. The purpose of both bills is to adjust certain accounts of the Flathead Indian Reservation. The Department is not yet ready to file justifications. The Senate bill extends the present status of those accounts until such time as the Indian Bureau can investigate them and report on them.

Mr. RICH. Does the Department of the Interior approve the bill?

Mr. D'EWART. The Department of the Interior does approve the bill.

Mr. RICH. The bill does not forego the collection of fees that should be paid eventually?

Mr. D'EWART. No; we are just leaving the situation as it is. Nothing is changed. It is only to give us an opportunity to get the justifications we need to perfect the claims.

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

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

Be it enacted, etc., That, notwithstanding any provisions of the act entitled "An act to authorize the Secretary of the Interior to investigate and adjust irrigation charges on irrigation lands within projects on Indian reservations, and for other purposes," ap-

proved June 22, 1936 (49 Stat. 1803), the Secretary of the Interior is authorized and directed to defer the collection of irrigation construction charges on the Flathead Indian irrigation project until January 1, 1949.

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.

AMENDING SECTION 13 (a) OF THE SURPLUS PROPERTY ACT OF 1944, AS AMENDED

The Clerk called the bill (H. R. 2239) to amend section 13 (a) of the Surplus Property Act of 1944, as amended.

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

Be it enacted, etc., That paragraph (1) of section 13 (a) of the Surplus Property Act of 1944, as amended, is amended by striking out subparagraph (C) thereof and inserting in lieu thereof the following:

"(C) Surplus property suitable for use in training and maintaining any civilian component of the armed forces may be sold or leased to the States, their political subdivisions, or tax-supported instrumentalities.

"(D) In fixing the sale or lease value of property to be disposed of under subparagraph (A), subparagraph (B), or subparagraph (C) of this paragraph, the Administrator shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any State, political subdivision, instrumentality, or institution."

With the following committee amendments:

Page 1, line 4, after the word "is", insert "hereby."

Page 1, line 4, beginning with the word "striking", strike out remainder of language of the bill, and insert the following:

"(3) Surplus property available and suitable for use in training and maintaining any civilian component of the armed forces may be disposed of to States, their political subdivisions or tax-supported instrumentalities, subject to such terms and conditions as the Administrator determines to be necessary to properly protect the interests of the United States. Such disposals shall be without monetary consideration, provided that the Government shall be reimbursed for such costs incident to the disposal of the property as the Administrator may deem proper, including the expense of removal of any machinery, equipment, or personal property not transferred as a part of such disposal."

The committee amendments were agreed to.

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

PRESUMPTION OF SERVICE CONNECTION FOR CHRONIC AND TROPICAL DISEASES OF VETERANS

The Clerk called the bill (H. R. 3889) to amend Veterans Regulation No. 1 (a), parts I and II, as amended, to establish a presumption of service connection for chronic and tropical diseases.

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

Mr. KEAN. Mr. Speaker, this bill may be very good, but there is nothing in the report from the Veterans' Administration showing their position on the bill and no estimate of the cost. I therefore ask unanimous consent that the bill may be passed over without prejudice.

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

There was no objection.

AMENDING RECLAMATION PROJECT ACT OF 1939

The Clerk called the bill (H. R. 2873) to amend certain provisions of the Reclamation Project Act of 1939.

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

Mr. RICH. Mr. Speaker, I object.

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. McDONOUGH. Mr. Speaker, this bill, H. R. 2873, amends, first, the provisions of the Reclamation Project Act of 1939, which specify the standards or feasibility which the Secretary must meet in authorizing a new project without coming to Congress for specific legislation, and, second, the provisions controlling the application of the power and other revenue which the Secretary receives from the project after it is built.

These provisions are found respectively in section I of the pending bill, which amends section 9 (a) of the 1939 act, and in section 2, which amends section 9 (c) of that act.

I direct the attention of the House to a new and dangerous provision at page 8, line 21. This is the authority given the Secretary to fix power rates on a 78-year authorization basis; that is, at such a level that it will take 78 years to repay the taxpayers' interest with 2½ percent interest. The period specified in the existing law is 50 years. Fifty years is also the period specified in the Boulder Canyon Project Act.

Seventy-eight years is too long a period. It is about the time from President Grant to President Truman. A project starting to pay out in 1947 would still be in debt in the year 2024.

Moreover, this period starts running all over again as to each new feature, such as a generator, which may be added to the project, and commences when that feature becomes revenue producing. The entire project may not pay out, consequently, for as much as 100 years.

The bill itself assumes that power contracts for periods as long as 78 years cannot be obtained. At page 8, line 15, the Secretary is given authority to make power leases or power sales contracts for a period of 50 years only. Yet in such a contract he can fix the rate, not to pay out the investment during the life of the contract, but 28 years after that contract has expired.

The 50-year repayment period in the existing law corresponds to the maximum life of bonds normally issued to finance power projects. I know of no Federal bonds having maturities of 78 years and doubt if any are now outstanding with maturities even approaching 50 years. The interest rate, fixed in this bill, 2½ percent, may be justified as approximating, or perhaps exceeding, the rate which the Government would have to pay on long-term bonds, but as no one has any intention of issuing 78-year bonds, it is foolish to prolong and delay to that extent the recovery of the money the Government will invest in these projects.

This period of 78 years allowed for the retirement of the power investment should be compared with the period of 50 years allowed by section 9 (d) of the Reclamation Project Act of 1939 for repayment of the irrigation investment, made up of a 10-year development period and a 40-year repayment period.

So far as I can find, this figure of 78 years is pulled out of the air. There is nothing in the committee report to explain it. This figure does not appear in any of the previous drafts of this bill. It appears, for the first time, after the hearings were ceased, and offering no explanation whatsoever. So far as I am advised, the figure of 78 years does not appear in any of the hearings on the bill, was not justified by any testimony, and its effect on the financing of particular projects has been given no study whatever by the committee.

The whole subject of power policies is of too much importance to be the subject of piecemeal legislation hastily enacted. The Boulder Canyon Project Act, which set a 50-year amortization period, was debated at length in four sessions of Congress. This bill, without a word of explanation, extends that period for new projects by 28 years, or over 50 percent, and, moreover, delegates to the Secretary the authority to commit the United States to investment of unlimited millions of dollars by an administrative finding that he probably can return the Government's power investment in that time, even though it is admitted that the longest sale contract he can expect to get is 50 years.

At the threshold of the atomic age, with the virtual certainty that energy will be generated on a large scale by atomic plants before this 78-year period has more than a third run its course, this is manifestly no time to extend the 50-year period now appearing in the law.

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from California [Mr. PHILLIPS] may extend his own remarks at this point in the RECORD.

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

There was no objection.

Mr. PHILLIPS of California. Mr. Speaker, I am glad the gentleman from Pennsylvania [Mr. RICH] objected to the consideration of this bill on the Consent Calendar. I would like to feel that his objection was made without prejudice to the bill itself, with the possible exception of the 78-year-repayment period. It is only that a bill of this far-reaching importance should not pass without comment or discussion, thus suggesting to the other body, to which it would then go, that all its provisions meet with the approval, without reservation, of every Member of this House.

That is not the case. This has been a highly controversial subject for years. I think the gentleman from Colorado

[Mr. ROCKWELL], as chairman of the subcommittee, and the gentleman from California [Mr. WELCH], as chairman of the Committee on Public Lands, both deserve great credit for getting the controversy to a point where it is so nearly settled. I was a member of the Committee on Irrigation and Reclamation for 4 years, and I know the troubles we had with this problem. We worked on one bill, a year ago, for more than 6 weeks, and then reached no agreement. This bill, in its present form, still gives me deep concern. The existing law requires power features of reclamation projects to repay their cost within 50 years. This period was set in the act which authorized the Hoover Dam project, and was embodied in general law by the Reclamation Project Act of 1939.

The bill under consideration, when it was introduced, proposed to extend this period to 67 years. That was considered too long a time in the 1946 hearings already referred to above. I am informed that, after the end of extended committee hearings and discussions this year, a proposal was made and accepted by the committee that the period of repayment be lengthened to 78 years.

This period seems to me excessive and unsound. The period of 50 years, established by existing law, is in my opinion long enough.

Seventy-eight years, Mr. Speaker, is one-half the life of this Republic. Think, Mr. Speaker, of the scientific and industrial changes which have occurred in the 78 years just past. Seventy-eight years ago Ulysses S. Grant was entering upon his first term as President of the United States and James G. Blaine was the Speaker of this House. I call your attention to the fact that in 1869 there was not a single electric-power plant operating in the world.

But there are today in operation in the United States laboratories producing atomic energy. It takes no prophet to see that, perhaps as soon as 25 years, or at the latest, 50 years, cheaper atomic energy is likely to supersede hydroelectric plants as a source of commercial power. I am reliably informed that men responsible for great electric-power undertakings are, this very day, giving sober and thoughtful study to the question, how far in the future they should make financial commitments for their agencies. I am fully convinced that men who are responsible for the integrity of the Government's investments in power plants should have as much concern for the safety of the taxpayers' money as men who are engaged in the power business have for the future of their organizations.

I believe that 78 years is an unsound length of time. I think that 50 years should be the limit. I want to see this bill go through, but I want the 78 changed to 50. I want the interest component provisions to become law. I want the RECORD to show that this is the intention and desire of a large number of the Members of this House. That can only come about through an opportunity to discuss the bill on the floor before it is acted upon, and before it goes to the committee in the other body to which it will be referred for consideration and action there.

CERTAIN LANDS OF ACADIA NATIONAL PARK, MAINE, TRANSFERRED TO THE NAVY DEPARTMENT

The Clerk called the bill (H. R. 3371) to transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes.

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

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that a similar bill (S. 1220) may be substituted for the House bill.

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

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

Be it enacted, etc., That control and jurisdiction over the following-described lands now comprising a portion of the Acadia National Park, in the State of Maine, are hereby transferred from the Department of the Interior to the Department of the Navy: *Provided*, That the Secretary of the Interior shall retain the right to approve the design of the buildings and structures to be placed thereon.

All that certain tract or parcel of land on Big Moose Island, Winter Harbor, Maine, which is bounded southerly and easterly by a chain link-security fence, and northerly and westerly by the waters of Pond Island Cove and Frenchman Bay, and which is more particularly described as beginning at a point on the shore at the high-water mark of Frenchman Bay on the southwesterly side of Big Moose Island, so-called, thence following the chain-link security fence as now erected by the three following courses and distances: North no degrees five minutes west nine hundred and fifty-three feet; thence north thirty degrees twenty-four minutes east one hundred and fifty-seven and seven-tenths feet; thence south eighty-nine degrees nine minutes east one thousand four hundred and fifty-five and three-tenths feet to a point and angle in the said security fence which bears north thirty-four degrees fifty-four minutes west and is fifty feet distant at right angles from a point in the center line of the National Park Service road known as the Big Moose Island Road; thence turning to the left and following the said security fence in a general northerly direction but everywhere parallel with and fifty feet distant from the center line of the said Big Moose Island Road three thousand five hundred feet more or less to the high-water mark on the shore of Pond Island Cove; thence in a generally westerly and southerly direction but everywhere following the high-water mark of Pond Island Cove and Frenchman Bay seven thousand four hundred and seventy feet more or less to the place of beginning; except that portion thereof, containing twenty-five and ninety-six one-hundredths acres, which was transferred to the jurisdiction of the Department of the Navy pursuant to the act of August 24, 1935 (ch. 644, 49 Stat. 795); the lands herein described containing one hundred and fifty-one and eighty-six one-hundredths acres after excluding the excepted portion.

SEC. 2. The Secretary of the Navy is authorized and directed to retransfer jurisdiction over the property described in section 1 of this act to the Secretary of the Interior in the event such property hereafter becomes surplus to the needs of the Department of the Navy, in which event it again shall become a part of Acadia National Park.

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

A similar House bill and a motion to reconsider were laid on the table.

TO PROVIDE FACILITIES FOR TREATMENT OF TUBERCULOUS INDIANS IN MONTANA

The Clerk called the bill (H. R. 2783) authorizing an appropriation for the construction, extension, and improvement of a State tuberculosis sanatorium at Galen, Mont., to provide facilities for the treatment of tuberculous Indians in Montana.

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

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500,000 for the purpose of cooperating with the State of Montana for the construction, extension, and improvement of a tuberculosis sanatorium at Galen, Powell County, Mont., to provide and make available, whenever required, for tuberculous Indians not less than 100 additional beds: *Provided*, That the expenditure of any moneys authorized to be appropriated hereunder shall be subject to the condition that the proper authorities of the said State of Montana shall promptly take necessary steps under the laws of the State of Montana to provide additional funds required to complete the construction, extension, and improvement, including regulation equipment, of the said sanatorium and shall submit proof of compliance with this provision to the Commissioner of Indian Affairs: *Provided further*, That plans and specifications for the construction, extension, and improvement of the said sanatorium first shall be furnished by the State authorities, without cost to the United States, to the Commissioner of Indian Affairs for approval by him before any moneys appropriated pursuant to this authorization may be expended, and that upon compliance with this provision actual work shall proceed under the direction of the State officials and payment for such work in place shall be made monthly on vouchers properly certified by local officials of the Indian Service to the Commissioner of Indian Affairs, whose determination and approval of the proper amount chargeable to any appropriation authorized hereunder shall be final and sufficient for such payment thereof: *Provided further*, That the said sanatorium so constructed, extended, and improved shall be maintained by the State of Montana and shall be available to all the Indian population of said State: *Provided further*, That the Commissioner of Indian Affairs will reimburse the State of Montana for the care and treatment of such tuberculous Indians who may be admitted to the sanatorium under the provisions of the Johnson-O'Malley Act, at rates not in excess of the average annual per diem cost of operation for the entire sanatorium: *And provided further*, That the Commissioner of Indian Affairs shall prescribe regulations covering the admission and care of Indian patients and that the standards of treatment afforded Indians in said sanatorium shall be equal to those for any other patient admitted to the sanatorium; the State of Montana by accepting the funds authorized to be appropriated hereby agrees to be bound by the regulations thus prescribed by the Commissioner of Indian Affairs.

With the following committee amendments:

On page 1, line 7, strike out the word "Powell" and insert in lieu thereof the words "Deer Lodge."

On page 2, line 9, strike out the colon and the word *"Provided"* and insert in lieu thereof a semicolon.

On page 2, strike out all of lines 10, 11, 12, 13, 14, 15, all of line 16 to and including the word "provision", and insert in lieu thereof the word "whereupon" and a comma.

On page 2, line 19, strike out the words "local officials of the Indian Service" and insert in lieu thereof the words "State officials."

On page 3, line 7, strike out the colon and insert in lieu thereof a period, strike out the balance of line 7 and all of lines 8, 9, 10, 11, 12, 13, and 14.

The committee amendments were agreed to.

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

RATES OF PENSION TO VETERANS OF INDIAN WARS

The Clerk called the bill (H. R. 4055) to provide increases in the rates of pension payable to veterans of Indian wars and the dependents of such veterans.

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

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

There was no objection.

TAYLOR GRAZING ACT OF JUNE 28, 1934

The Clerk called the bill (H. R. 4079) to amend the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1946 (49 Stat. 1976).

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

Mr. FULTON. Mr. Speaker, reserving the right to object, may we have an explanation of what this bill does?

Mr. BARRETT. Mr. Speaker, this bill changes the distribution of fees from that part of the public domain that is leased out by the Department of the Interior for grazing purposes. I may say to the gentleman from Pennsylvania that the Appropriations Committee of this House has objected each year for the last 4 or 5 years because of the fact that under existing law the fees paid into the Treasury of the United States are insufficient to offset the cost of administration. This bill attempts to correct and will correct that situation.

Under existing law and under the fees in force prior to May 1 of this year $200,000 was paid into the Treasury of the United States to offset an appropriation of several times that amount. Under this bill there will be paid into the Treasury over $800,000 which will offset appropriations of about that amount of money. That is the sole purpose of the bill.

Mr. FULTON. Mr. Speaker, I withdrawn my reservation of objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, reserving the right to object, are there any other provisions in the bill relative to increasing the rates?

Mr. BARRETT. I may say to the gentleman that the fees were increased 60 percent on the first day of May this year.

Mr. H. CARL ANDERSEN. The only provisions are the provisions the gentleman has referred to?

Mr. BARRETT. That is generally correct.

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

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

Be it enacted, etc., That the first sentence of section 3 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1270; 43 U. S. C., sec. 315b), is hereby amended to read as follows:

"The Secretary of the Interior is hereby authorized to issue or cause to be issued permits to graze livestock on such grazing districts to such bona fide settlers, residents, and other stock owners as under his rules and regulations are entitled to participate in the use of the range, upon the payment annually of reasonable fees in each case to be fixed or determined from time to time, and in fixing the amount of such fees the Secretary of the Interior shall take into account the extent to which such districts yield public benefits over and above those accruing to the users of the forage resources for livestock purposes. Such fees shall consist of a grazing fee for the use of the range and a range-improvement fee, which, when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements. Grazing permits shall be issued only to citizens of the United States or to those who have filed the necessary declarations of intention to become such, as required by the naturalization laws, and to groups, associations, or corporations authorized to conduct business under the laws of the State in which the grazing district is located."

SEC. 2. Section 10 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), as amended June 26, 1936 (49 Stat. 1978; 43 U. S. C., sec. 315i), is hereby amended to read as follows:

"Except as provided in sections 9 and 11 hereof, all moneys received under the authority of this act shall be deposited in the Treasury of the United States as miscellaneous receipts, but the following proportions of the moneys so received shall be distributed as follows: (a) 12½ percent of the moneys collected as grazing fees under section 3 of this act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing districts producing such moneys are situated, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the grazing districts producing such moneys are situated: *Provided*, That if any grazing district is in more than one State or county, the distributive share to each from the proceeds of said district shall be proportional to its area in said district; (b) 25 percent of all moneys collected under section 15 of this act during any fiscal year when appropriated by the Congress, shall be available until expended solely for the construction, purchase, or maintenance of range improvements; and 50 percent of all moneys collected under section 15 of this act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the lands producing such moneys are located, to be expended as the State legislature of such State may prescribe for the benefit of the county or counties in which the lands producing such moneys are located: *Provided*, That if any leased tract is in more than one State or county, the distributive share to each from the proceeds of said leased tract shall be proportional to its area in said leased tract."

SEC. 3. The first two sentences of section 11 of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1273), are hereby amended to read as follows:

"That when appropriated by Congress, 33⅓ percent of all grazing fees received from each grazing district on Indian lands ceded to the United States for disposition under the public-land laws during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which said lands are situated, to be expended as the State legislature may prescribe for the benefit of public schools and public roads of the county or counties in which such grazing lands are situated. And the remaining 66⅔ percent of all grazing fees received from such grazing lands shall be deposited to the credit of the Indians pending final disposition under applicable laws, treaties, or agreements."

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.

PARKER RIVER NATIONAL WILDLIFE REFUGE (MASS.)

The Clerk called the bill (H. R. 4108) to reduce in area the Parker River National Wildlife Refuge in Essex County, Mass., and for other purposes.

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

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

There was no objection.

COLLECTION AND PUBLISHING OF STATISTICS OF COTTONSEED AND COTTONSEED PRODUCTS

The Clerk called the bill (H. R. 4109) to amend the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes," approved August 7, 1916.

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

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to know whether this is going to be another census?

Mr. HESS. No. There is a census being taken at the present time, that is not mandatory, of these various oils, so that the census is not complete. This makes it mandatory so they may take a census of soybean and other oils for the benefit of the industry so that the industry will know about the production of these various oils.

Mr. RICH. What is the cost?

Mr. HESS. Twenty-five thousand dollars.

Mr. RICH. That is a lot of money.

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

There was no objection.

Mr. HESS. Mr. Speaker, I ask unanimous consent that the Senate bill, S. 1497, be substituted for the House bill.

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

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

Be it enacted, etc., That the act entitled "An act authorizing the Director of the Census to collect and publish statistics of cottonseed and cottonseed products, and for other purposes," approved August 7, 1916 (39 Stat. 436; U. S. C., title 13, secs. 81 to 84, inclusive), is amended to read as follows:

"That (a) the Director of the Census is authorized and directed to collect, collate, and publish monthly statistics concerning—

"(1) the quantities of (A) cottonseed, soybeans, peanuts, flaxseed, corn germs, copra, sesame seed, babassu nuts and kernels, and other oilseeds, nuts, and kernels received, crushed, and on hand at oil mills; (B) crude and refined oils, cakes, and meals, and other primary products, by type or kind, of the above-mentioned seeds, nuts, and kernels manufactured, shipped out, and on hand at oil mills and processing establishments; (C) crude and refined vegetable oils, by type or kind, used by class of product and held by manufacturers of vegetable shortening, margarine, soap, and other principal products using large quantities of vegetable oils; (D) crude and refined vegetables oils, by type or kind, held in warehouses and in transit to consuming establishments;

"(2) the quantities, by types or kinds, of (A) animal fats and oils and greases produced; (B) animal fats and oils and greases shipped and held by producers; (C) animal fats and oils and greases, fish and marine mammal oils used by class of product and held by manufacturers of shortening, margarine, soap, and other principal products which require the use of large quantities of animal fats and oils and greases, fish and marine mammal oils; (D) animal fats and oils and greases, fish and marine mammal oils held in warehouses, cold storage, and in transit to consuming establishments.

"(b) Nothing in this section shall be construed to require the Director to collect, more frequently than he deems necessary to provide reliable statistical reports, information from any person who produces, holds, or consumes fats and oils in inconsequential quantities.

"SEC. 2. The inquiries, and the number, form, and subvisions thereof for the censuses and surveys provided for in this act, shall be determined by the Director of the Census with the approval of the Secretary of Commerce.

"SEC. 3. All information furnished to the Bureau of the Census by any individual establishment under the provisions of this act shall be considered as strictly confidential and shall be used only for the statistical purposes for which it is furnished, and shall not be used for any other purpose. Any employee of the Bureau of the Census who without the written authority of the Director of the Census, shall publish or communicate any information given into his possession by reason of his employment under the provisions of this act shall be guilty of a misdemeanor and shall, upon conviction thereof, be fined not more than $1,000 or imprisoned not more than 1 year, or both.

"SEC. 4. It shall be the duty of each owner, official, agent, or person in charge of any mill, or of any manufacturing or wholesale establishment or warehouse, or cold-storage establishment, engaged in the activities set forth in subsection (a) of section 1, and when requested by the Director of the Census or by an employee of the Bureau of the Census acting under instructions of said Director, to answer correctly, to the best of his ability, all questions of the census schedules submitted to him under the provisions of this act. Any owner, official, agent, or person in charge of any mill, or of any manufacturing or wholesale establishment or warehouse, or cold-storage establishment, engaged in the activities set forth in subsection (a) of section 1, and who shall refuse or willfully neglect to answer any questions of the census schedules submitted to him under the provisions of this act or shall willfully answer any such questions falsely shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $1,000. The request of the Director of the Census may be made by registered mail, by telegraph, by visiting representative, or by one or more of these, and if made by registered mail or by telegraph the return receipt therefor shall be prima facie evidence of an official request.

"SEC 5. The Director of the Census shall not by this act be restricted or limited from collecting and publishing under the general authority of the Bureau such statistics on fats and oils or products thereof not specifically herein required as is deemed to be in the public interest.

"SEC. 6. Statistics now required under existing Federal law to be collected by any other Federal department or agency in a manner comparable both as to form and period of time to the collection of statistics provided for herein shall not be collected by the Director of the Census under the authority of this act: *Provided*, That immediately upon his request, the Director of the Census shall have access to any such statistics and shall include them in the publication required herein."

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

A similar House bill (H. R. 4109) was laid on the table.

A motion to reconsider was laid on the table.

PROVIDING FOR NATIONAL CEMETERY IN EVERY STATE

The Clerk called the bill (H. R. 1109) to provide for one national cemetery in every State and Territory and such other national cemeteries in the States and Territories as may be needed for the burial of war veterans and certain other persons as provided for in section 281, title 24, United States Code, as amended.

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

Mr. FULTON. I object, Mr. Speaker.

Mr. SHORT. Mr. Speaker, will the gentleman withhold his objection for a moment? I would like to have the author of this bill explain it. As I understand there is not a national cemetery in every State, but there will be nine national cemeteries chosen in strategic spots and located rather equidistant all over the United States.

Mr. FULTON. While I have every respect for the opinion of the gentleman from Missouri and his able views on the subject, I nevertheless object to national cemeteries, but will withhold my objection until it is explained.

The SPEAKER. Is the gentleman going to object anyway?

Mr. CUNNINGHAM. I object, Mr. Speaker. I think the gentleman from Missouri is talking about an entirely different bill.

Mr. SHORT. That is the information I wanted earlier.

Mr. FULTON. I want my objection noted.

REDUCING AREA OF GILA FEDERAL RECLAMATION PROJECT

The Clerk called the bill (H. R. 1597) to relocate the boundaries and reduce the area of the Gila Federal reclamation project, and for other purposes.

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

Mr. RICH. Mr. Speaker, reserving the right to object, I would like to have the author explain what it is going to cost the Federal Government in taking over these lands.

Mr. MURDOCK. An authorization in the bill is for $380,000, which will more than cover the three items of expense shown in the Secretary's letter of approval. Some of this land which is to be taken over has reverted to the desert, but some of it has been taken over by Yuma County for taxes. These farms were prosperous a few years ago, but they depended upon wells for water which became salty. Then there are two districts that have facilities which have been appraised by the Bureau of Reclamation at the amounts indicated, so that the cost of these will be borne at first by the Government and, of course, that will be repayable when the land is irrigated and furnished for settlers. These settlers will be veterans as they have preference by law.

Mr. RICH. If the gentleman will remember, when I was on the Committee on Appropriations and serving on the subcommittee of the Department of the Interior, I objected then strenuously to taking over all this Gila Valley agricultural center down in your State, and I did not want you to take it over, but you tried to take over the whole State. Now, you come back, and you want us to release it and pay $377,448. I certainly would be anything but consistent to permit this bill to go through. I could not do that. I objected to you at the time you took it over, but you wanted it then. Now you have got it, and I think you ought to keep it.

Mr. MURDOCK. I hope the gentleman will let me make an explanation. This bill provides for a much better project than the original project. It will be much smaller in size, will cost less to complete, and will require less water. I hope the gentleman will consider these things.

Mr. RICH. I object, Mr. Speaker.

Mr. MURDOCK. Mr. Speaker, I greatly regret that the gentleman from Pennsylvania [Mr. RICH] has objected to my bill, H. R. 1597, pertaining to the Gila reclamation project. I feel sure when the gentleman has given this further study that he will remove his objection and permit it to pass the House under unanimous consent, as it has already passed the Senate under unanimous consent. I notice that the Members who have given closest study to this bill raised no objection. I recall also that after extensive hearings the Subcommittee on Irrigation and Reclamation of the House Public Lands Committee, on July 12, reported the bill to the main committee without a dissenting vote. I would like to remind my colleagues, and especially the gentleman from Pennsylvania, that the Public Lands Committee of the House, on July 14, reported this bill without a dissenting vote. It is recognized by all of this committee that it is a meritorious measure and should be adopted at this session.

The gentleman from Pennsylvania [Mr. RICH] does not think well of the original Gila project. Apparently he thought we were including too much land

10 or 12 years ago and that some of it was not good land for reclaiming. Now 10 years ago I enthusiastically supported the original Gila reclamation project which was made to include 150,000 acres in Yuma County, Ariz., lying near the city of Yuma. Most of the project as originally planned was up on the Yuma Mesa, stretching away toward the mountains to the east and southeast. True, that mesa land was sandy and considered by some not good soil. I have always had faith in that land and would like to own some of it myself, if there were sufficient water supply, but I recognize—and we all must recognize—that the rich alluvial bottom lands along the river are better lands than the sandy mesa lands. Therefore, this bill would change the boundaries and include the bottom lands.

In 1937, when the Gila project was authorized, these rich bottom lands were being farmed and were highly productive and prosperous. There was no thought then of including them within the Gila project, and their owners did not ask to be included, because they had their own water supply from wells and their own irrigation system, developed through private enterprise. They had borrowed money and organized on an extensive scale. They built nice farm homes and had modern school buildings and churches, but alas—a thing which they could not foresee happened.

Their wells ceased to give good water and furnished only such salty water that humans and animals could not drink it and plants could not grow in it. Various irrigation projects, some privately owned and some developed by the Government, had deprived these farmers along the lower Gila of their good water. This caused many farms to revert to the desert, and many of these farms were sold for taxes. The soil was as good as ever, needing only water, sweet water instead of the foul water which the wells now produced. A few miles to the west is the Colorado River, carrying millions of acre-feet of water right past Yuma to the Gulf of California. Their salvation depends upon getting some river water.

Now the purpose of this bill is to change the boundary lines of the original Gila project, eliminating some of the higher and poorer lands on the mesa and including these rich farm lands now distressed in lieu thereof. This bill would eliminate 114,000 acres of mesa land and include instead 75,000 acres of bottom land. The neighboring State of California has watched this problem with jealous eyes, since there is only a limited supply of water. But even the most alert California water authority agrees that it is better to give up 114,000 acres of land on the mesa and include instead 75,000 acres of the alluvial bottom lands which have already been farmed. Only shortage of water prevents our adding the 75,000 acres of bottom lands without eliminating any on the mesa. I understand that none of Arizona's neighbors are offering opposition to this bill in its present form. Therefore, I trust that another opportunity may present itself for the passage of the bill at this session.

The gentleman from Pennsylvania is interested in the cost, and rightfully so. This bill will call for a smaller expenditure to complete the project than would the original project require for completion. In another financial sense, this bill would mean much more in dollars and cents to the United States Treasury, besides costing less for the development by the Bureau of Reclamation. Let it not be forgotten that every dollar the Government spends on this, as on other reclamation projects, is reimbursable and is returned eventually to the Treasury. But in a still more significant sense, this Gila project, in either its old or its new form, offers opportunity, in fact the last chance, to utilize waters of the Colorado River before they leave our borders to flow to Mexico and the Gulf of California. It is conservative to say that one acre-foot of water placed on the land through irrigation any place in the Pacific Southwest, in the valleys of southern Arizona, southern California, or southern New Mexico, will produce annually $20 in cash crop. For every million acre-feet of water we permit to go unused past the city of Yuma each year, we are throwing away $20,000,000 in value, which is not an unimportant item to be considered here. The worst way to save money for the Government that I know of is to oppose this bill.

Mr. POULSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. POULSON. Mr. Speaker, I desire to address a question to the gentleman from Colorado [Mr. ROCKWELL] who is chairman of the Subcommittee of the House Public Lands Committee which had this bill in charge. I wish to direct his attention to the following language in the committee report—Report No. 910 on H. R. 1597, page 3:

> These provisions are for the sole purpose of fixing the maximum acreage of the project and shall not be construed as interpreting, affecting, or modifying any interstate compact or contract with the United States for the use of Colorado River water or any Federal or State statute limiting or defining the right to use Colorado River water of or in any State.
>
> It is the intent of the committee that nothing in this bill is to be construed as affecting the rights of the States of Arizona or California as to the use of the amount of water in the lower Colorado River Basin, that each State is entitled to under the existing compact, contracts, or law. The committee feels the dispute between these two States on the lower Colorado River Basin should be determined and settled by agreement between the two States or by court decision because the dispute between these two States jeopardizes and will delay the possibility of prompt development of any further projects for diversion of water from the main stream of the Colorado River in the lower Colorado River Basin.
>
> Therefore, the committee recommends that immediate settlement of this dispute by compact or arbitration be made, or that the Attorney General of the United States promptly institute an action in the United States Supreme Court against the States of the lower basin, and any other necessary parties, requiring them to assert and have determined their claims and rights to the use of the waters of the Colorado River system available for use in the lower Colorado River Basin.

I requested the committee to make this statement of policy because of the pendency of the central Arizona project bills, H. R. 1616 and S. 1175. In view of the importance of the language of the committee report, I will appreciate it if the gentleman from Colorado will make a statement for the record of the intent of the committee with respect to this legislation.

Mr. ROCKWELL. The report which you have just read was adopted by our Irrigation and Reclamation Committee. It seemed to our committee that the Santa Fe compact granted beyond reasonable doubt the right of the State of Arizona to the amount of water specified in the present bill. The State of California apparently agreed. It does appear, however, that there should be a further determination of the amount of Colorado River water available not only to Arizona but to California before our committee acts upon future reclamation project in either State.

GENERAL WELFARE OF KLAMATH INDIANS IN OREGON

The Clerk called the bill (H. R. 2502) to provide for the general welfare and advancement of the Klamath Indians in Oregon.

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

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

There was no objection.

PERMIT MINING LOCATIONS, HARNEY NATIONAL FOREST

The Clerk called the bill (H. R. 2867) to permit, subject to certain conditions, mining locations under the mining laws of the United States within that portion of the Harney National Forest, designated as a game sanctuary, and for other purposes.

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

Mr. FULTON. Mr. Speaker, reserving the right to object, could we have an explanation of this bill as to whether this is not just the taking over of our national forests for commercial usage.

Mr. CASE of South Dakota. No; it is not. It is what has been done for 9 years under the policy established by the Department of Agriculture. Last fall somebody decided that maybe the Secretary of Agriculture in 1938 had not been on sound ground from a legal standpoint. So this is a bill which in effect legalizes what has been done for the last 9 years, under which an important amount of mica was produced for national defense during the war, I may say to the gentleman.

It sets up additional conditions or requirements, over those which normally apply in a national forest, for the removal of ores from that part of the Harney National Forest which is a game sanctuary. It specifically prohibits the taking of timber or the pollution of streams; it even prohibits the erection of

mills or doing anything which would interfere with the propagation of wildlife. And, finally, it prohibits the issuance of a mining patent to any part of the sanctuary area whereas mining locations in other parts of national forests, of course, can be patented. It also prohibits even the removal of ore or any mining operations within 600 feet of a highway, following the conditions in that respect which were laid down when the original policy in this forest was established in 1938 by the Secretary of Agriculture upon the basis of a resolution adopted by the Custer State Park Board and others who were interested in conservation as well as in mining. The area is not large, I may say; it is a sort of adjunct to the State park in which no mining at all is permitted.

The bill was reported on favorably by both the Department of the Interior and Department of Agriculture. The Secretary of Agriculture very positively recommended enactment of the bill; the Secretary of the Interior said he had no objection to its passage, recognizing that a special situation existed with respect to this particular area. The tract, the gentleman understands, is in a national forest which is administered by the Department of Agriculture although the mining laws are administered by the Department of the Interior. That is the reason for reports by both Departments.

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

Mr. FULTON. I object, Mr. Speaker.

JACKSON HOLE NATIONAL MONUMENT

The Clerk called the bill (H. R. 1330) to abolish the Jackson Hole National Monument as created by Presidential Proclamation No. 2578, dated March 15, 1943, and to restore the lands belonging to the United States within the exterior boundaries of said monument to the same status held immediately prior to the issuance of said proclamation.

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

Mr. FULTON, Mr. MARCANTONIO, and Mr. HUBER objected.

UTILIZATION OF CERTAIN WAR DEPARTMENT-OWNED MILITARY REAL PROPERTY AS NATIONAL CEMETERIES

The Clerk called the bill (S. 272) to provide for the utilization of surplus War Department-owned military real property as national cemeteries, when feasible.

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

Mr. KEAN. I object, Mr. Speaker.

Mr. BARRETT. Will the gentleman withhold his objection for a moment?

Mr. KEAN. I withhold the objection, Mr. Speaker.

Mr. BARRETT. May I say to the gentleman that the War Department is in a terrible predicament at the present time. That Department certainly needs this legislation. There are but few tracts that could qualify under this law.

Mr. KEAN. If the War Department and the people who wrote the bill would limit the number of cemeteries, we might consider it, but under this bill there is no limit to the number of cemeteries the Secretary of War can build.

Mr. BARRETT. The report shows that they propose to use but five additional cemetery sites, and all of them are on surplus property of the United States and located in the highly populated States.

Mr. KEAN. That is what the former Secretary of War wants to do, but we have a new Secretary now.

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

Mr. KEAN. I object, Mr. Speaker.

OSAGE INDIANS WHO SERVED IN WORLD WAR II

The Clerk called the bill (H. R. 3325) to enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act of 1944, and for other purposes.

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

Be it enacted, etc., That the provisions of section 6 of the act approved February 27, 1925 (43 Stat. 1008), as amended by section 5 of the act approved March 2, 1929 (45 Stat. 1478), which make invalid contracts of debt entered into by certain members of the Osage Tribe of Indians, shall not apply to any debt contracted pursuant to title III of the Servicemen's Readjustment Act of 1944 by any member of such tribe who, by reason of his service in the armed forces of the United States during World War II, is eligible for the benefits of such title III; and any other member of the Osage Tribe upon attaining the age of 21 years may contract a valid debt without approval of the Secretary of the Interior: *Provided*, That the Osage lands and funds and any other property which has heretofore or which may hereafter be held in trust or under supervision of the United States for such Osage Indians not having a certificate of competency shall not be subject to forced sale to satisfy any debt or obligation contracted or incurred prior to the issuance of a certificate of competency.

With the following committee amendment:

On page 2, line 10 after "to", insert "lien, levy, attachment, or."

The committee amendment was agreed to.

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

PEANUT MARKETING QUOTAS

The Clerk called the bill (H. R. 4124) to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

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

Mr. CARROLL. Reserving the right to object, Mr. Speaker, I should like to have an explanation of the bill.

Mr. PACE. The Secretary of Agriculture under the authority of the Agricultural Adjustment Act has proclaimed peanut marketing quotas for the 1948 crop. Under the present law the penalty for excess production of peanuts is 3 cents per pound. This bill changes the penalty to 50 percent of the support price, as is now provided in the case of wheat, cotton, and corn.

Second, it defines the marketing quota as the actual production on the allotted acreage. The present law provides for either the actual production or the normal yield. This change is necessary because throughout the war no records have been kept on yields. Therefore, there could be no way of testing the normal yield requirement.

Mr. H. CARL ANDERSEN. Does this have the unanimous approval of the gentleman's committee?

Mr. PACE. It does. The gentleman from Virginia [Mr. HARDY] is author of the bill and it carries the recommendation of the Department of Agriculture. They regard these changes as necessary to effectively carry out the program in 1948.

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

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

Be it enacted, etc., That section 358 of the Agricultural Adjustment Act of 1938, as amended (U. S. C., title 7, sec. 1358), is amended by striking the last sentence of subsection (d) and inserting in lieu thereof the following: "The amount of the marketing quota for each farm shall be the actual production of the farm acreage allotment, and no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm."

SEC. 2. Section 359 of the Agricultural Adjustment Act of 1938, as amended (U. S. C., title 7, sec. 1359), is amended as follows:

(1) By changing the first sentence of subsection (a) to read as follows: "The marketing of any peanuts in excess of the marketing quota for the farm on which such peanuts are produced, or the marketing of peanuts from any farm for which no acreage allotment was determined, shall be subject to a penalty at a rate equal to 50 percent of the basic rate of the loan (calculated to the nearest tenth of a cent) for farm marketing quota peanuts for the marketing year August 1–July 31).

(2) By striking out the last sentence of subsection (a) and inserting in lieu thereof the following: "Peanuts produced in a calendar year in which marketing quotas are in effect for the marketing year beginning therein shall be subject to such quotas even though the peanuts are marketed prior to the date on which such marketing year begins. If any producer falsely identifies or fails to account for the disposition of any peanuts, an amount of peanuts equal to the normal yield of the number of acres harvested in excess of the farm acreage allotment shall be deemed to have been marketed in excess of the marketing quota for the farm, and the penalty in respect thereof shall be paid and remitted by the producer. If any amount of peanuts produced on one farm is falsely identified by a representation that such peanuts were produced on another farm, the acreage allotments next established for both such farms shall be reduced by that percentage which such amount was of the respective farm marketing quotas, except that such reduction for any such farm shall not be made if the Secretary through the local committees finds that no person connected with such farm caused, aided, or acquiesced in such marketing; and if proof of the disposition of any amount of peanuts is not furnished as required by the Secretary, the acreage allotment next established for the farm on which such peanuts are produced shall be reduced by a percentage similarly computed.

(3) By striking subsection (b) and redesignating subsections (c), (d), (e), (f), and (g), as subsections (b), (c), (d), (e), and (f), respectively.

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.

FORT SUMNER IRRIGATION DISTRICT, N. MEX.

The Clerk called the bill (H. R. 3834) to authorize a project for the rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes.

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

Be it enacted, etc., That, for the purpose of providing water for the irrigation of approximately 6,500 acres of arid lands on the Pecos River in New Mexico, the Secretary of the Interior is hereby authorized to rehabilitate, operate, and maintain in accordance with the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) the irrigation system of the Fort Sumner irrigation district of New Mexico and to construct all necessary works incidental thereto: *Provided*, That the project shall not be initiated until contracts satisfactory to the Secretary of the Interior shall have been executed with—

(a) An irrigation or conservancy district, satisfactory in form and powers to the Secretary and embracing the lands of the project as determined by him, obligating the district, among other things, (i) to repay to the United States without interest the cost of rehabilitating and constructing the project, the terms to be such as will secure repayment as rapidly as, in the judgment of the Secretary, the district can reasonably be expected to make repayment and, in any event, within the useful life of the project; (ii) to pay for or otherwise provide adequate operation and maintenance, including replacements, of the project works during the period of the contract; and (iii) to furnish the Secretary with such control over and access to project works which are owned by or within the control of the district as he may require in order to safeguard the investment of the United States in the project; and

(b) The holder or holders of at least 90 percent of the outstanding general obligation bonds of the Fort Sumner irrigation district providing for such refinancing or cancellation of those bonds and scheduling of payments of principal and interest called for thereby as the Secretary believes necessary in order to insure fulfillment of the obligations required under (a) above.

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.

MISSION POINT LIGHTHOUSE RESERVATION, GRAND TRAVERSE COUNTY, MICH.

The Clerk called the bill (H. R. 3619) relating to the sale of the Mission Point Lighthouse Reservation, Grand Traverse County, Mich.

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

Be it enacted, etc., That, notwithstanding the provisions of the Surplus Property Act of 1944 or of any other law, the Federal Works Administrator is hereby authorized, in his discretion, to sell all that tract or parcel of land lying in lots 1 and 2 of section 23, township 30 north, range 10 west, in the county of Grand Traverse and State of Michigan, containing five and thirty-eight one-hundredths acres of land, more or less, together with all buildings, structures, and improvements thereon (known as the Mission Point Lighthouse Reservation), in the manner and subject to the terms and conditions provided in the act entitled "An act to authorize the sale of Federal buildings," approved August 26, 1935 (U. S. C., 1940 ed., title 40, sec. 345b).

With the following committee amendment:

Page 1, line 5, after "sell", insert "for use as a public park."

The committee amendment was agreed to.

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

RETIREMENT OF REGULAR ARMY PERSONNEL

The Clerk called the bill (H. R. 2744) 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.

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

Mr. JOHNSON of California. Mr. Speaker, reserving the right to object, I would like to explain what this bill does and would appreciate it if the gentleman would withhold his request.

Mr. KEAN. Mr. Speaker, this bill is going to cost $6,000,000 and establishes a very important policy. I do not think it ought to be on the Consent Calendar. It involves $6,000,000 and perhaps a great deal more.

Mr. JOHNSON of California. Mr. Speaker, the bill under consideration was given exhaustive hearings in the Seventy-eighth Congress. Also it does not involve a cost of $6,000,000 a year till 1957. The cost in 1948 will be about $1,500,000.

Mr. KEAN. If the gentleman will pardon an interruption, that is a very good reason why the bill should also have the exhaustive attention of the House and not be considered on the Consent Calendar.

Mr. JOHNSON of California. Mr. Speaker, if I may explain the bill, you may agree that it could properly be passed by consent. We had very exhaustive hearings on the bill in this Congress. The bill passed the last Congress in almost the identical form, by a unanimous vote. The cost of this bill to which the gentleman objects is estimated at $1,500,000 a year starting in 1948 and going up to $6,500,000 in 10 years.

The bill provides briefly for a plan to eliminate incompetent and inefficient Regular Army officers. That is a problem that the War Department has been struggling with for 27 years. We think we have a good solution for that problem, a solution which will make money for the Government.

The second part of the bill provides for a retirement plan for the Regular Army, raising the present retirement from 15 years to a minimum of 20 years and providing for 2½ percent of the pay of the rank of the individual at the time of retirement, but not more than 75 percent of the pay of the rank at retirement.

The third part of the bill is the important part, in view of the explosive and dangerous conditions in which we find ourselves today. We provide a general plan of retirement for the Reserve components of the Army and Navy. That is something that has never been done before, and we believe it will provide the reserves which will keep America ready for trouble at any time. This is a plan to allow us later to reduce our Regular Army Establishment. This will provide for nominal amounts of retirement pay at the time the man reaches the age of 60 years, providing that he has a minimum of 20 years of service in the Reserve component, at least three of which have been in active service.

It is a very important bill. It is a bill that has had considerable thought, and exhaustive hearings have been held on it. It was recommended by every single group in our country that is interested in national defense.

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

Mr. JOHNSON of California. I yield.

Mr. CARROLL. Does not the gentleman believe that by the very nature of this bill and its importance that it ought to be discussed fully by the membership of this body?

Mr. JOHNSON of California. It means putting the bill over to next winter and delaying the matter 6 months.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN]?

There was no objection.

SECRETARY OF THE INTERIOR

The Clerk called the bill (H. R. 3043) to provide for the transfer of certain lands to the Secretary of the Interior, and for other purposes.

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

Be it enacted, etc., That in order to promote the orderly development and use of the lands and interests therein acquired by the United States in connection with the Crab Orchard Creek project and the Illinois ordnance plant in Williamson, Jackson, and Union Counties, Ill., consistent with the needs of agriculture, industry, recreation, and wildlife conservation, all of the interests of the United States in and to such lands are hereby transferred to the Secretary of the Interior for administration, development, and disposition, in accordance with the provisions of this act.

SEC. 2. All of the lands transferred to the Secretary of the Interior, pursuant to the provisions of this act, first shall be classified by him with a view to determining, in cooperation with Federal, State, and public or private agencies and organizations, the most beneficial use that may be made thereof to carry out the purposes of this act, and thereafter such lands as may be properly utilized for the development of agricultural, industrial, and related purposes shall be sold or otherwise disposed of at such times and under such terms and conditions, including exchange as authorized by section 302 of the act of June 15, 1935 (49 Stat. 381; 16 U. S. C. 715d-1), as are deemed to be in the best interests of the United States and consistent with the purposes of this act. All lands not sold or otherwise diposed of shall be administered by the Secretary of the Interior, through the Fish and Wildlife Service, as a wildlife management area in accordance with and subject to the provisions of, the act of August 14, 1946, and acts supplementary thereto and amendatory thereof.

SEC. 3. All moneys received by the Secretary of the Interior from the sale or other disposition of lands in accordance with the provisions of this act, shall be credited to the then current appropriations for the

administration of wildlife refuges and shall remain available until expended for the administration, maintenance, and development of such of the lands as are made available by this act for administration as a wildlife management area.

With the following committee amendments:

Page 2, line 8, after the words "purposes of this act", strike out the remainder of section 2 and insert in lieu thereof the words "including the development of wildlife conservation, agricultural, recreational, industrial, and related purposes. Such lands as have been or may hereafter be determined to be chiefly valuable for industrial purposes shall be leased for such purposes at such times and under such terms and conditions as are consistent with the general purposes of section 2 of the Surplus Property Act of 1944, as amended, and with the purposes of this act. Except to the extent otherwise provided in this act, all lands herein transferred shall be administered by the Secretary of the Interior through the Fish and Wildlife Service in accordance with the provisions of the act of August 14, 1946 (Public Law 732, 79th Cong.) and acts supplementary thereto and amendatory thereof for the conservation of wildlife, and for the development of the agricultural, recreational, industrial, and related purposes specified in this act."

Page 2, line 23, strike out the words "sale or other disposition of lands," and insert in lieu thereof the words "lease of lands chiefly valuable for industrial purposes."

The committee amendments were agreed to.

Mr. COLE of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: Page 3, line 12, the period at the end of section 2, as reported by the Committee on Merchant Marine and Fisheries, is changed to a colon, and the following is added: "*Provided*, That no jurisdiction shall be exercised by the Secretary of the Interior over that portion of such lands and the improvements thereon which are now utilized by the War Department directly or indirectly until such time as it is determined by the Secretary of War that utilization of such portions of such lands and the improvements thereon directly or indirectly by the War Department is no longer required: *Provided further*, That, subsequent to the determination referred to in the preceding proviso, the lands and improvements mentioned therein shall be administered by the Secretary of the Interior, and any lease or other disposition thereof shall be made subject to such terms, conditions, restrictions, and reservations imposed by the Secretary of War as will, in the opinion of the Secretary of War, be adequate to assure the continued availability for war-production purposes of such lands and improvements."

The amendment was agreed to.

Mr. COLE of New York. Mr. Speaker, I offer another amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: On page 3, line 13, strike out all of section 3.

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.

SUPPORT PRICE FOR MILK

The Clerk called the bill (H. R. 3370) to direct the Secretary of Agriculture to support the price of milk at not less than $3.10 per hundred pounds.

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

Mr. KEAN. Mr. Speaker, this involves a question of policy, and I ask unanimous consent that the bill be passed over without prejudice.

Mr. MURRAY of Wisconsin. Mr. Speaker, reserving the right to object, I think in fairness at least the committee ought to know what the bill provides.

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

Mr. MURRAY of Wisconsin. I yield.

Mr. WOLCOTT. This does not change policy at all.

Mr. KEAN. It puts milk in with all of the other things.

Mr. WOLCOTT. No; it does not. Milk already comes under the terms of the Steagall amendment. Any commodity where the Secretary of Agriculture has asked the farmers to expand their production for war purposes comes under the Steagall amendment, and the support price is 90 percent of that parity. All we ask in this case is that the Secretary of Agriculture set parity on milk so that a support price can be determined. The price of milk at the present time is above what the support price would be anyway. So this is merely for future use, compelling the Secretary of Agriculture to take such action as he is supposed to take under the Steagall amendment, and has never taken. It does not change any policy at all. It merely reaffirms the policy which has been in existence for 3 or 4 years.

Mr. KEAN. How much will this bill increase the cost of milk to the children in my district?

Mr. WOLCOTT. Not a cent.

Mr. KEAN. Who is going to benefit, then?

Mr. WOLCOTT. The farmer is going to benefit from knowing exactly what the support price of milk really is, and the farmer will know whether he should produce milk or not.

Mr. MURRAY of Wisconsin. Mr. Speaker, I am sure there is nothing in this bill that should be objected to. The original bill set $3.10, because, in April, when I put the bill in the hopper, that was 90 percent of parity for milk. I was not trying to get 100 percent or 150 percent, like some crops have. Since that date the committee, in its wisdom, has changed the bill as introduced by me, and I agreed to the substitute. The chairman, the gentleman from Michigan, the Honorable JESSE WOLCOTT, and the Banking and Currency Committee voted this bill out without a dissenting vote. It does not fix the price in dollars and cents, but it sets up the formula that is in the present law. In April 1947 the support price on milk was not being put into effect according to the law of the land. That is, milk was not bringing the farmer 90 percent of parity guaranteed by law. Milk prices were in a nose dive in April. Since that time conditions in this country have changed so that at the present time 90 percent of parity would be some $3.40 to $3.50. It has nothing to do with the cost of living. I am not trying to get one cent out of anyone except what the law of the United States says. I want it to apply to milk just the same as to the rest of the commodities, and remember that milk is over 20 percent of American agriculture.

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

Mr. MURRAY of Wisconsin. Yes; I yield to the gentleman from Massachusetts.

Mr. HERTER. Do I understand the amended bill no longer fixes the price at $3.10, but at 90 percent of parity?

Mr. MURRAY of Wisconsin. The gentleman is right. Three dollars and ten cents was 90 percent of parity the day it was introduced. The formula set up now is only in keeping with the present law.

Mr. HERTER. Then the price that is set here is not according to the Steagall amendment, which was not less than 90 percent of parity?

Mr. MURRAY of Wisconsin. This bill states the support price is "not less than 90 percent of parity" which is the law.

Mr. HERTER. It may be a variable, 90 percent of parity, or anything above that?

Mr. MURRAY of Wisconsin. The gentleman is correct. The law says "not less than 90 percent of parity" but does not fix the floor at 90 percent of parity.

Mr. HERTER. Is that what the gentleman would agree is the proper formula?

Mr. MURRAY of Wisconsin. For general purposes; but the gentleman is not going to be led into a discussion of any other particular crop or farm product.

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

Mr. MURRAY of Wisconsin. I yield.

Mr. JAVITS. How does this change existing laws?

Mr. MURRAY of Wisconsin. It does not change it.

Mr. JAVITS. Then what is the need for it?

Mr. MURRAY of Wisconsin. It is needed to see that the law is properly administered. Anyone who has been a Member of this House many years knows that the Steagall amendment was the greatest piece of agricultural legislation passed by this Congress in 20 years. We heard a lot about agriculture last week. However, under the Steagall amendment the farmer gets cash on the barrelhead the day he gets the check for the product he sells. The law was passed as brought out by the Banking and Currency Committee but it has not been properly followed. One reason we do not have pork today is because the Steagall amendment was not followed in 1943 and 1944. Hog numbers dropped from over 80,000,000 to 56,000,000 the past 4 years. The Steagall amendment was a part of the first OPA Act. Later, by the LaFollette-Taft amendment to the Commodity Credit Corporation, the life of this Corporation was extended. This LaFollette-Taft amendment insisted that the law on supporting these prices at not less than 90 percent of parity be fulfilled. During those days they allowed the packers of this country to buy light hogs for 50 and 60 percent of parity and then sell the products of those hogs as if they were from hogs they had paid 13 cents for. That was the basis on which they paid the packers the subsidy. This does not

increase the cost of living 1 cent. It merely requires them to conform to the law.

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

Mr. MURRAY of Wisconsin. I yield.

Mr. COLE of New York. The effect of the bill in brief is to require the Secretary of Agriculture to announce in advance the support price in accordance with law and to require that the support price as announced shall last for a period of 3 months.

Mr. MURRAY of Wisconsin. The gentleman is correct.

Mr. JAVITS. Mr. Speaker, will the gentleman yield further?

Mr. MURRAY of Wisconsin. I gladly yield.

Mr. JAVITS. Can the gentleman assure me that if this bill is passed it will cause no higher support prices than now obtain under existing law? I am very much concerned about people in cities who buy milk in bottles that are suffering now from the high cost of living. I want to know if we pass this bill, categorically, if it will increase the price of milk?

Mr. MURRAY of Wisconsin. My personal opinion is that it will be following the law. It should not increase the cost to the consumer one cent, and it will give the producers the assurance that the Congress of the United States meant what it said when it passed this Steagall amendment.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. H. CARL ANDERSEN. It will simply assure to the consumers that there will be sufficient production to assure them food in the future. Without knowing that he is going to get a reasonable support price the farmer may not be interested in producing certain commodities and you will find a shortage. You are apt to have a milk famine in this country.

Mr. MURRAY of Wisconsin. I wish to say to the gentleman from Minnesota that I have appreciated his counsel in connection with this legislation. I know he realized the discrimination to which certain milk producers were being subjected.

Mr. JAVITS. Will it increase the present price for milk?

Mr. MURRAY of Wisconsin. No. Milk prices may go up for other reasons, or they may go down, but this bill will not cause an increase in the price of milk.

Mr. JAVITS. The answer is "No"?

Mr. MURRAY of Wisconsin. The answer is "No, that it should not"; and it will insure a plentiful supply of milk in the cities some day when you otherwise might not be able to get it.

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

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

Be it enacted, etc., That the secretary of Agriculture shall use the funds available to him for carrying out the purposes of section 4 (a) of the act entitled "An act to extend the life and increase the credit resources of the Commodity Credit Corporation, and for other purposes", approved July 1, 1941, as amended (relating to supporting the prices of nonbasic agricultural commodities), so as to support, until and including December 31, 1948, a price for the producer of milk for manufacturing purposes of not less than $3.10 per hundred pounds, at the farm, with appropriate, use, location, and seasonal differentials.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof: "That the Secretary of Agriculture is hereby directed to announce the support price for all milk produced in the United States until December 31, 1948. The announced support price shall be for a period of 3 months or 6 months. The announced support price shall be 'at not less than 90 percent of parity' and shall include all milk regardless of its ultimate use. The Secretary of Agriculture is directed to make this announcement within 60 days after the effective date of this act."

The committee amendment was agreed to.

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

The title of the bill was amended so as to read: "A bill to direct the Secretary of Agriculture to support the price of milk at not less than 90 percent of parity."

A motion to reconsider was laid on the table.

EXTENSION OF BANKHEAD-JONES AND SOIL CONSERVATION ACTS TO VIRGIN ISLANDS

The Clerk called the bill (S. 512) to extend provisions of the Bankhead-Jones Farm Tenant Act and the Soil Conservation and Domestic Allotment Act to the Virgin Islands.

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

Be it enacted etc., That the following sections of title IV of the Bankhead-Jones Farm Tenant Act, as amended, except insofar as they affect title III of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

(a) Subsection (b) of section 41 is amended to read: "The Secretary may administer his power and duties under this act through such area finance, State, and local offices in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico and the Virgin Islands as he determines to be necessary: *Provided*, That existing regional offices shall be liquidated on or before June 30, 1947. The Secretary may authorize one office to serve the area composed of two or more States (Territories or Puerto Rico and the Virgin Islands) if he determines that the volume of business in the area is not sufficient to justify separate State offices."

(b) Section 54 is amended to read: "The provisions of this act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico and the Virgin Islands. In the case of Alaska and Puerto Rico and the Virgin Islands, the term 'county' as used in this act shall be deemed synonymous with 'Territory,' or any subdivision thereof as may be designated by the Secretary, and payments under section 33 of this act shall be made to the Governor of the Territory or to the fiscal agent of such subdivision."

SEC. 2. Subsection (a) of section 17 of the Soil Conservation and Domestic Allotment Act (49 Stat. 1151), is amended to read as follows: "This act shall apply to the United States, the Territories of Alaska and Hawaii, and the possession of Puerto Rico and the Virgin Islands, and, as used in this act, the term 'State' includes Alaska, Hawaii, Puerto Rico, and the Virgin Islands."

SEC. 3. All acts or parts of acts in conflict herewith are hereby repealed.

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.

AMENDING THE PLANT QUARANTINE ACT

The Clerk called the bill (S. 338) to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section.

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

Be it enacted, etc., That the Plant Quarantine Act approved August 20, 1912, as amended, be amended by adding thereto a new section, as follows:

"SEC. —. In order to protect American agriculture, horticulture, and forestry from injurious insect pests and plant diseases new to or not widely prevalent or distributed within and throughout the United States the Secretary of Agriculture is authorized to limit entry of nursery stock and bulbs from foreign countries to that needed for propagation purposes, under such rules and regulations as he may deem necessary, including the requirement, if necessary, that such nursery stock and bulbs be grown under postentry quarantine by or under the supervision of the United States Department of Agriculture for the purpose of determining whether imported nursey stock or bulbs may be infested or infected with plant pests not discernible by port-of-entry inspection and provided that if imported nursey stock or bulbs are found to be infested or infected with such plant pests, he is authorized to prescribe remedial measures as he may deem necessary to prevent the spread thereof."

With the following committee amendments:

Page 1, line 4, strike out the words "adding thereto a new section" and insert in lieu thereof the words "substituting a colon for the period at the end of section 1, and by adding thereto a new proviso."

Page 1, line 6, strike out all of lines 6, 7, and 8, and the first five words of line 9, and insert in lieu thereof the words "*And Provided further*, That."

Page 1, line 10, strike out the words "and bulbs."

Page 1, line 11, strike out the words "to that needed for propagation purposes."

Page 2, line 3, strike out the words "and bulbs."

Page 2, line 6, strike out the words "or bulbs."

Page 2, line 8, strike out the words "or bulbs are" and insert in lieu thereof the word "is."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding a new proviso to section 1."

A motion to reconsider was laid on the table.

CONVEYING A PART OF SANTA ROSA ISLAND, FLA., TO ESCAMBIA COUNTY, FLA.

The Clerk called the bill (H. R. 3417) to provide for the conveyance to Escambia County, State of Florida, of a portion of Santa Rosa Island which is under the jurisdiction of the War Department.

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

Be it enacted, etc., That the Secretary of War is authorized and directed to donate and convey to Escambia County, State of Florida, all the right, title, and interest of the United States in and to that portion of Santa Rosa Island, Fla., lying in township 3 south, ranges 29 west and 30 west, which is under the jurisdiction of the War Department, excepting Old Fort Pickens and that part of Fort Pickens and Santa Rosa Island between Old Fort Pickens and Coast Guard station which shall be designated by the Secretary of War for harbor defense purposes.

SEC. 2. The property acquired pursuant to section 1 shall be retained by the said Escambia County and be used by it for such purposes as it shall deem to be in the public interest or be leased by it from time to time in whole or in part or parts to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying said property back to the Federal Government or to the State of Florida or any agency thereof.

With the following committee amendment:

Delete section 1 and substitute therefor the following new section:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is authorized and directed to donate and convey to Escambia County, State of Florida, all the right, title, and interest of the United States in and to the Fort Pickens Military Reservation, lying in township 3 south, ranges 29 and 30 west, Santa Rosa Island, Fla., determined by the Secretary of War to be surplus to the needs of the War Department, excepting that portion of the reservation known as Old Fort Pickens."

The committee amendment was agreed to.

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

CONVEYING PART OF SANTA ROSA ISLAND, FLA., TO OKALOOSA COUNTY, FLA.

The Clerk called the bill (H. R. 3735) to authorize and direct the Secretary of War to donate and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., and for other purposes.

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

Be it enacted, etc., That the Secretary of War is authorized and directed to donate and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., extending 1 mile east from Brooks Bridge on United States Highway 98 near the town of Fort Walton, Fla., and 2 miles west from said bridge, and to that part of Santa Rosa Island which lies east of the new channel at East Pass, said property being under the jurisdiction of the War Department.

SEC. 2. The property herein described shall be retained by the said Okaloosa County and shall be used by it for such purposes as it shall deem to be in the public interest or be leased by it from time to time in whole or in part or parts to such persons and for such purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always would be subject to regulation by said county whether leased or not leased, but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying the said property back to the Federal Government or to the State of Florida or any agency thereof.

SEC. 3. It is herein provided that the above-described lands are subject to valid existing rights, including those arising out of a lease granted to the Island Amusement Co. by Escambia County, Fla., on September 10, 1929, and subsequently modified.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Secretary of War is authorized and directed to donate and convey to Okaloosa County, State of Florida, for public recreational purposes, and subject to the further limitations and restrictions, hereinafter enumerated, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., extending 1 mile east from Brooks Bridge on United States Highway No. 98 near the town of Fort Walton, Fla., except for a strip of land 600 feet wide (300 feet east and 300 feet west from center line of road leading to radar site "Dick") extending from Highway No. 98 to the mean low water level of the Gulf of Mexico, and 2 miles west from said bridge, and to that part of Santa Rosa Island which lies east of the new channel at East Pass (consisting of two small islands), said property being under the jurisdiction of the War Department. The deed of conveyance of said property by the Federal Government will contain the following limitations and restrictions:

"a. That said property shall be used only for public recreational purposes.

"b. That climb-proof, chain-link fences 8 feet in height, with three strands of barbed-wire (three barbs) at the top, together with necessary gates, be constructed by and at the expense of Okaloosa County, its successors or assigns, one at the westerly limit of area conveyed, and a second surrounding the immediate area of radar site "Dick."

"c. That the Federal Government reserves the free right of ingress and egress in, on, and over the above-described property to other Federal Government property.

"d. That the Federal Government reserves an avigation easement in perpetuity, prohibiting the erection of any structure or obstacle in excess of 75 feet above mean low-water level within the area to be conveyed.

"e. That in the event of a national emergency the United States of America, acting through the Secretary of War, shall have the right to take over from Okaloosa County, its successors or assigns, complete control and operation of the property herein described for such use and for such length of time as the emergency shall require, in the discretion of the Secretary of War; without rental or other charge as far as Okaloosa County is concerned but subject to all valid existing private rights in and to the said property or any part or parts thereof: *Provided*, That just compensation shall be given to the owners, lessees, or other persons interested for the taking of control or operation of, or rights in, improvements of said property.

"f. That cost of any surveys that will be necessary in connection with the conveyance of said land shall be borne by the county of Okaloosa, its successors or assigns.

"g. The public recreational purposes provided for herein shall include the erection and operation by private persons, for profit, of houses, hotels, restaurants, cafes, bathhouses, casinos, night clubs, and other enterprises and usages usual to beach resorts and resort housing developments.

"SEC. 2. The property herein described shall be retained by the said Okaloosa County and shall be used by it only for such public recreational purposes as it shall deem to be in the public interest or be leased by it from time to time, in whole or in part or parts to such persons and only for such public recreational purposes as it shall deem to be in the public interest and upon such terms and conditions as it shall fix and always to be subject to regulation by said county whether leased or not leased, but never to be otherwise disposed of or conveyed by it: *Provided*, That nothing herein shall prevent the said county from conveying the said property back to the Federal Government, or, subject to the limitations and restrictions hereinbefore indicated, to the State or Florida or any agency thereof; any such conveyance to be subject to all valid rights of third parties then existing or outstanding.

"SEC. 3. In the event that the land conveyed pursuant to this act shall be used for any purpose other than for public recreational purposes as herein defined, or shall cease to be used for such purposes, title to said land shall revert to the United States. The county of Okaloosa shall be obligated to require compliance with all of the other restrictions and limitations enumerated in this act. And the said county shall, in all its leases of the said property, or part, or parts thereof, provide that in the event of a failure on the part of the lessee or lessees, heirs, successors, or assigns, to comply with such restrictions and limitations, all the rights, titles, and interests of such noncomplying lessee or lessees, heirs, successors, or assigns shall be forfeited, and shall revert to the county of Okaloosa to be held subject to the terms and provisions of this act.

"SEC. 4. It is herein provided that the above-described lands are subject to valid existing rights, including those arising out of a lease granted to the Island Amusement Co. by Escambia County, Fla., on September 10, 1929, and subsequently modified."

The committee amendment was agreed to.

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

RAILROAD RETIREMENT BOARD

The Clerk called the bill (H. R. 3632) to extend the time within which applications may be made to the Railroad Retirement Board for certain refunds from the Unemployment Trust Fund.

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

Be it enacted, etc., That the act entitled "An act to provide for refunds to railroad employees in certain cases, so as to place the various States on an equal basis, under the Railroad Unemployment Insurance Act, with respect to contributions of employees," approved August 2, 1946 (Public Law 599, 79th Cong.), is hereby amended by striking out "12 months" and inserting in lieu thereof "2 years."

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.

REPRESENTATION OF AMERICAN SMALL BUSINESSMEN

The Clerk called Senate Concurrent Resolution 14.

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

Whereas the 3,650,000 small business concerns in the United States are owned and operated, on the average, by two and one-half persons, or a total of 9,125,000 persons, constituting 92 percent of our entire economy; and

Whereas these concerns employ about 65 percent of all commercial and industrial wage earners and produce about 45 percent of our entire output of commodities: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the Congress recognize the valid claim of the small businessmen of America to equal representation as an entity, with labor, agriculture, and other groups, on those Government commissions, boards, committees, or other agencies in which the interests of the American economy may be affected; and that the President of the United States, the members of the Cabinet, and other officers of the Government be, and hereby are, respectfully urged to accord the small businessmen of America representation on such Government agencies, including particularly policy-making bodies created by Executive appointment.

The Senate concurrent resolution 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.

RESEARCH INTO BASIC LAWS AND PRINCIPLES RELATING TO AGRICULTURE

The Clerk called the bill (H. R. 4110) to amend title I of the act entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935 (the Bankhead-Jones Act).

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

Be it enacted, etc., That section 11 of title I of the act entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935 (the Bankhead-Jones Act), which was added by Public Law 733, Seventy-ninth Congress, is amended by striking out the words "authorized to be" wherever they appear in that section.

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.

CONVEYANCE TO THE SAN ANTONIO MEDICAL FOUNDATION OF PORTION OF SAN ANTONIO ARSENAL

The Clerk called the bill (H. R. 2964) providing for the conveyance to the regents of the University of Texas of that portion of the San Antonio Arsenal determined to be surplus to the needs of the War Department.

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

Be it enacted, etc., That the Secretary of War is authorized and directed to convey by quitclaim dee to the regents of the University of Texas that portion of land constituting the San Antonio Arsenal, together with the buildings and other improvements thereto, and the rights and appurtenances thereto belonging or appertaining, determined by him to be surplus to the requirements of the War Department.

SEC. 2. Such conveyance shall contain a provision that said property be used for the establishment and operation of a school or branch school of medicine and other public and educational purposes; and the Secretary of War is authorized and directed to permit the city of San Antonio to provide such streets through said property as may be agreed upon by him and the city of San Antonio to be reasonable and necessary.

SEC. 3. Such conveyance shall contain the further provision that whenever the Congress of the United States shall declare a state of war or other national emergency to exist, upon the determination by the Secretary of War or the Secretary of the Navy that the property so conveyed is useful or necessary for military or naval purposes, or in the interest of national defense, the United States shall have a right to reenter upon such property and use the same or any part thereof for the duration of such state of war or other national emergency.

SEC. 4. Such conveyance shall contain the further provision that if the regents of the University of Texas shall, at any time, cease to use the property so conveyed for public purposes, title thereto shall revert to the United States.

With the following committee amendments:

On page 1, lines 4 and 5, delete the words "regents of the University of Texas" and substitute in lieu thereof the words "San Antonio Medical Foundation."

On page 1, line 5, preceding the word "that", insert the words "without compensation."

On page 2, following the semicolon in line 3, delete the remainder of the section ending on line 7 and substitute in lieu thereof the following: and the Secretary of War may, in his discretion, permit the city of San Antonio to provide such streets through that portion of the property as is not declared surplus, as may be agreed upon by him and the city of San Antonio to be reasonable and necessary."

On page 2, line 15, following the word "right", insert the words "without compensation."

On page 2, line 19, delete the words "regents of the University of Texas" and substitute in lieu thereof the words "San Antonio Medical Foundation."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill providing for the conveyance to the San Antonio Medical Foundation of that portion of the San Antonio Arsenal determined to be surplus to the needs of the War Department."

A motion to reconsider was laid on the table.

AUTHORIZING CERTAIN EXPENDITURES FROM APPROPRIATIONS OF ST. ELIZABETHS HOSPITAL

The Clerk called the bill (H. R. 3870) to authorize certain expenditures from the appropriation of Saint Elizabeths Hospital, and for other purposes.

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

Be it enacted, etc., That the Federal Security Administrator is authorized to admit to St. Elizabeths Hospital in the District of Columbia, for care and treatment, beneficiaries of the Bureau of Employees' Compensation (in the Federal Security Agency) and, upon application of the Secretary of the Interior, beneficiaries of the Bureau of Indian Affairs. The cost of such care and treatment shall be paid for by the Bureau of Employees' Compensation and the Bureau of Indian Affairs, respectively.

SEC. 2. Any executive department of the Federal Government (including any agency, independent establishment, or wholly owned instrumentality thereof, and including the District of Columbia) requiring St. Elizabeths Hospital to care for patients for whom such department is responsible, shall, except to the extent that the expense of such care is authorized to be paid from appropriations to the hospital for the care of patients, pay by check to the Superintendent of the hospital, upon his request, either in advance or by way of reimbursement at the end of each calendar month or calendar quarter, such amounts as the Superintendent calculates to be due for such care on the basis of a per diem rate approved by the Bureau of the Budget. Proper adjustments of amounts which have been paid in advance on the basis of the calculations made by the Superintendent under this section shall be made monthly or quarterly, as may be agreed upon by the Superintendent of the hospital and the executive department concerned.

SEC. 3. All sums paid to the Superintendent of St. Elizabeths Hospital for the care of patients shall be deposited in the Treasury to the credit of the appropriation for the care of patients at the hospital for the year in which such care is provided.

SEC. 4. The Superintendent of St. Elizabeths Hospital is authorized to operate and maintain at the hospital necessary facilities for feeding employees and others (at not less than cost, as determined in accordance with regulations prescribed by the Federal Security Administrator), and the proceeds from such operation shall be deposited in the Treasury to the credit of the appropriation for the operation of St. Elizabeths Hospital.

SEC. 5. Appropriations for the care of persons in St. Elizabeths Hospital shall be available for expenditure for furnishing, repairing, and cleaning such wearing apparel as may be prescribed by the Superintendent of the hospital, for use by employees in the performance of their official duties; reimbursing employees, subject to regulations of the Federal Security Administrator, for the cost of repairing or replacing their personal belongings damaged or destroyed by patients while such employees are engaged in the performance of their official duties; expenses incurred in pursuing, identifying, and returning patients who escape from the hospital or from the custody of any employee, including rewards for the capture of such patients; expenses incurred in ascertaining the residence of patients whose care is not, or whose care is no longer, authorized at the hospital, and in returning such patients to their places of residence; expenses incurred in the removal of patients to their friends; and repairs and improvements to the buildings and grounds of the hospital.

With the following committee amendments:

Page 1, line 5, after "treatment", strike out "beneficiaries of the Bureau of Employees' Compensation (in the Federal Security Agency) and."

Page 1, line 9, strike out "the Bureau of Employees' Compensation and" in line 10, after "Affairs", strike out the comma.

Page 1, line 11, strike out "respectively."

Page 2, line 8, strike out "the Superintendent" and insert "St. Elizabeths Hospital."

Page 2, line 9, strike out the words "of the hospital," and in the same line strike out the word "his" and insert "the Superintendent's".

Page 2, line 13, strike out "Proper adjust-" and strike out all of lines 14, 15, 16, 17, 18, and insert:

"Bills rendered by the Superintendent on the basis of such calculations shall not be subject to audit or certification in advance of payment; but proper adjustment of amounts which have been paid in advance on the basis of such calculations shall be made monthly or quarterly, as may be agreed upon by the Superintendent of the hospital and the executive department concerned."

Page 3, line 2, strike out "in accordance with regulations" and in line 3, strike out "prescribed."

Page 3, line 23, strike out the words "repairs and" and insert in lieu thereof the following: "repairs, replacements, and minor."

The committee amendments were agreed to.

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

GOLD STAR LAPEL BUTTONS

The Clerk called the bill (H. R. 1544) to provide appropriate lapel buttons for widows, parents, and next of kin of members of the armed forces who lost their lives in the armed services of the United States in World War II.

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

Be it enacted, etc., That the Secretary of War and the Secretary of the Navy, acting jointly, shall formulate and fix the size, design, and composition of a lapel button (to be known as the "gold star lapel button") suitable as a means of identification for widows and parents of members of the armed forces of the United States who lost their lives in the armed services of the United States in World War II. The Secretary of War and the Secretary of the Navy shall procure for their respective departments such number of gold star lapel buttons as shall be necessary to effect distribution of such buttons in accordance with the provisions of this act.

SEC. 2. (a) Upon application to the Department of War or the Department of the Navy, as the case may be, one such gold star lapel button shall be furnished, without cost, to the widow and to each of the parents of a member of the armed forces of the United States who lost his life in the armed services of the United States in World War II.

(b) In addition to the gold star lapel button furnished in subsection (a) of this section, gold star lapel buttons shall also be furnished, upon application and the payment of an amount sufficient to cover the cost of manufacture and distribution, to the next of kin of any such deceased person, not hereinbefore designated. No such lapel button shall be sold to any person who has been furnished a lapel button under subsection (a), and not more than one button shall be sold to any one person.

(c) Gold star lapel buttons shall be distributed in accordance with rules and regulations prescribed jointly by the Secretary of War and the Secretary of the Navy.

SEC. 3. As used in this act, (a) the term "widow" shall include widower; (b) the term "parents" shall include mother, father, stepmother, stepfather, mother through adoption, and father through adoption; (c) the term "next of kin" shall include only children, brothers, sisters, half brothers, and half sisters; and (d) the term "children" shall include stepchildren and children through adoption.

SEC. 4. Whoever shall (1) wear, display on his person, or otherwise use as an insignia, any gold star lapel button issued to another person under the provisions of this act; (2) falsely make, forge, or counterfeit, or cause or procure to be falsely made, forged, or counterfeited, or aid in falsely making, forging, or counterfeiting any lapel button issued under this act; or (3) sell or bring into the United States, or any place subject to the jurisdiction thereof, from any foreign place, or have in his possession, any such false, forged, or counterfeited lapel button, shall be fined not more than $1,000 or imprisoned not more than 2 years, or both.

SEC. 5. Such sums are hereby authorized to be appropriated as may be necessary to carry out the purposes of this act.

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

APPOINTMENT OF CERTAIN ADDITIONAL PERMANENT MAJOR GENERALS AND BRIGADIER GENERALS

The Clerk called the bill (H. R. 2993) to authorize the appointment of certain additional permanent major generals and brigadier generals of the line of the Regular Army, and for other purposes.

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

Mr. ANDREWS of New York. Mr. Speaker, reserving the right to object, this bill is for Regular officers who were imprisoned at Corregidor with General Wainwright and who would have received these promotions had they not been there. I do not believe the gentleman desires to object.

Mr. CARROLL. How many are there?

Mr. ANDREWS of New York. There are about 12 in the bill. A similar bill went through last year and many of them were taken care of.

Mr. CARROLL. Under similar circumstances?

Mr. ANDREWS of New York. Yes.

Mr. CARROLL. Mr. Speaker, I withdraw my unanimous-consent request and object to consideration of the bill.

Mr. D'EWART. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. D'EWART. Mr. Speaker, Col. William P. Morse, for whom we seek promotion to brigadier general, has an outstanding record of fine service to his country. This promotion is richly deserved, and it is long overdue.

Colonel Morse began his active military career in 1917 when the National Guard unit of Miles City, Mont., was incorporated into the United States Army and sent to France under his command. He was then a captain, and when war ended he had been promoted to major. He elected to remain in the Regular Army, accepting a permanent commission as first lieutenant. During the years of peace he was admitted to the Army War College as the first man to be admitted who was not a graduate of the United States Military Academy.

When World War II began Morse was a permanent colonel in the Infantry. He held an assignment in the Philippines and was there when war began. He commanded a division in that campaign—the command of a brigadier general. Twice during the Philippine engagement General Wainwright recommended Colonel Morse for promotion to brigadier general. Apparently the recommendation never got through to Washington because of the chaotic condition of communications from that beleaguered battleground.

Colonel Morse went into captivity with General Wainwright and suffered all the horrors of the Japanese prison camps for 39 months. He was rescued along with General Wainwright and, after spending many months in the hospital, has returned to active duty with the Army and is now senior officer of the Army Retiring Board at McCornack General Hospital in California.

Over a period of 10 years prior to World War II, Colonel Morse had an efficiency rating 6.2. Seven is perfect.

When the war ended and General Wainwright had recovered from the effects of his captivity, he recommended Colonel Morse for promotion to brigadier general. This recommendation was concurred in by Major General Sharp, now deceased. Unfortunately, no action was taken, for Colonel Morse's name did not appear on the promotion list. His name was again missing when, during the last session of Congress, a bill was considered and passed by both Houses, though it failed of enactment, to promote certain officers who had been imprisoned with General Wainwright. This bill was amended to include the name of Col. Kearie L. Berry, but Colonel Morse was apparently forgotten. The records of Colonel Berry and Colonel Morse are substantially the same, except that Colonel Morse had the higher efficiency rating.

It should be remembered that all of the officers who performed service in the Philippine campaign similar to that of Colonel Morse, and who were fortunate enough to have their recommendations for promotion forwarded to Washington prior to the surrender, were given permanent promotions. Colonel Morse certainly deserves similar consideration.

AUTHORIZING CITY OF PIERRE, S. DAK., TO TRANSFER FARM ISLAND TO THE STATE OF SOUTH DAKOTA

The Clerk called the bill (H. R. 3874) to authorize the city of Pierre, S. Dak., to transfer Farm Island to the State of South Dakota, and for other purposes.

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

Be it enacted, etc., That the consent of Congress is hereby granted to the transfer from the city of Pierre, S. Dak., to the Department of Game, Fish, and Parks of the State of South Dakota, of all or any part of the right, title, and interest of the said city of Pierre in and to Farm Island, an island in the Missouri River in Hughes County, S. Dak., which was granted by the United States to said city of Pierre by section 21 of the act entitled "An act to divide a portion of the reservation of the Sioux Nation of Indians in Dakota into separate reservations and to secure the relinquishment of the Indian title to the remainder, and for other purposes," approved March 2, 1889 (25 Stat. 896), in accordance with Resolution No. 376 of the city of Pierre, S. Dak., adopted by the board of city commissioners of said city on July 2, 1946, by which said commissioners did resolve as follows:

"Be it resolved by the city of Pierre, S. Dak., That the city of Pierre, S. Dak., hereby transfers, assigns, and gives all of its right, title, and interest in and to Farm Island, Hughes County, S. Dak., an island in the Missouri River, to the Department of Game, Fish, and Parks of the State of South Dakota, on the condition that the said Farm Island shall be used by the Commission of Game, Fish, and Parks for such purposes as are now or may hereinafter be authorized by the laws of the State of South Dakota, exclusive of said

Commission's right to sell the property of the said Department of Game, Fish, and Parks: *Provided*, That this assignment, transfer, and gift shall in no way disturb or alter the rights of the Sunshine Chapter of the Izaak Walton League, the Boy Scouts of America, and the Girl Scouts of America, to the several tracts on said Farm Island now occupied by said organizations by virtue of license, lease, or otherwise from the said city of Pierre: *Provided further*, That this assignment, transfer, and gift is subject to the consent, acceptance, confirmation, and acquiescence of the Congress of the United States of America.";

and in accordance with the resolution of the State Game, Fish, and Parks Commission of the State of South Dakota, dated December 16, 1946, by which said commission did resolve as follows:

"Whereas the city of Pierre, S. Dak., transferred, signed, and gave all of its right, title, and interest in and to Farm Island, Hughes County, S. Dak., an island in the Missouri River, to the Department of Game, Fish, and Parks of the State of South Dakota, on the condition that the said Farm Island shall be used by the game, fish, and parks commission for such purposes as are now or may hereinafter be authorized by the laws of the State of South Dakota, exclusive of said commission's right to sell the property of the Department of Game, Fish, and Parks of the State of South Dakota:

"Be it resolved, by the Game, Fish, and Parks Commission of the State of South Dakota, That the assignment, transfer, and gift by the city of Pierre, S. Dak., of its interest in Farm Island to the Department of Game, Fish, and Parks as evidenced by Resolution No. 376 adopted by the Board of City Commissioners of said city of Pierre on July 2, 1946, be, and the same is hereby, accepted;

"Be it further resolved, That the acceptance of said assignment shall in no way disturb or alter the rights of the Sunshine Chapter of the Izaak Walton League of America, the Boy Scouts of America, and the Girl Scouts of America, to the several tracts of said Farm Island now occupied by said organizations by virtue of license, lease, or otherwise, from the city of Pierre: *Provided further*, That the acceptance of this assignment, transfer, and gift is subject to the consent, acceptance, confirmation, and acquiescence of the Congress of the United States of America.": *Provided*, That said transfer shall be on the express condition that said Farm Island shall be used only for such purposes as are now or may hereinafter be authorized by the laws of the State of South Dakota, exclusive of said commission's right to sell the property of said Department of Game, Fish, and Parks of the State of South Dakota, and upon the failure of said condition the said island shall revert to the United States, to be disposed of by future legislation only."

SEC. 2. The proviso in section 1 and sections 2, 3, 4, and 5 of the act of August 16, 1937 (50 Stat. 648), as amended by the act of June 17, 1940 (54 Stat. 540), are hereby repealed, and exclusive civil, criminal, and administrative jurisdiction of the said Farm Island shall be in the State of South Dakota on and after the passage and approval of this act.

With the following committee amendments:

Page 4, line 12, after the word "America" and before the colon insert a period followed by quotation marks.

Page 4, line 15, strike out the word "hereinafter" and insert the word "hereafter."

Page 4, line 21, strike the quotation marks at the end of the line.

Page 5, line 1, after the word "shall", insert "continue to."

The committee amendments were agreed to.

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

RELATING TO COMPENSATION OF ALASKA COMMISSIONERS

The Clerk called the bill (H. R. 3973) relating to the compensation of commissioners for the Territory of Alaska.

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

Be it enacted, etc., That, notwithstanding the provisions relating to fees earned by commissioners for the Territory of Alaska of section 11 of the act of June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," as amended (U. S. C., 1940 ed., title 48, sec. 116), each such commissioner shall pay to the clerk of the proper division of the court only so much of the aggregate net fees earned during the calendar year by such commissioner as exceeds the sum of $5,000.

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

AUTHORIZING LOANS FOR INDIANS

The Clerk called the bill (H. R. 2622) to authorize loans for Indians, and for other purposes.

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

Be it enacted, etc., That the Secretary of the Interior, or his designated representative, is hereby authorized, under such regulations as the Secretary may prescribe, to make loans from the revolving fund established pursuant to the acts of June 18, 1934 (48 Stat. 984), and June 28, 1936 (49 Stat. 1967), to tribes, bands, groups, and individual Indians, not otherwise eligible for loans under the said act.

With the following committee amendments:

Page 1, line 7, strike out "28" and insert "26."

At the end of the bill insert *"Provided*, That no portion of these funds shall be loaned to Indians of less than one-quarter Indian blood."

The committee amendments were agreed to.

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

CROW TRIBE TO MANAGE THEIR RESTRICTED LANDS

The Clerk called the bill (S. 1317) to give to members of the Crow Tribe the power to manage and assume charge of their restricted lands, for their own use or for lease purposes, while such lands remain under trust patents.

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

Be it enacted, etc., That, except as otherwise provided in this act, members of the Crow Tribe of Indians of Montana shall have power to use, lease, or otherwise manage their allotted lands and the allotted lands of their minor children, and to receive and manage the income therefrom, without supervision by any officer or agency of the United States.

SEC. 2. The allotted lands of members of such tribe who have been adjudged incompetent by a court or who are orphan minors shall be managed to the best interests of such members, jointly by the officer of the United States in charge of the Crow Indian Reservation and the next of kin of such persons.

SEC. 3. (a) No lease of lands for grazing or farming purposes shall be made under the authority of this act for a period longer than 5 years, except that irrigable lands under the Big Horn unit of the Crow Indian irrigation project may be leased for farming purposes for a period not exceeding 10 years.

(b) All leases of lands for farming or grazing purposes made under the authority of this act shall be recorded for public inspection at the Crow Indian Agency office.

SEC. 4. In any case in which, by reason of the number of heirs, the division of income from inherited allotted lands of members of the Crow Tribe is impracticable or involves unwarranted expense, such heirs shall be authorized to sell such lands and to receive the proceeds of such sale, but in any such sale preference shall be given to prospective purchasers who are members of such tribe. Upon any such sale, the Secretary of the Interior is authorized and directed to convey legal title to such lands to the purchaser thereof.

With the following committee amendment:

Strike out all after the enacting clause and insert "That, notwithstanding any other provision of law, any Indian who is the owner of an allotment or of other trust or restricted land under the jurisdiction of the Crow Indian Agency in Montana, after filing notice of intention with the superintendent or other officer in charge of the Crow Indian Reservation, may lease without restriction, and collect the rentals therefrom, except as specified in this act, any part of his allotment for farming or grazing purposes: *Provided, however*, That this authority shall not extend to any Crow Indian who has pledged the income from such land or has executed a power of attorney or other authorization for the leasing of such lands and the application of the income therefrom in consideration of a loan from the Crow Tribe of Indians or the United States: *And provided further*, That the provisions of this act shall not repeal or modify any of the provisions of the act of June 25, 1946 (Public Law 441, 79th Cong., 2d sess.).

"SEC. 2. Lands or interest in lands belonging to more than one Indian through inheritance or otherwise may be leased by the holder or holders of a majority in interest, but any such lease shall provide that the holders of any interest therein shall receive their proportionate share of the total compensation. Leases of inherited and devised allotments or other restricted lands may be made by the superintendent when (a) the heirs or devisees of the deceased owners have not been determined, (b) when the land is not being used by any of the heirs or devisees and the heirs have not been able within a 30-day period to agree upon a lease, and (c) when there exist claims for indebtedness against the land allowed by the Secretary of the Interior.

"SEC. 3. Lands or interests in lands belonging to minors or to persons non compos mentis may be leased or permitted by the parent, legal guardian, or natural guardian.

"SEC. 4. All leases and permits authorized by this act shall be made on forms approved by a majority vote of the Crow Tribal Council, and shall be effective and valid only after they have been recorded at the Crow Indian Agency.

"SEC. 5. The Secretary of the Interior is authorized and directed with the consent and approval by a majority vote of the Crow Tribal Council to make rules and regulations for the purpose of conservation, including the operation and management of grazing units on the principle of sustained yield, the limitation of the number of livestock to the

estimated carrying capacity of the designated range units, the full utilization of the range, the prevention of soil erosion, and like purposes. To carry out these purposes, the Secretary of the Interior, or any officer designated by him, is hereby authorized and directed to establish on the Crow Indian Reservation land use districts, zones, or units: *Provided*, That 65 percent in acreage of the Indian landholders within such district, zone, or unit shall consent in writing to the establishment thereof for a specific term not to exceed 10 years. All leases or permits within any such district, zone, or unit authorized by this act shall specify the district, zone, or unit in which the leased or permitted lands are located, and no such lease or permit within any district, zone, or unit shall be valid for any purpose or use except as authorized in the designation of the district, zone, or unit.

"SEC. 6. The Secretary of the Interior or his designated representatives, after the establishing of any such district, zone, or unit, is authorized and directed to issue permits on range units with the consent of the majority of landowners in interest in such district, zone, or unit, after public advertising for competitive bidding. The permittee shall make payment of grazing fees direct to landowners who are authorized to receive direct payments by this act. If any Indian owners of lands or interests in land shall fail or refuse to authorize the issuance of a permit on his land to the successful bidder, the permittee shall pay to the Superintendent of the Crow Indian Agency for the credit of the landowner grazing fees at the rate established for the unit by a vote of the majority of the Indian landholders within said district, zone, or unit: *Provided*, That nothing contained herein shall preclude an Indian landowner within such district, zone, or unit from using his own land and supplementing thereto by leaving additional lands for all grazing purposes.

"SEC. 7. No lease or permit authorized by this act shall be made for a longer term than 5 years.

"SEC. 8. All leases made pursuant to the provisions of this act shall not be transferable or subject to assignment or subleasing, except with the consent of the Indian lessee. No permit made pursuant hereto shall be transferable or subject to assignment without the consent of a majority of the Indian landowners within the area covered by the permit sought to be transferred or assigned.

"SEC. 9. All leases under this act shall be recorded at the Crow Indian Agency, and shall be subject to public inspection during the regular hours of the said agency."

The committee 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.

CERTIFICATES TO CERTAIN OSAGE INDIANS

The Clerk called the bill (H. R. 3326) to provide for the granting of certificates of competency to certain members of the Osage Indian Tribe in Oklahoma, and for other purposes.

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

Be it enacted, etc., That the Secretary of the Interior shall issue a certificate of competency to each member of the Osage Tribe of less than one-half Indian blood heretofore or hereafter attaining the age of 21 years, and shall thereupon pay and deliver to such member, or to his legal guardian if such member has been declared incompetent by a court of competent jurisdiction, all money, property, and funds theretofore accrued or hereafter accruing to the individual credit of such member, and all payments to the legal guardian of such member may be expended without the approval of the superintendent of the Osage Agency: *Provided*, That all restrictions against alienation of the property of every kind and character, except headright shares or interests in the Osage tribal mineral estate, of members of the Osage Tribe who now have, or may hereafter receive, a certificate of competency, are hereby removed.

With the following committee amendment:

Page 1, line 3, after the word "Interior", insert "upon request of the Indian."

The committee amendment was agreed to.

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

RECLAIMING LANDS BY DRAINAGE

The Clerk called the bill (H. R. 3538) to authorize the Bureau of Reclamation to investigate and report on projects for reclaiming lands by drainage.

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

Mr. KEAN. I object, Mr. Speaker.

SETTLEMENT OF CERTAIN PARTS OF ALASKA BY VETERANS

The Clerk called the bill (H. R. 4059) to provide for the settlement of certain parts of Alaska by war veterans.

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

Be it enacted etc., That the national interest requires the settlement and development of Alaska in order to make possible the full utilization of its resources and to further the national security by providing in the area a firm foundation of permanent residents. The national interest also requires that land be made available to veterans who desire to undertake the development of virgin territory in order to secure land for themselves and their families and that such undertakings be encouraged to an extent commensurate with their value to the Nation. Because of the remoteness and climatic conditions of Alaska, settlement there involves greater expenses, financial risks, and physical hardships than does settlement in other parts of the United States. Large-scale settlement of the Territory requires a greater inducement to the pioneer settlement than exists at present. This act is designated to provide the necessary inducement in the form of enlarged homesteads, while making certain that there will be a minimum of Government interference in the development of the land. This act shall be cited as the "Alaska Veterans' Homesteading Act of 1947."

TITLE I—DEFINITIONS

SEC. 101. As used in this act, the term "veteran" means any person who served in the armed forces of the United States during any war between the United States and any other nation, and who has been discharged or released therefrom under any conditions other than dishonorable.

TITLE II—AREA

SEC. 201. (a) Except for public lands excluded under subsection (b), public lands in the following parts of the Territory of Alaska shall be made available for settlement by veterans, notwithstanding any provision of law or regulation to the contrary.

(1) That part of the Territory of Alaska known as the Panhandle, lying south of latitude sixty degrees, thirty minutes north, and east of longitude one hundred and forty-one degrees west.

(2) That part of continental Alaska lying south of latitude sixty-three degrees north, and east of longitude one hundred and fifty-four degrees west, and south of latitude sixty-two degrees north, and longitude one hundred and sixty-seven degrees thirty minutes west.

(3) Such islands, not including Unalaska and Umnak, as lie within two hundred miles offshore of the continental area designated in paragraph (2).

(4) Areas on either side of the Alaska Highway for a distance of thirty miles.

(5) Areas on either side of the Richardson Highway in South Central Alaska, from latitude 63 degrees north to its junction with the Alaska Highway at the village of Big Delta, for a distance of thirty miles.

(6) Areas on either side of the Alaska Railroad from latitude sixty-three degrees north to Fairbanks, Alaska, for a distance of thirty miles.

(b) The following public lands, as existing on June 1, 1947, in the Territory of Alaska, are excluded from settlement under this act:

(1) National parks and monuments.

(2) Military and naval installations.

(3) Town sites.

(4) Patented lands.

(5) Certain areas already designated in detail as reserves of spruce timber necessary for national defense.

(6) Areas set apart for the support of an agricultural and mechanical college (U. S. C., 1940 edition, title 48, secs. 353, 354, and 354a).

(7) The Annette Island reservation for Metlakahtla Indians.

(8) Lands embraced in a coal, oil, or gas lease.

(9) Administrative sites.

(10) Airfields.

(11) Cemeteries and land reserved for cemeteries.

(12) Areas classified in aid of legislation.

(13) Land reserved for the Veterans' Administration, the Coast and Geodetic Survey, the Bureau of Customs, the Public Health Service, and the Alaska Road Commission.

(14) Lands reserved for the support of common schools.

(15) Lands reserved for flood and fire control, and for lighthouse, dock, and power purposes.

(16) Reservations for fish and wildlife preservation.

(17) Native reservations.

(18) Lands set aside for springs, water supply, and water-supply protection.

(19) Lands whose title is controlled and protected by title V.

TITLE III—HOMESTEAD PROVISIONS

SEC. 301. (a) That there is hereby created the Veterans' Alaska Homestead Claim which shall be not less than 320 acres, and may be of any size up to and including 1,920 acres; such size being determined by the Secretary of the Interior, taking into account the type of land, location, and various uses therefor in order that the claim shall be a unit sufficient to support a family of seven on an American standard of living: *Provided, however*, That if such claim is timberland that not more than one-tenth of such timber shall be cleared, and that the remainder be maintained on a sustained-yield basis.

(b) Such homestead claims, for the convenience of the veteran, shall be classified and designated as agricultural, fur farming, grazing, timber, or mixed agricultural, fur farming, grazing, and timber, and may be located on islands, as well on the mainland. Each such homestead shall be of a potentiality, or a composite potentiality, to support such family on such a standard.

SEC. 302. (a) To make final proof of claim, a veteran must have actually resided upon the land for 3 years: *Provided*, That each day of active duty in the armed forces served by a veteran shall, up to and including 2 years,

be accepted in full satisfaction of the residence requirement for such 2 years. Any veteran otherwise eligible, who shall have been discharged on account of wounds received or disability incurred in the line of duty, shall be credited with 2 years constructive service for purposes of this subsection.

(b) To make final proof a veteran must satisfy the Secretary of the Interior, or his duly authorized agents, that the following conditions have been met:

(1) That such claim has a habitable dwelling suitable for year-round occupancy.

(2) That the veteran is and has been living upon the land, pursuant to the terms of this act, and holds same for his own beneficial interest.

(3) That he is deriving some part of his income, or an amount equivalent to some part of an income necessary to live on such land, from the claim.

SEC. 303. (a) Upon final proof of claim by a veteran, the Secretary of the Interior shall, on behalf of the United States, issue a patent to the land comprising such claim. Such patent shall be issued under the following express conditions:

(1) That during a 5-year period which begins with the date on which the patent is issued, no part of the land covered by such patent shall be alienated except by devise, descent, tax sale, or transfer authorized under section 2288 of the Revised Statutes, as amended (U. S. C., 1940 ed., title 43, sec. 174).

(2) That during such 5-year period no part of the land covered by such patent shall be leased, except in the following instances:

(A) To a person qualified to a claim under this act.

(B) To a person, as tenant, who shall live on the land for the bona fide purposes of making a livelihood from such land.

(C) To anyone, where there is express consent by the Secretary of the Interior, it being the intent of Congress that any lease so approved will be for the further development of the resources and to encourage settlement.

(3) That the forestry practices of the Department of Agriculture requiring that all timberland, be maintained on a sustained-yield basis, shall be continued in perpetuity: *Provided, however,* That the Secretary of the Interior may, in his discretion, except a portion of the patented land from the sustained-yield perpetuity clause, when in his judgment such action will not endanger the Alaskan forests.

(4) Upon judicial determination that any of the conditions of subsection (3) has been broken, the United States shall have the right to reenter that part of the claim with respect to which the condition was broken.

SEC. 304. Nothing in this act shall be held to restrict the right of the United States to exercise eminent domain over any claims however fully perfected.

TITLE IV—ADMINISTRATIVE PROVISIONS

SEC. 401. (a) The Secretary of the Interior is authorized and directed to cause to be made comprehensive surveys of the lands made available for the veterans' homesteads by section 201: *Provided, however,* That nothing in this subsection shall prevent a veteran from entering upon land available for settlement under the provisions of this Act prior to the surveying of such land.

(b) Lands in the following areas shall be among the first to be surveyed and made available for veteran settlement in the order to be determined by the Secretary of the Interior: (1) The Portland Canal-Cape Fox-Duke Island area; (2) the Kenai Peninsula; (3) the area along the Alaska highway; (4) the Cholmondeley Sound, Moira Sound, and Kasaan areas of Prince of Wales Island; (5) Kodiak Island; (6) the area along the Richardson Highway; (7) the Cleveland Peninsula; (8) the area along the Alaska Railroad; (9) the area in the vicinity of Lisianski Inlet; (10) Afognak Island; (11) the Craig area of Prince of Wales Island; (12) the area in the vicinity of Prince William Sound; (13 Etolin Island; (14) the area in the vicinity of Tenakee Inlet and Peril Strait; (15) the Alaska Peninsula east of longitude 158 degrees west; and (16) such areas along the lower reaches of the Tanana River as may be recommended by the General Land Office of the Department of the Interior.

(c) The normal practice of limiting entry to claims in rectangular shape shall be followed where practicable, except that whenever in the discretion of the Secretary of the Interior it becomes advisable to depart from this procedure in the interest of giving the veterans claim access to water for transportation, agricultural, domestic, or other purposes, or because of the configuration of the terrain, the boundary and form of claims under this act may be adjusted for the individual veteran to provide such access to water.

SEC. 402. (a) The Secretary of the Interior is authorized to provide necessary personnel and prescribe rules and regulations to carry this act into effect, it being the intent of Congress to develop the natural resources, encourage land settlement in Alaska, and discourage speculation in public lands.

(b) The Secretary of the Interior is authorized and directed to furnish to qualified veterans, at cost, copies of the results of the surveys made.

(c) The Secretary of the Interior is authorized and directed to utilize the Fish and Wildlife Service to establish a system of registering those trap lines which originate on land on which entries have been made, or patents issued, pursuant to this act.

TITLE V—REGISTRY OF TITLE

SEC. 501. Nothing in this act shall be held to authorize the making of an entry by any person upon land (a) listed by the Bureau of Land Management as in occupancy under this or some other homestead provision of law; (b) listed by the appropriate United States commissioner as occupied, pending ripening of title; and (c) listed as owned and registered under the provisions of an act of the Legislature of the Territory of Alaska entitled "An act to require declaration of the ownership of land, to impose a penalty for noncompliance, and to dispose of the proceeds of such penalties," approved March 24, 1945.

SEC. 502. Upon completion of entry and passage of title from the United States to the veteran, the veteran shall comply with the provisions of such territorial act of March 24, 1945.

TITLE VI—LOANS

SEC. 601. Upon application by any veteran who has made homestead entry under the provisions of this act, the Reconstruction Finance Corporation may make to such veteran such a loan or loans as will be guaranteed under the provisions of title III of the Servicemen's Readjustment Act of 1944, as amended.

SEC. 602. Notwithstanding the requirement of title III of the Servicemen's Readjustment Act of 1944, as amended, that certain real-estate loans be secured by a first lien on the realty, such requirement shall be satisfied in the case of any loan made pursuant to section 601 in respect of land on which entry has been made pursuant to the provisions of this act if the loan is secured by a lien on the improvements on such land and by a lien on the personalty of the veteran to the extent legal and practicable.

TITLE VII—MISCELLANEOUS

SEC. 701. The Administrator of Veterans' Affairs shall, upon the request of the Secretary of the Interior, inform such Secretary whether or not any person who has made application for a claim or has stated in writing his intention to make such application qualifies as a veteran under the provisions of section 101.

SEC. 702. (a) Nothing in this act (other than the provisions of sec. 501) shall prevent any person qualified under the provisions of any other homestead laws from (1) making entry, (2) making final proof, or (3) receiving a patent with respect to any public land made available for settlement by section 201, upon compliance with such other law.

(b) Any veteran who, pursuant to the provisions of some other homestead law, has made or shall make entry, or has received or shall receive a patent, with respect to land in any part of the Territory of Alaska in which public land is made available for settlement by section 201 shall, upon compliance with the provisions of this act, be entitled to make entry upon and, upon final proof, to receive patent to, such additional public land in the vicinity of his original claim as will not, when added to the acreage of such original claim, exceed the relevant maximum acreage established in section 301.

SEC. 703. The first sentence of section 500 (a) of the Servicemen's Readjustment Act of 1944, as amended, is amended by striking out "incurred in service in line of duty, shall be eligible for the benefits of this title" and inserting in lieu thereof "incurred in service in line of duty, and any person who is a veteran within the definition contained in section 101 of the Alaska Veterans Homestead Act of 1947 and who has made homestead entry under the provisions of such act, shall be eligible for the benefits of this title."

SEC. 704. In the disposal under the Surplus Property Act of 1944, as amended, of all (a) surplus property located in the Territory of Alaska and (b) surplus boats and other floating equipment located in the Seattle area, the disposal agencies shall grant preference over all other disposals under such act to veterans who have made entry under this act, upon presentation of satisfactory evidence that any such veteran, or group of veterans, purchasing any such property will use it in connection with his homestead or their homesteads, or otherwise to assist in the settlement of the Territory of Alaska.

SEC. 705. In the event of the death of a veteran before patent is issued, his heirs or devisees shall succeed to the same rights that he would have had, had he lived. Acceptance of such rights shall constitute an agreement on the part of the heir or devisee to meet the tract and shall render the heir or devisee liable to the same extent as the veteran.

SEC. 706. There is hereby authorized to be appropriated, from time to time, such sums as are necessary for the surveys and for the efficient carrying out of the provisions of this act.

With the following committee amendment:

Page 2, line 6, strike out "designated" and insert "designed."

The committee amendment was agreed to.

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

VETERAN AND CAREER-SERVICE EMPLOYEES

The Clerk called the bill (H. R. 739) to provide for the protection of veterans and career-service employees in connection with reductions in force in the Federal service.

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

Be it enacted, etc., That this act shall be cited as the "Reduction in Federal Personnel Act of 1947."

SEC. 2. Whenever reductions in personnel, reductions in grade, or demotions are necessary in any Federal agency, employees shall be released, reduced, or demoted on an agency-wide basis in accordance with Civil Service Commission regulations which shall give effect to the following categories in the order listed: First, to military preference; second, to tenure of employment; third, to length of total Federal service; and, fourth, to efficiency ratings: *Provided*, That in carrying out the provisions of this act tenure of employment shall mean and be administered so that employees holding temporary appointments will be the first to be released; next to be released, reduced, or demoted will be employees with war-service appointments; next, permanent employees who have been transferred or promoted under war-service regulations effective March 17, 1942; next will be employees with probational-indefinite appointments; and next in order to be released, reduced, or demoted will be probational and permanent employees: *Provided further*, That regardless of the above categories veterans-preference employees shall be retained in any Federal agency over all other employees: *Provided further*, That employees having equal standing in any of the above categories shall be released upon the basis of their relative standing in the next lower category: *Provided further*, That the length of time spent in active service in the armed forces of the United States of each such Federal employee shall be credited in computing total length of Federal service: *Provided further*, That in any reduction in Federal personnel basis of satisfactory or unsatisfactory ratings: *And provided further*, That when any or all of the functions of any agency, or part of agency, are transferred to, or when any agency, or part of agency, is replaced by some agency, or agencies, all veteran-preference and career-service employees in the function or functions transferred or in the agency, or part of agency, which is replaced by some agency shall first be transferred to the replacing agency, or agencies, for employment in positions for which they are qualified before such agency or agencies shall appoint employees from any other source for such positions.

SEC. 3. Section 12 of the Veterans' Preference Act of June 27, 1944 (58 Stat. 390), is hereby repealed.

With the following committee amendment:

Strike out all after the enacting clause and insert: "That section 12 of the Veterans' Preference Act of 1944 (Public Law 359, 78th Cong.), is amended to read as follows:

"'SEC. 12. In any reduction in personnel, including reductions resulting from budgetary limitations or administrative reorganizations in any civilian service of any Federal agency, competing employees shall be released in accordance with Civil Service Commission regulations which shall give due effect to tenure of employment, military preference, length of service, and efficiency ratings: *Provided*, That the length of time spent in active service in the armed forces of the United States of each such employee shall be credited in computing length of total service: *Provided further*, That equal credit shall be given efficiency ratings of "good" or better except that preference employees whose efficiency ratings are "good" or better shall be retained in preference to all other competing employees and that preference employees whose efficiency ratings are below "good" shall be retained in preference to competing nonpreference employees who have equal or lower efficiency ratings: *Provided further*, That no employee having permanent civil-service status shall be released in any such reduction in personnel as long as there is a war-service employee retained within such agency in a position for which such status employee is qualified by meeting the qualifying standards prescribed by the Civil Service Commission for such position, and that transfers effected under this proviso shall be deemed to be at the convenience of the employee: *And provided further*, That when any or all of the functions of any agency are transferred to, or when any agency is replaced by, some other agency, or agencies, all preference employees in the function or functions transferred or in the agency which is replaced by some other agency, shall first be transferred to the replacing agency, or agencies, for employment in positions for which they are qualified, before such agency, or agencies, shall appoint additional employees from any other source for such positions.'"

The committee amendment was agreed to.

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

CANADIAN VESSELS TO SERVICE HYDER, ALASKA

The Clerk called the bill (H. R. 1238) to permit vessels of Canadian registry to transport certain merchandise between Hyder, Alaska, and points in the continental United States.

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

Be it enacted, etc., That, notwithstanding the provisions of section 27 of the Merchant Marine Act, 1920, as amended (U. S. C., 1940 ed., title 46, sec. 883), vessels of foreign registry shall be permitted to transport products of, and supplies and equipment for, the Riverside Mine at Hyder, Alaska, between Hyder, Alaska, and other points in the United States, either directly or via a foreign port, or for any part of the transportation.

With the following committee amendment:

Page 1, line 6, after the word "permitted", insert "until June 30, 1948."

The committee amendment was agreed to.

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

TOLL BRIDGE ACROSS THE RIO GRANDE AT OR NEAR RIO GRANDE CITY, TEX.

The Clerk called the bill (H. R. 2776) to extend the times for commencing and completing the construction of a toll bridge across the Rio Grande at or near Rio Grande City, Tex.

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

Bt it enacted, etc., That the times for commencing and completing the construction of a toll bridge across the Rio Grande, at or near Rio Grande City, Tex., authorized to be built by Gus A. Guerra, his heirs, legal representatives and assigns, by an act of Congress approved July 31, 1946, is hereby extended 1 year from July 31, 1946.

SEC. 2. The right of alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 8, strike out "1946" and insert "1947."

The committee amendment was agreed to.

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

BRIDGE ACROSS THE ST. LAWRENCE RIVER AT OR NEAR OGDENSBURG, N. Y.

The Clerk called the bill (H. R. 3332) creating the St. Lawrence Bridge Commission and authorizing said Commission and its successors to construct, maintain, and operate a bridge across the St. Lawrence River at or near Ogdensburg, N. Y.

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

Be it enacted, etc., That in order to facilitate international commerce, the St. Lawrence Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission") and its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the St. Lawrence River at or near the city of Ogdensburg, N. Y., at a point suitable to the interests of navigation, in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in the Dominion of Canada. For like purposes said Commission and its successors and assigns are hereby authorized to purchase, maintain, and operate all or any ferries across the St. Lawrence River within 5 miles of the location which shall be selected for said bridge, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of New York as may be needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State of New York, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in such State; and the Commission and its successors and assigns may exercise in the Dominion of Canada all rights, powers, and authority which shall be granted or permitted to the Commission by the proper authorities of the Dominion of Canada or of the Province of Ontario, including the entering upon lands and acquiring, condemning, occupying, possessing, and using such real estate and other property in the Dominion of Canada as may be needed for such location, construction, operation, and maintenance of such bridge.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and such ferry or ferries in accordance with the provisions of this act.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches and the ferry or ferries and the necessary lands, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than 6 percent per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this act. Such bonds may be registerable as to principal alone or both principal and interest, shall be in such form not inconsistent with this act, shall mature at such time or times not exceeding 40 years from their respective

dates, shall be in such denominations, shall be executed in such manner and be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the construction, maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of moneys on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreements may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security given by the bridge contractors and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited, and may provide that no contract for construction shall be made without the approval of the consulting engineers. The bridge constructed under the authority of this act shall be deemed to be an instrumentality for international commerce authorized by the Government of the United States, and said bridge and ferry or ferries and the bonds issued in connection therewith and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation. Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 6-percent interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches, and the land, easements, and appurtenances used in connection therewith and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith. The cost of the bridge and ferry or ferries shall be deemed to include interest during construction of the bridge, and for 12 months thereafter, and all engineering, legal, architectural, traffic surveying, and other expenses incident to the construction of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof, including the cost of acquiring existing franchises, rights, plans, and works of and relating to the bridge, now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons of any denomination whatsoever, exchangeable for definitive bonds when such bonds have been executed and are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of depreciating, maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission or of the Governments of the United States or Canada while in the discharge of their duties.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within the United States to the State of New York or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "United States interests") and that part within Canada to the Dominion of Canada or to such Province, municipality, or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Canadian interests"), under the conditions that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired by the United States interests and the Canadian interests, as may be agreed upon; but if either the United States interests or the Canadian interests shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management, until such time as both the United States interests and the Canadian interests shall be authorized to accept and shall accept such conveyance under such conditions. If at the time of such conveyance the Commission or its successors shall not have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms as the Commission or its successors may determine, but in making any such sale preference shall be given to the Canadian interests and thereafter to the United States interests before any sale except to such respective interests.

SEC. 8. For the purpose of carrying into effect the objects stated in this act there is hereby created the St. Lawrence Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or other property and apply same to the purposes of this act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this act.

The Commission shall consist of nine members appointed by the Governor of New York. The members of the Commission first appointed shall continue in office for terms expiring on July 1, 1950; July 1, 1951; July 1, 1952; July 1, 1953; July 1, 1954; July 1, 1955; July 1, 1956; July 1, 1957; and July 1, 1958, respectively, the term of each such member to be designated by the Governor, and until their respective successors shall be duly appointed and qualified. One of the members so appointed by the Governor shall be recommended to the Governor by the Department of Public Works of the State of New York. The successor of each such member shall be appointed for a term of 8 years, except that any person appointed to fill a vacancy shall be appointed to serve only for the unexpired term, and a member of the Commission shall be eligible for reappointment. The membership of the Commission shall always include one member appointed by the Governor upon the recommendation of the Department of Public Works of the State of New York. Each member of the Commission and their respective successors shall qualify by giving such bond as may be fixed by the Commissioner of Public Roads, conditioned for the faithful performance of all duties required by this act. The Commission shall elect a Chairman and a Vice Chairman from its members, and may establish rules and regulations for the government of its own business. Five members shall constitute a quorum for the transaction of business.

SEC. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts therefrom shall be applied to the purposes specified in this act. The members of the Commission shall be entitled to a per diem compensation for their services of $20 for each day actually spent in the business of the Commission, but the maximum compensation of the Chairman in any year shall

not exceed $6,000 and of each other member shall not exceed $4,000. The members of the Commission shall also be entitled to receive traveling expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the United States interests and the Canadian interests as herein provided, and any ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have any further existence by an order of the Commissioner of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Ogdensburg, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least 30 days before the date thereof, in a newspaper published in the city of Ogdensburg, N. Y., and a newspaper published in Prescott, Ontario. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said United States interests and the other to said Canadian interests.

SEC. 10. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds provided by this act. No obligation created or liability incurred pursuant to this act shall be an obligation or liability of any member or members of the Commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this act be an indebtedness of the United States.

SEC. 11. The times for commencing and completing of the construction of the bridge authorized by this act shall be 4 and 7 years, respectively, from the date of the approval hereof.

SEC. 12. All provisions of this act may be enforced, or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of New York, the United States district attorney for the district in which the bridge may be located in part, or by the solicitor general of the Dominion of Canada in any court having competent jurisdiction of the subject matter and the parties.

SEC. 13. The right to alter, amend, or repeal this act is hereby expressly reserved.

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.

DAM ACROSS THE SUSQUEHANNA RIVER, PA.

The Clerk called the bill (H. R. 3334) granting the consent of Congress to Pennsylvania Power & Light Co. to construct, maintain, and operate a dam in the Susquehanna River.

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

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

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I wonder if the gentleman will withold his objection for a moment. The utility company in Pennsylvania seeks to construct a very low dam across the Susquehanna River in order to impound certain waters they need in their steam heating plant. The bill has the complete approval of the Army engineers and the other interested Government agencies. The dam, when constructed, will permit the use by the steam power plant, to which it would be an adjunct, of about 1,000,000 tons of anthracite coal which is produced in that part of the State. All of the money is provided locally and by the private utility company. I am very hopeful that they can proceed with construction in the immediate future. I respectfully suggest that the gentleman withdraw his request.

Mr. CARROLL. Mr. Speaker, I withdraw my request that the bill be passed over without prejudice.

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

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

Be it enacted, etc., That the consent of Congress is hereby granted to Pennsylvania Power & Light Co., its successors or assigns, to construct, maintain, and operate a dam in the Susquehanna River, at a point suitable to the interests of navigation, approximately 1½ miles below the Sunbury Bridge Co. toll bridge, in Upper Augusta Township, Northumberland County and Monroe Township, Snyder County, Pa.: *Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers of the United States Army, and by the Secretary of War: *Provided further*, That this act shall not be construed to authorize the use of such dam to develop water power or generate hydroelectric energy.

SEC. 2. The authority granted by this act shall cease and be null and void, unless actual construction of the dam hereby authorized is commenced within 2 years and completed within 5 years from the date of enactment of this act: *Provided*, That from and after 30 days' notice from the Federal Power Commission, or other authorized agency of the United States, to said Pennsylvania Power & Light Co., its successors or assigns, that desirable water-power development will be interfered with by the existence of said dam, and said company, or its successors or assigns, shall alter the dam, without expense to the United States, so as to remove said interference and, upon failure to do so within a reasonable time, the authority hereby granted to construct, maintain, and operate said dam shall terminate and be at an end; and any grantee or licensee of the United States, proposing to develop a power project at or near said dam, shall have authority to remove, submerge, or utilize said dam, under such conditions as said Commission or other agency may determine, but such conditions shall not include compensation for the removal, submergence, or utilization of said dam.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, line 3, after "dam" insert a colon and the following: "*And provided further*, That the Pennsylvania Power and Light Co., its successors or assigns, shall hold and save the United States free from all claims for damage which may be sustained by the dam herein authorized, or damage sustained by the appurtenances of the said dam by reason of operations by the United States for flood control, the preservation or improvement of navigation, or for other purposes."

The committee amendment was agreed to.

Mr. SIMPSON of Pennsylvania. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SIMPSON of Pennsylvania: That wherever in H. R. 3334 and the title thereto the word "and" appears in the name "Pennsylvania Power and Light Co." the word "and" be stricken and the symbol "&" be inserted.

The amendment was agreed to.

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

The title was amended so as to read: "Granting the consent of Congress to Pennsylvania Power & Light Co. to construct, maintain, and operate a dam in the Susquehanna River."

A motion to reconsider was laid on the table.

CERTAIN PAYMENTS TO NONPROCESSING SLAUGHTERERS

The Clerk called the bill (H. R. 3738) to amend Public Law 88, Seventy-ninth Congress, approved June 23, 1945.

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

Be it enacted, etc., That Public Law 88, Seventy-ninth Congress, approved June 23, 1945, is amended by adding a new section to read as follows:

"SEC. 2. Any person, firm, partnership, or corporation who, prior to the issuance of amendment No. 1, dated July 5, 1945, with effective date July 15, 1945, and amendment No. 2, dated July 11, 1945, with effective date July 22, 1945, respectively, to Directive No. 56 of the Office of Economic Stabilization (said amendments being the same in substance as amendments numbered 7 and 8, respectively, of the Livestock Slaughter Payment Regulation No. 3 of the Defense Supplies of the Reconstruction Finance Corporation), was held not qualified to receive extra compensation payments as nonprocessing slaughterers; but who upon issuance of the above amendments to the Directive 56 of the Office of Economic Stabilization became qualified and eligible, or was declared or determined qualified and eligible by the Director of the Office of Economic Stabilization to receive such extra compensation payments as nonprocessing slaughterers from the Reconstruction Finance Corporation or such other Government agency as may have jurisdiction thereof, for such period of time prior to the issuance of said amendments, as such person, firm, partnership, or corporation would have been entitled to receive if said amendments 4 and 2 of said Directive 56 and said amendments 7 and 8 of said regulation 3 had been effective retroactively to amendment 2 to regulation 3 dated October 26, 1943. And the said Reconstruction Finance Corporation or such other Government agency with jurisdiction to make subsidy payments is hereby authorized and directed to pay such retroactive subsidy payments to such claimants as qualify under this act, as amended."

With the following committee amendment:

Page 1, beginning in line 6, strike out the remainder of the bill and insert the following:

"SEC. 3. Any person who, after the issuance of amendment No. 1 (dated July 5, 1945) or amendment No. 2 (dated July 11, 1945) to Directive No. 56 of the Director of Economic Stabilization, and pursuant to the authority thereof, became qualified and eligible, or was declared or determined by such Director to have the necessary qualifications for eligibility, to receive extra compensation payments as a nonprocessing slaughterer (such person previously having been held not qualified to receive extra compensation payments as a nonprocessing slaughterer), shall be entitled to receive such extra compensation payments for such period of time prior to July 23, 1945, as such person would have been entitled to receive if such Directive No. 56, and amendments Nos. 1 and 2 thereto, and any such determination by such Director, had become effective November 1, 1943. The Reconstruction Finance Corporation is authorized and directed to make the extra compensation payments which any person is entitled to receive pursuant to this section. As used in this section the term 'person' includes an individual, firm, partnership, or corporation."

The committee amendment was agreed to.

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

INTERNATIONAL ORGANIZATIONS PROCUREMENT ACT OF 1947

The Clerk called the bill (H. R. 4010) to authorize any agency of the United States Government to furnish or to procure and furnish materials, supplies, and equipment to public international organizations on a reimbursable basis.

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

Be it enacted, etc., That this act may be cited as the "International Organizations Procurement Act of 1947."

SEC. 2. When used in this act—

(1) The term "Government agency" means any department, independent establishment, or other agency of the Government of the United States, or any corporation wholly by the Government of the United States.

(2) The term "international organization" means any public international organization entitled to enjoy, in whole or in part, the privileges, exemptions, and immunities authorized by and in accordance with the International Organizations Immunities Act (59 Stat. 669).

SEC. 3. Until the expiration of 4 years from the date of enactment hereof, any Government agency may, upon the request of any international organization and its agreement to pay the cost and expenses thereof by advancement of funds or reimbursement, furnish or may procure and furnish materials, supplies, and equipment to such international organizations: *Provided*, That, to the extent deemed necessary and appropriate by the Government agency concerned, such international organization indicates its actual needs for and intended use of such materials, supplies, and equipment: *Provided further*, That when reimbursement is made, it shall be credited either to the appropriation, fund, or account utilized in incurring the obligation, or to the appropriate appropriation, fund, or account which is current at the time of such reimbursement.

With the following committee amendments:

Page 1, line 6, strike out paragraph (1), section 2, and substitute in lieu thereof the following:

"(1) The term 'international organization' means any public international organization having its headquarters in the United States and entitled to enjoy, in whole or in part, the privileges, exemptions, and immunities authorized by and in accordance with the International Organizations Immunities Act (59 Stat. 669)."

Page 2, line 1, strike out paragraph (2), section 2, and substitute in lieu thereof the following:

"(2) The term 'administrative supplies' means materials, supplies, and equipment used in housekeeping, maintenance, and office operations."

Page 2, line 6, strike out section 3 and substitute in lieu thereof the following:

"SEC. 3. Until July 1, 1948, the Treasury Department and the United States Government Printing Office, may, upon the request of any international organization and upon its agreement to pay the costs and expenses thereof by advancement of funds or by reimbursement, or by both, furnish, or procure and furnish to such international organization administrative supplies: *Provided*, That to the extent found by the Treasury Department or the United States Government Printing Office, respectively, to be necessary and appropriate in order to protect the interests of the United States Government in having access to sufficient supplies for its own needs, such international organization shall be required to indicate its needs and the intended use of such administrative supplies before they shall be furnished, or procured and furnished, to such international organization: *Provided further*, That when reimbursement is made, it shall be credited either to the appropriation, fund, or account utilized in incurring the obligation, or to the appropriation, fund, or account utilized in incurring the obligation, or to the appropriate appropriation, fund, or account which is current at the time of such reimbursement."

The committee amendments were agreed to.

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

The title was amended so as to read: "A bill to authorize the Treasury Department and the United States Government Printing Office to furnish, or to procure and furnish, administrative materials, supplies, and equipment to public international organizations on a reimbursable basis."

A motion to reconsider was laid on the table.

ADDITIONAL POSITIONS IN WAR AND NAVY DEPARTMENTS

The Clerk called the bill (H. R. 4084) to authorize the creation of additional positions in the professional and scientific service in the War and Navy Departments.

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

Mr. CARROLL. Reserving the right to object, Mr. Speaker, I should like to have an explanation of this bill.

Mr. REES. This bill comes to the House from our committee at the request of the Army and Navy. They say they are unable to secure the scientists they need in the service for the salaries now being paid. May I say that the chairman of the Committee on Post Office and Civil Service is one of those who has been opposed to breaking the $10,000 ceiling, but the Army and Navy both made a showing to the committee indicating to us that this legislation is necessary if they are going to have the kind of trained scientists they need at the present time. They tell us there is more and more demand for scientific assistants in the Army and Navy.

Mr. CARROLL. My concern is not how much they pay these men but how much the military is going to be taking over the scientists. This restricts them to a certain number?

Mr. REES. Yes, 45 is the limit. The salary will not be more than $15,000 to any one of them.

Mr. CARROLL. I withdraw my reservation of objection, Mr. Speaker.

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

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

Be it enacted, etc., That the Secretary of War is authorized to establish and fix the compensation for, within the War Department, not more than 30 positions, and the Secretary of the Navy is authorized to establish and fix the compensation for, within the Naval Establishment, not more than 15 positions in the professional and scientific service, each such position being established to effectuate those research and development functions relating to the national defense, military and naval medicine, and any and all other activities of the War Department or Naval Establishment which require the services of specially qualified scientific or professional personnel: *Provided*, That the rates of compensation for positions established pursuant to the provisions of this act shall not be less than $10,000 per annum nor more than $15,000 per annum, and shall be subject to the approval of the Civil Service Commission.

SEC. 2. Positions created pursuant to this act shall be included in the classified civil service of the United States, but appointments to such positions shall be made without competitive examination upon approval of the proposed appointee's qualifications by the Civil Service Commission or such officers or agents as it may designate for this purpose.

SEC. 3. The Secretary of War and the Secretary of the Navy, respectively, shall submit to the Congress, not later than December 31 of each year, a report setting forth the number of positions established pursuant to this act in their respective departments during that calendar year, and the name, rate of compensation, and description of the qualifications of each incumbent, together with a statement of the functions performed by each. In any instance where the Secretary of War or the Secretary of the Navy may consider full public report on these items detrimental to the national security, he is authorized to omit such items from his annual report and, in lieu thereof, to present such information in executive sessions of such committees of the Senate and House of Representatives as the presiding officers of those bodies shall designate.

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.

INSTITUTE OF INTER-AMERICAN AFFAIRS

The Clerk called the bill (H. R. 4168) to provide for the reincorporation of the

Institute of Inter-American Affairs, and for other purposes.

Mr. KEAN. Mr. Speaker, at the request of the gentleman from Missouri [Mr. PLOESER], I ask unanimous consent that this bill be passed over without prejudice.

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

There was no objection.

CARIBBEAN COMMISSION

The Clerk called the joint resolution (H. J. Res. 231) providing for membership and participation by the United States in the Caribbean Commission and authorizing an appropriation therefor.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas representatives of the Governments of the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America signed "An agreement for the establishment of the Caribbean Commission" in Washington on October 30, 1946, which agreement continued and extended the international cooperative arrangements initiated in 1942 between the United Kingdom of Great Britain and Northern Ireland, and the United States; and

Whereas the purpose of the Caribbean Commission is to encourage and strengthen international cooperation in promoting the economic and social welfare and advancement of the non-self-governing territories in the Caribbean area, whose economic and social development is of vital interest to the security of the United States, in accordance with the principles set forth in chapter XI of the Charter of the United Nations: Therefore be it

Resolved, etc., That the President is hereby authorized to accept membership for the United States in the Caribbean Commission, created by "An agreement for the establishment of the Caribbean Commission," signed in Washington on October 30, 1946, by representatives of the Governments of the French Republic, the Kingdom of the Netherlands, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and to appoint the United States Commissioners, and their alternates, thereto.

SEC. 2. There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, not more than $142,000 annually—

(a) For the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, pursuant to article XV of the "agreement for the establishment of the Caribbean Commission"; and

(b) For the payment of all necessary expenses incident to participation by the United States in the activities of the Commission, including salaries of the United States Commissioners, their alternates, appropriate staff, without regard to the civil-service laws and the Classification Act of 1923, as amended; personal services in the District of Columbia; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended; and such other expenses as the Secretary of State finds necessary to participation by the United States in the activities of the Commission: *Provided*, That the provision of section 6 of the act of July 30, 1946 (Public Law 565, 79th Cong.), and regulations thereunder, applicable to expenses incurred pursuant to that act shall be applicable to and expenses incurred pursuant to this paragraph (b).

The joint resolution 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.

SOUTH PACIFIC COMMISSION

The Clerk called the joint resolution (H. J. Res. 232) providing for membership and participation by the United States in the South Pacific Commission and authorizing an appropriation therefor.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas delegates representing the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America attended the South Seas Conference held at Canberra, Australia, and signed an "Agreement Establishing the South Pacific Commission" on February 6, 1947 and

Whereas the purpose of the South Pacific Commission is to encourage and strengthen international cooperation in promoting the economic and social welfare and advancement of the non-self-governing territories in the South Pacific in accordance with the principles set forth in chapter XI of the Charter of the United Nations, thereby contributing to the maintenance of international peace and security: Therefore be it

Resolved, etc., That the President is hereby authorized to accept membership for the United States in the South Pacific Commission, created by the Agreement Establishing the South Pacific Commission, signed on February 6, 1947, at Canberra, Australia, by delegates representing the Governments of Australia, the French Republic, the Kingdom of the Netherlands, New Zealand, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, and to appoint the United States Commissioners, and their alternates, thereto.

SEC. 2. When used in this joint resolution—

(1) the term "Secretary" means the Secretary of State;

(2) the term "Government agency" means any department, independent establishment, or other agency of the Government of the United States, or any corporation wholly owned by the Government of the United States and

(3) the term "Commission" means the South Pacific Commission.

SEC. 3. There is hereby authorized to be appropriated to the Department of State, out of any money in the Treasury not otherwise appropriated, not more than $20,000 annually—

(a) For the payment by the United States of its proportionate share of the expenses of the Commission and its auxiliary and subsidiary bodies, as set forth in article 14 of the Agreement Establishing the South Pacific Commission.

(b) For the payment of all necessary expenses incident to participation by the United States in the activities of the Commission, including salaries of the United States Commissioners, their alternates, and appropriate staff, without regard to the civil-service laws and the Classification Act of 1923, as amended; personal services in the District of Columbia; services as authorized by section 15 of Public Law 600, Seventy-ninth Congress under such rules and regulations as the Secretary of State may prescribe, allowances for living quarters, including heat, fuel, and light and cost-of-living allowances to persons temporarily stationed abroad; hire of passenger motor vehicles and other local transportation; printing and binding without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111), and section 3709 of the Revised Statutes, as amended and such other expenses as the Secretary of State finds necessary to participation by the United States in the activities of the Commission: *Provided*, That the provisions of section 6 of the act of July 30, 1946 (Public Law 565, 79th Cong.), and regulations thereunder, applicable to expenses incurred pursuant to that act shall be applicable to any expenses incurred pursuant to this paragraph (b).

SEC. 4. The Secretary is authorized, when the Commission is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, from time to time to detail, or authorize the detail of, for temporary service to or in cooperation with the Commission, any person in the employ or service of the Government of the United States who has such qualifications, with the approval of the Government agency in which such person is employed or serving, under the same conditions as those governing the detail of officers and employees of the United States Government to the government of another country in accordance with the provisions of the act of May 25, 1938 (52 Stat. 442), as amended, except that the authority vested in the President under that act shall be vested in the Secretary for the purpose of carrying out this section.

The joint resolution 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.

SURPLUS AIRPORTS AND AIRPORT FACILITIES

The Clerk called the bill (S. 364) to expedite the disposition of Government surplus airports, airport facilities, and equipment and to assure their disposition in such manner as will best encourage and foster the development of civilian aviation and preserve for national defense purposes a strong, efficient, and properly maintained Nationwide system of public airports, and for other purposes.

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

Be it enacted, etc., That subsection (c) of section 13 of the Surplus Property Act of 1944 (58 Stat. 765), as amended, is amended to read as follows:

"(c) No harbor or port terminal, including necessary operating equipment, shall be otherwise disposed of until it has first been offered, under regulations to be prescribed by the Administrator, for sale or lease to the State, political subdivision thereof, and any municipality, in which it is situated, and to all municipalities in the vicinity thereof."

SEC. 2. Section 13 of the Surplus Property Act of 1944 (58 Stat. 765), as amended, is hereby amended by adding a new subsection (g) reading as follows:

"(g) (1) Notwithstanding any other provision of this act, any disposal agency designated pursuant to this act may, with the approval of the Administrator, convey or dispose of to any State, political subdivision, municipality, or tax-supported institution, without monetary consideration to the United States, but subject to the terms, conditions, reservations, and restrictions hereinafter provided for, all of the right, title, and interest of the United States in and to any surplus real or personal property (exclusive of property the highest and best use of which is determined by the Ad-

ministrator to be industrial and which shall be so classified for disposal without regard to the provisions of this subsection) which, in the determination of the Administrator of Civil Aeronautics, is essential, suitable, or desirable for the development, improvement, operation, or maintenance of a public airport as defined in the Federal Airport Act (60 Stat. 170) or reasonably necessary to fulfill the immediate and foreseeable future requirements of the grantee for the development, improvement, operation, or maintenance of a public airport, including property needed to develop sources of revenue from nonaviation businesses at a public airport.

"(2) Except as provided in paragraph (3) hereof, all property disposed of under the authority of this subsection shall be disposed of on and subject to the following terms, conditions, reservations, and restrictions:

"(A) No property disposed of under the authority of this subsection shall be used, leased, sold, salvaged, or disposed of by the grantee or transferee for other than airport purposes without the written consent of the Administrator of Civil Aeronautics, which consent shall be granted only if the Administrator of Civil Aeronautics determines that the property can be used, leased, sold, salvaged, or disposed of for other than airport purposes without materially and adversely affecting the development, improvement, operation, or maintenance of the airport at which such property is located: *Provided*, That no structures disposed of hereunder shall be used as an industrial plant, factory, or similar facility within the meaning of section 23 of this act, unless the public agency receiving title to such structures shall pay to the United States such sum as the Administrator shall determine to be a fair consideration for the removal of the restriction imposed by this proviso.

"(B) All property transferred for airport purposes shall be used and maintained for the use and benefit of the public, without unjust discrimination.

"(C) No exclusive right for the use of the airport at which the property disposed of is located shall be vested (either directly or indirectly) in any person or persons to the exclusion of others in the same class. For the purpose of this condition, an exclusive right is defined to mean—

"(1) any exclusive right to use the airport for conducting any particular aeronautical activity requiring operation of aircraft;

"(2) any exclusive right to engage in the sale or supplying of aircraft, aircraft accessories, equipment, or supplies (excluding the sale of gasoline and oil), or aircraft services necessary for the operation of aircraft (including the maintenance and repair of aircraft, aircraft engines, propellers, and appliances).

"(D) The grantee shall, insofar as it is within its powers, adequately clear and protect the aerial approaches to the airport by removing, lowering, relocating, marking, or lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards.

"(E) During any national emergency declared by the President or by the Congress, the United States shall have the right to make exclusive or nonexclusive use and have exclusive or nonexclusive control and possession, without charge, of the airport at which the surplus property is located or used, or of such portion thereof as it may desire: *Provided, however*, That the United States shall be responsible for the entire cost of maintaining such part of the airport as it may use exclusively, or over which it may have exclusive possession and control, during the period of such use, possession, or control, and shall be obligated to contribute a reasonable share, commensurate with the use made by it, of the cost of maintenance of such property as it may use nonexclusively or over which it may have nonexclusive control and possession: *Provided further*, That the United States shall pay a fair rental for its use, control, or possession, exclusively or nonexclusively, of any improvements to the airport made without United States aid.

"(F) The United States shall at all times have the right to make nonexclusive use of the landing area of the airport at which the surplus property is located or used, without charge: *Provided, however*, That such use may be limited as may be determined at any time by the Administrator of Civil Aeronautics to be necessary to prevent undue interference with use by other authorized aircraft: *Provided further*, That the United States shall be obligated to pay for damages caused by such use, or if its use of the landing area is substantial, to contribute a reasonable share of the cost of maintaining and operating the landing area, commensurate with the use made by it.

"(G) Any public agency accepting a conveyance or transfer of surplus property under the provisions of this subsection shall release the United States from any and all liability it may be under for restoration or other damages under any lease or other agreement covering the use by the United States of any airport, or part thereof, owned, controlled, or operated by the public agency upon which, adjacent to which, or in connection with which, the surplus property was located or used: *Provided*, That no such release shall be construed as depriving the public agency of any right it may otherwise have to receive reimbursement under section 17 of the Federal Airport Act for the necessary rehabilitation or repair of public airports heretofore or hereafter substantially damaged by any Federal agency.

"(H) In the event that any of the terms, conditions, reservations, and restrictions upon or subject to which the property is disposed of is not met, observed, or complied with, all of the property so disposed of or any portion thereof, shall, at the option of the United States, revert to the United States in its then existing condition.

"(3) In making any disposition of surplus property under this subsection (g), the disposal agency is authorized, upon the request of the Administrator of Civil Aeronautics, the Secretary of War, or the Secretary of the Navy, to omit from the instruments of disposal any of the terms, conditions, reservations, and restrictions required by paragraph (2) hereof, and to include any additional terms, conditions, reservations, and restrictions, if the Administrator of Civil Aeronautics, the Secretary of War, or the Secretary of the Navy determines that such omission or inclusion is necessary to protect or advance the interests of the United States in civil aviation or for national defense.

"(4) The Administrator of Civil Aeronautics shall have the sole responsibility for determining and enforcing compliance with the terms, conditions, reservations, and restrictions upon or subject to which surplus property is disposed of pursuant to this subsection.

"(5) All surplus property within the purview of this subsection which is not disposed of pursuant hereto shall be disposed of as provided elsewhere in this act or other applicable Federal statute.

"(6) Notwithstanding the provisions of subsection (f) of this section and subsection (c) of section 18, the disposal of surplus property under this subsection, which is determined by the Administrator to be available for the purposes enumerated in this subsection, shall be given priority immediately following transfers to other Government agencies under section 12."

With the following committee amendment:

Page 7, line 21, strike out "(c)" and insert in lieu thereof "(e)."

The committee 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.

ALLEVIATION OF FLOOD DAMAGE

The Clerk called the bill (S. 1515) to make surplus property available for the alleviation of damage caused by flood or other catastrophe.

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

Be it enacted, etc., That, notwithstanding any other provisions of law, the War Assets Administration shall, whenever the President shall determine it to be necessary or appropriate because of flood or other catastrophe, transfer, without reimbursement, to the Federal Works Agency such articles of personal property, which have been declared surplus under the provisions of the Surplus Property Act of 1944 (58 Stat. 765), as amended, as in the judgment of the Federal Works Administrator and the War Assets Administrator can be presently utilized in alleviating damage, hardship, and suffering caused by such flood or other catastrophe.

SEC. 2. The Federal Work Administrator is authorized to loan or transfer, with or without monetary consideration and upon such terms and conditions as he may prescribe, to States and local governments situated in any area struck by any flood or catastrophe, any property transferred to the Federal Works Agency for such purposes pursuant to the provisions of this act. All receipts from such transfer shall be covered into the Treasury of the United States to the credit of miscellaneous receipts.

SEC. 3. In carrying out the provisions of this act the Federal Works Administrator is authorized to utilize, and act through, any other Federal agency or any State or local government and he may utilize, without reimbursement therefor, such officers and employees of any such agency or State or local government as may be found necessary in carrying out the purpose of this act. In order to facilitate carrying out the purposes of this act, other Federal agencies shall cooperate with the Federal Works Agency and the War Assets Administration to the fullest extent consistent with the objective of this act.

SEC. 4. To carry out the provisions of this act, including administrative expenses in connection therewith, any funds available to the Federal Works Administrator or Agency for use in connection with the transfer of surplus or other excess property, under Public Law 697, Seventy-ninth Congress, are hereby made available; and for such purpose there is authorized to be appropriated such additional sums as may be necessary therefor.

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.

VETERANS' HOSPITAL AT BIRTHPLACE OF BOOKER T. WASHINGTON

The Clerk called the bill (H. R. 3814) to provide for the establishment of a veterans' hospital for Negro veterans at the birthplace of Booker T. Washington in Franklin County, Va.

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

Mr. KEAN. Mr. Speaker, reserving the right to object, this bill is opposed by the Veterans' Administration. It would cost $5,000,000. I believe that probably a hospital for colored veterans is a very good thing, but I do not think we should

pass the bill on the Consent Calendar, inasmuch as it involves a large amount of money and is contrary to all the rules governing consideration of bills on the Consent Calendar.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. KEAN. I yield.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I discussed the matter with General Hawley. His original objection was that it was not near enough to medical centers. Then I believe he felt it was near enough and that there was a very large load of colored patients in West Virginia, some 50,000, and a great many nearby.

This hospital would fill a very great need. It would release doctors and provide more beds in other hospitals.

Mr. KEAN. It does not say so in the report. If General Hawley has withdrawn his opposition, he should so indicate in the report by a letter. But, even so, it will cost $5,000,000, and it is contrary to the rules of the committee of objectors.

Mrs. ROGERS of Massachusetts. As the gentleman knows, there are always certain sums set aside for hospitals. I think this is a little different from considering another bill which would involve $5,000,000. It is simply a question of time when that money would be spent.

Mr. KEAN. Mr. Speaker, we cannot let our feelings or sentiments affect our judgment in these matters. I would be very glad to see the hospital built to provide for the veterans, but I must ask unanimous consent that the bill be passed over without prejudice.

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

There was no objection.

TRANSFER OF REAL PROPERTY FOR WILDLIFE CONSERVATION

The Clerk called the bill (H. R. 4018) authorizing the transfer of certain real property for wildlife, or other purposes.

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

Be it enacted etc., That, upon request, real property which is under the jurisdiction or control of a Federal agency and no longer required by such agency, (1) can be utilized for wildlife conservation, recreation, forestry, or educational purposes by the agency of the State, political subdivision thereof, or exercising administration over the State wherein the real property lies or by the Secretary of the Interior; and (2) is chiefly valuable for use for any such purpose, and which, in the determination of the War Assets Administrator, is available for such use may, notwithstanding any other provisions of law, be transferred without reimbursement or transfer of funds (with or without improvements as determined by said Administrator) by the Federal agency having jurisdiction or control of the property to (a) such State political subdivision agency if the management thereof for the conservation of wildlife relates to other than migratory birds, or to recreation, forestry, or educational projects or programs, or (b) to the Secretary of the Interior if the real property has particular value in carrying out the national migratory bird management or national park program. Any such transfer to other than the United States shall be subject to the condition that the property shall continue to be used for wildlife conservation or other of the above-stated purposes and in the event it is no longer used for such purposes, title thereto shall revert to the United States.

SEC. 2. Whenever any real property is transferred pursuant to this act, the War Assets Administrator shall make and have published in the Federal Register an appropriate order, which may be revised from time to time in like manner, designating for which of the purposes specified in section 1 of this act the property so transferred shall be used.

SEC. 3. A statement of the acreage and value of such property as may have been transferred pursuant to this act during the preceding fiscal year shall be annually prepared by the War Assets Administrator and shall be included in the annual budget transmitted to the Congress.

SEC. 4. All oil, gas, and mineral rights shall revert back to the owner of the property or properties of record immediately prior to Government acquisition, provided such rights were actively reserved prior thereto.

With the following committee amendments:

Page 1, line 6, strike out the comma and the words "recreation, forestry, or educational."

Page 1, line 7, strike out the comma and the words "political subdivision thereof, or."

Page 1 line 8, after the words "administration over the", add the words "wildlife resources of the."

Page 2, line 6, strike out the words "political subdivision."

Page 2, line 8, after the word "birds", strike out the words "or to recreation, forestry, or educational projects or programs."

Page 2, line 11, after the word "management", strike out the words "or national park."

Page 2, line 13, after the words "subject to the", add the words "reservation by the United States of all oil, gas, and mineral rights, and to the."

Page 2, line 16, after the words "for such purpose", add the words "or in the event it is needed for national defense purposes."

Page 3, line 5, strike out all of section 4.

The committee amendments were agreed to.

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

THE DREDGE "AJAX"

The Clerk called the bill (H. R. 4229) to provide that the Canadian-built dredge *Ajax* and certain other dredging equipment owned by a United States corporation be documented under the laws of the United States.

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

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, would the author of the bill explain it?

Mr. JACKSON of Washington. Mr. Speaker, in 1942, the Puget Sound Bridge & Dredging Co. was engaged in certain naval work for the Navy Department in Alaska. In the course of their work they lost a dredge. The Navy Department requested them to obtain immediate replacement. The only place they could obtain replacement was in Canada. Since that time a waiver has been obtained under the War Powers Act for the registration of the vessels, but with the expiration of the War Powers Act, they have been unable to use the dredge because a foreign-built vessel cannot be documented under the laws of the United States.

This bill would permit such documentation.

Mr. CUNNINGHAM. It does not require any appropriation or any expenditure?

Mr. JACKSON of Washington. Oh, none whatever. It merely authorizes them to register this vesesl.

Mr. CUNNINGHAM. I withdraw my reservation of objection, Mr. Speaker.

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

Be it enacted, etc., That the Director of the Bureau of Marine Inspection and Navigation is authorized and directed to document under the laws of the United States the Canadian-built dredge *Ajax* and the Canadian-built dump scows *D. S. 135290, D. S. 135291, D. S. 308*, and *D. S. 310*, which are owned by the Puget Sound Towboat Co., a subsidiary of the Puget Sound Bridge & Dredging Co., in order that such vessels may continue to operate within the United States without violating the restrictions of the navigation laws on dredging operations and coastwise transportation.

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.

FRANCIS MARION NATIONAL FOREST

The Clerk called the bill (S. 616) to authorize the creation of a game refuge in the Francis Marion National Forest in the State of South Carolina.

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

Be it enacted, etc., That for the purpose of providing breeding places for game animals and birds and for the protection and administration of game animals and birds, and fish, the President of the United States is hereby authorized, upon the recommendation of the Secretary of Agriculture, to establish by public proclamation certain specified federally owned areas within the Francis Marion National Forest as game sanctuaries and refuges.

SEC. 2. The Secretary of Agriculture shall execute the provisions of this act, and he is hereby authorized to prescribe all general rules and regulations for the administration of such game sanctuaries and refuges, and violation of such rules and regulations shall be punished by fine of not more than $500 or imprisonment for not more than 6 months or both.

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.

COMMEMORATIVE STAMPS IN HONOR OF GOLD STAR MOTHERS

The Clerk called the bill (S. 1180) to authorize the issuance of a special series of commemorative stamps in honor of Gold Star Mothers.

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

Be it enacted, etc., That the Postmaster General is authorized and directed to prepare for issuance at as early a date as practicable, a special series of 3-cent postage stamps, of such design as he shall prescribe, in honor and commemoration of Gold Star Mothers.

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.

INTERSTATE TRANSPORTATION OF BLACK BASS AND OTHER GAME FISH

The Clerk called the bill (S. 682) to regulate the interstate transportation of black bass and other game fish, and for other purposes.

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

Be it enacted, etc., That the act entitled "An act to regulate the interstate transportation of black bass, and for other purposes," approved May 20, 1926, as amended, is hereby further amended to read as follows:

"That when used in this act the word 'person' includes company, partnership, corporation, association, and common carrier, and the term 'game fish' shall mean black bass and such other fish as are defined as game fish by the laws of the State, Territory, or the District of Columbia, in which the fish has been either caught, killed, taken, sold, purchased, or possessed, or from which it was transported.

"SEC. 2. It shall be unlawful for any person to deliver or knowingly receive for transportation, or knowingly to transport, by any means whatsoever, from any State, Territory, or the District of Columbia, to or through any other State, Territory, or the District of Columbia, or to or through any foreign country, any black bass or other game fish, if (1) such transportation is contrary to the law of the State, Territory, or the District of Columbia from which such black bass or other game fish is or is to be transported, or is contrary to other applicable law, or (2) such black bass or other game fish has been either caught, killed, taken, sold, purchased, possessed, or transported, at any time, contrary to the law of the State, Territory, or the District of Columbia in which it was caught, killed, taken, sold, purchased, or possessed, or from which it was transported or contrary to other applicable law; and no person shall knowingly purchase or receive any such black bass or other game fish which has been transported in violation of the provisions of this act; nor shall any person receiving any shipment of black bass or other game fish transported in interstate commerce make any false record or render a false account of the contents of such shipment.

"SEC. 3. Any package or container containing such game fish transported or delivered for transportation in interstate commerce, except any shipment covered by section 9, shall be clearly and conspicuously marked on the outside thereof with the name 'Game Fish,' an accurate statement of the number of each species of such fish contained therein, and the names and addresses of the shipper and consignee.

"SEC. 4. All such black bass or other game fish, transported into any State, Territory, or the District of Columbia for use, consumption, sale, or storage therein shall upon arrival in such State, Territory, or the District of Columbia be subject to the operation and effect of the laws of such State, Territory, or the District of Columbia to the same extent and in the same manner as though such fish had been produced in such State, Territory, or the District of Columbia, and shall not be exempt therefrom by reason of being introduced therein in original packages or otherwise.

"SEC. 5. The Secretary of the Interior is authorized (1) to make such expenditures, including expenditures for personal services at the seat of government and elsewhere, and for cooperation with local, State, and Federal authorities, including the issuance of publications, and necessary investigations, as may be necessary to execute the functions imposed upon him by this act and as may be provided for by Congress from time to time; and (2) to make such regulations as he deems necessary to carry out the purposes of this act. Any person violating any such regulation shall be deemed guilty of a violation of this act.

"SEC. 6. (a) Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce the provisions of this act (1) shall have power, without warrant, to arrest any person committing in the presence of such employee a violation of this act or any regulation made in pursuance of this act, and to take such person immediately for examination or trial before an officer or court of competent jurisdiction; (2) shall have power to execute any warrants or other process issued by an officer or court of competent jurisdiction to enforce the provisions of this act or regulations made in pursuance thereof; and (3) shall have authority with a search warrant issued by an officer or court of competent jurisdiction, to make search in accordance with the terms of such warrant. Any judge of a court established under the laws of the United States, or any United States commissioner may, within his respective jurisdiction upon proper oath or affirmation showing probable cause, issue warrants in all such cases.

"(b) All fish delivered for transportation or which have been transported, purchased, received, or which are being transported, in violation of this act, or any regulations made pursuant thereto, shall, when found by such employee or by any marshal or deputy marshal, be summarily seized by him and placed in the custody of such persons as the Secretary of the Interior shall by regulations prescribe, and shall, as a part of the penalty and in addition to any fine or imprisonment imposed under section 7 of this act, be forfeited by such court to the United States upon conviction of the offender under this act, or upon judgment of the court that the same were transported, delivered, purchased, or received in violation of this act or regulations made pursuant thereto.

"SEC. 7. In addition to any forfeiture herein provided, any person who shall violate any of the provisions of this act shall, upon conviction thereof, be punished by a fine of not exceeding $200, or imprisonment for a term of not more than 3 months, or by both such fine and imprisonment, in the discretion of the court.

"SEC. 8. Nothing in this act shall be construed to prevent the several States and Territories from making or enforcing laws or regulations not inconsistent with the provisions of this act, or from making or enforcing laws or regulations which shall give further protection to black bass and other game fish.

"SEC. 9. Nothing in this act shall be construed to prevent the shipment in interstate commerce of live fish and eggs for breeding or stocking purposes."

With the following committee amendments:

Page 6, line 5, strike out the quotation marks.

Page 6, line 6, at the end of the bill insert:

"SEC. 10. The provisions of this act as relating to game fish shall not apply to steelhead trout (salmo gairdneri) legally taken in the Columbia River between the States of Washington and Oregon."

The committee amendments were agreed to.

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

AMENDING SECTION 401 OF THE CIVIL AERONAUTICS ACT OF 1938

The Clerk called the bill (H. R. 4169) to amend section 401 of the Civil Aeronautics Act of 1938, so as to permit the granting of authority for temporary emergency service of air carriers.

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

Be it enacted, etc., That section 401 of the Civil Aeronautics Act of 1938, as amended, is amended by adding the following new subsection at the end thereof:

"TEMPORARY EMERGENCY SERVICE

"(o) In any proceeding pursuant to subsection (c) or (h) of this section in which there is in issue air-transportation service to and from a point or points not authorized to receive such service by any certificate then currently effective, the Board upon petition shall summarily, prior to the final disposition of such proceeding, make provision for such service to and from such point or points, by issuing a temporary certificate or certificates or by temporarily amending an existing certificate or certificates if it finds (1) that by reason of unusual circumstances affecting the public health, safety, or welfare, there exists an emergency requiring such service to and from such point or points, and (2) that adequate facilities are available at such point or points for the rendering of such service. The duration of each such certificate or amendment shall be determined by the provisions of subsection (g) of this section, but shall not, in any event, extend beyond a date 60 days after final disposition of such proceeding. The issuance of any such certificate or amendment shall not create a presumption that a corresponding permanent certificate or amendment will be granted thereafter."

With the following committee amendments:

On page 2, line 9, strike out the word "and".

Page 2, line 11, after the word "service", insert "and (3) that an air carrier is presently fit, willing, and able to render such service properly."

The committee amendments were agreed to.

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

TRADING WITH THE ENEMY ACT

The Clerk called the bill (H. R. 4044) to amend the Trading With the Enemy Act, as amended; to create a commission to make an inquiry and report with respect to war claims; and to provide for relief for internees in certain cases.

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

Mr. CELLER. Mr. Speaker, I object.

CONSTRUCTION, PROTECTION, OPERATION, AND MAINTENANCE OF PUBLIC AIRPORT IN THE TERRITORY OF ALASKA

The Clerk called the bill (H. R. 3510) to authorize the construction, protection, operation, and maintenance of a public airport in the Territory of Alaska.

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

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

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

Mr. HOWELL. Mr. Speaker, reserving the right to object: This bill, Mr. Speaker, provides for the construction

and maintenance of a public airport in the Territory of Alaska. This was heard by the Committee on Interstate and Foreign Commerce, at which time the War Department presented in secret, executive session, important information in support of this measure. In addition, the Department of the Interior, the Civil Aeronautics Administration, the Civil Aeronautics Board, and the Air Coordinating Committee had representatives who made statements all in support of the measure. The chief reason for this legislation is the fact that the United States Army, which previously permitted the use of Elmendorf Field for flying, no longer permits it, and has served notice on the commercial air lines that that field will no longer be available to them. This means that the city of Anchorage and the surrounding area will be without a commercial airport until such time as the facilities provided in this bill are constructed.

The Civil Aeronautics Board has recently authorized a number of American carriers to fly routes through Anchorage, Alaska, to the Orient.

In view of the fact this measure is so closely related to the national defense of this country in that vital part of the world I would not want to take the responsibility for delaying this measure because, as you know, in Alaska construction progress is slow due to weather and other conditions, and construction costs are higher than in the continental United States. I would not want to take responsibility for jeopardizing our national defense in this important area in the Western Hemisphere. Therefore, Mr. Speaker, I feel constrained to object to the request of the gentleman from New Jersey.

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

Mr. KEAN. Mr. Speaker, I object.

AUTHORIZING CONSTRUCTION OF CLASS IV AIRPORT AND PUBLIC HIGHWAY, FAIRBANKS, ALASKA

The Clerk called the bill (H. R. 3509) to authorize the construction of a class IV airport for the city of Fairbanks, Alaska, and a public highway or bridge from the city of Fairbanks to the location of the airport.

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

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

Mr. HOWELL. Mr. Speaker, reserving the right to object, the same situation is true with reference to this bill as was true of the preceding bill. The air installation at Fairbanks, as everybody knows, is the headquarters of our cold weather air training and experimentation. The Army has permitted civilian authorities to use Ladd Field for commercial and private flying, but they recently served notice upon commercial aviators and companies that the facilities of the field would no longer be available.

This is also vitally connected with the national defense of our country. Because of that fact and because I do not wish to take responsibility for jeopardizing our national defense in this important area of the Western Hemisphere, I object to the request of the gentleman from New Jersey that the bill be passed over without prejudice.

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

Mr. KEAN. Mr. Speaker, entirely on account of the cost of the bill being too high for consideration under the Consent Calendar, I object.

The SPEAKER. That concludes the calling of the Consent Calendar.

MINING LOCATIONS IN A CERTAIN PORTION OF HARNEY NATIONAL FOREST

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to return to Calendar No. 307 the bill (H. R. 2867) to permit, subject to certain conditions, mining locations under the mining laws of the United States within that portion of the Harney National Forest, designated as a game sanctuary, and for other purposes.

I have talked to the gentleman from Pennsylvania [Mr. FULTON], who objected. I have explained the bill to him and he has told me he has no objection.

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

There was no objection.

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

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

Be it enacted, etc., That, subject to the conditions herein provided, mining locations may be made under the general mining laws of the United States on lands of the United States situated within the exterior boundaries of that portion of the Harney National Forest designated as the Custer State Park Game Sanctuary, S. Dak., created pursuant to the provisions of the act of June 5, 1920 (41 Stat. 986), as amended. A locator shall have the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however*, That the mining operations herein authorized shall be subject to such rules and regulations as the Secretary of Agriculture may deem necessary in furtherance of the purposes for which the said sanctuary was established: *Provided further*, That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the marking rules and timber sale practices applicable to the Harney National Forest, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupany of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development: *Provided further*, That the Secretary of Agriculture in his discretion may prohibit the location of mining claims within 660 feet of any Federal, State, or county road, and within such other areas where the location of mining claims would not be in the public interest: *And provided further*, That no patent shall be issued by the United States on any location filed pursuant to the authority contained in this act.

With the following committee amendment:

On page 3, beginning with line 6, add the following:

"SEC. 2. To facilitate administration for the purpose for which the sanctuary has been established, the western boundary of the sanctuary lying north of Custer State Park is hereby redefined as follows:

"'Beginning at the east quarter corner of section 7, township 2 south, range 5 east, Black Hills meridian, thence south along said section line to its intersection with a line 300 feet north of the Horse Thief Lake Road, thence southwesterly along a line 300 feet northwesterly from the center line of said road and running approximately parallel thereto to the intersection of said road with United States Highway 85A, thence southerly along a line 300 feet west of United States Highway 85A, and approximately parallel thereto to the present south boundary of said sanctuary in section 3 south, range 4 east, Black Hills meridian.'"

Mr. KEAN (interrupting the reading of the amendment). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with.

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

There was no objection.

The committee amendment was agreed to.

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

SPECIAL ORDER GRANTED

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent that at the conclusion of the regular business of the day I may be allotted 5 minutes under a special order.

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

There was no objection.

AMENDMENT TO CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930, AS AMENDED

Mr. REES. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4127) to amend the Civil Service Retirement Act of May 29, 1930, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended to read as follows:

"SECTION 1. (a) Any officer or employee to whom this act applies who shall have attained or shall hereafter attain the age of 60 years and have rendered at least 30 years of service computed as prescribed in section 5 of this act, or who shall have attained or shall hereafter attain the age of 62 years and have rendered at least 15 years of such service, shall, upon separation from the service, be paid an annuity computed as provided in section 4 of this act.

"(b) Any officer or employee to whom this act applies who shall have attained or shall hereafter attain the age of 55 years and have rendered at least 30 years of service computed as prescribed in section 5 of this act shall, upon separation from the service, be paid an annuity computed as provided in section 4 of this act, reduced by one-half

of 1 percent for each full month such officer or employee is under the age of 60 years.

"(c) Any officer or employee to whom this act applies, after having rendered at least 25 years of service computed as prescribed in section 5 of this act, (1) upon involuntary separation from the service not be removal for cause on charges of misconduct or delinquency, or (2) upon voluntary separation from the service if such officer or employee had accepted a position with a lower rate of basic salary, pay, or compensation after having been so involuntarily separated from a position with a higher rate of basic salary, pay, or compensation, and was receiving less than such higher rate at the time of his voluntary separation, shall be paid an immediate life annuity computed as provided in section 4 of this act reduced by one-fourth of 1 percent for each full month such officer or employee is under the age of 60 years. This subsection shall become effective July 1, 1947."

SEC. 2. Section 2 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 2. (a) Except as provided in section 204 of the act of June 30, 1932 (47 Stat. 404), and section 3 of the act of July 13, 1937 (50 Stat. 512), any officer or employee to whom this act applies who shall have completed 15 years of service computed as provided in section 5 of this act shall, on the last day of the month in which he attains the age of 70 years, or completes 15 years of service if then beyond such age, be automatically separated from the service, and all salary, pay, or compensation shall cease from that date, and the head of each department, branch, or independent office of the Government concerned shall notify each such employee under his direction of the date of his separation from the service at least 60 days in advance thereof: *Provided*, That should the head of the department, branch, or independent office fail, through error, to give timely notification, the employee's separation from the service shall not be effected without his consent until the expiration of said 60-day period. Upon such separation, the officer or employee shall be eligible for retirement on annuity as provided in section 4 hereof.

"(b) No person who is receiving an annuity under the provisions of this act and who has reached the age of 60 years shall be eligible again to appointment to any appointive office, position, or employment under the Government of the United States or of the District of Columbia, unless the appointing authority determines that he is possessed of special qualifications: *Provided*, That no deductions for the retirement fund shall be withheld from the salary, pay, or compensation of such person, but there shall be deducted from his salary, pay, or compensation otherwise payable a sum equal to the retirement annuity allocable to the period of actual employment: *Provided further*, That the annuity in such case shall not be redetermined upon such person's subsequent separation from the service."

SEC. 3. (a) Paragraph (6) of section 3A of the act of May 29, 1930, as amended, is amended to read as follows:

"(6) (a) In the case of a Member of Congress who becomes separated from the service before he completes an aggregate of 6 years of service as a Member of Congress, and who is not retired for disability, the total amount deducted from his basic salary, pay, or compensation or deposited by him as a Member of Congress shall be returned to such Member of Congress together with interest at 4 percent per annum to December 31, 1947, and at 3 percent per annum thereafter compounded on December 31 of each year, to date of separation. No such Member of Congress shall thereafter become eligible to receive an annuity as provided in this section unless the amounts so returned are redeposited with interest at 4 percent compounded on December 31 of each year, but interest shall not be required covering any period of separation from the service.

"(b) In case a Member of Congress shall die prior to retirement the total sums deducted from his basic salary, pay, or compensation or deposited by him, together with interest at 4 percent per annum to December 31, 1947, and at 3 percent per annum thereafter, compounded on December 31 of each year to date of death shall be paid, upon the establishment of a valid claim therefor, in the order of precedence prescribed in section 12.

"(c) In case a former Member of Congress receiving an annuity under this section shall die without having received in purchasable annuities an amount equal to the total sums deducted from his basic salary, pay, or compensation or deposited by him, together with interest at 4 percent per annum to December 31, 1947, and at 3 percent per annum thereafter, compounded on December 31 of each year to date of retirement, the difference and/or any accrued annuity due shall be paid, upon the establishment of a valid claim therefor, in the order of precedence prescribed in section 12."

(b) Except as provided in this section the amendments made by this act shall not apply to any person subject to the provisions of section 3A of the act of May 29, 1930, as amended, and the rights and obligations of such person under such act shall continue as though this act had not been enacted.

(c) Section 3 (a) of the act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

"Notwithstanding any other provision of this act, any officer or employee in the legislative branch of the Government within the classes of officers or employees which were made eligible for the benefits of this act by the act of July 13, 1937, serving in such position on the effective date of this act, may give notice of his desire to come within the purview of this act at any time prior to July 1, 1948."

SEC. 4. Section 4 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 4. (a) The annuity of an officer or employee retired under this act shall be a life annuity, terminable upon the death of the annuitant and shall be an amount equal to the following: (1) 1½ percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service, or (2) 1 percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of service, plus a sum equal to $25 for each year of such service: *Provided*, That if deposit or redeposit under section 7, 9, or 12 (b) hereof has not been made, the annuity for the period or periods of service covered by the deposit or redeposit shall be in an amount equal to 1 percent of the average annual basic salary, pay, or compensation received by the officer or employee during any five consecutive years of allowable service at the option of the officer or employee multiplied by the years of such service: *Provided further*, That in no case shall the annuity exceed an amount equal to 90 percent of the highest average annual basic salary, pay or compensation received by the officer or employee during five consecutive years of allowable service.

"(b) Any officer or employee, if a husband, retiring under the provisions of section 1, 2, or 6 of this act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity equal to 90 percent of such life annuity and an annuity after his death payable to his surviving widow equal to 50 percent of such life annuity. The annuity of such widow shall begin on the first day of the month in which the death of the husband occurs or the first day of the month following the widow's attainment of age 60, whichever is the later, and shall terminate upon her death.

"(c) Any officer or employee in good health retiring under the provisions of section 1 or 2 of this act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity payable to him during his life, and an annuity after his death payable to a survivor annuitant, duly designated in writing and filed with the Civil Service Commission at the time of his retirement, during the life of such survivor annuitant equal to 50 percent of such reduced annuity and upon the death of such survivor annuitant all payments shall cease and no further annuity shall be due and payable. The annuity hereunder payable to the officer or employee shall be 90 percent of the life annuity otherwise payable if the survivor annuitant is the same age or older than the annuitant, or is less than 5 years younger than the annuitant; 85 percent if the survivor annuitant is 5 but less than 10 years younger; 80 percent if the survivor annuitant is 10 but less than 15 years younger; 75 percent if the survivor annuitant is 15 but less than 20 years younger; 70 percent if the survivor annuitant is 20 but less than 25 years younger; and 60 percent if the survivor annuitant is 25 or more years younger. No such election shall be valid until the retiring officer or employee shall have satisfactorily passed a physical examination as prescribed by the Civil Service Commission.

"(d) For the purpose of this act all periods of service shall be computed in accordance with section 5 hereof, and the monthly annuity installment shall be fixed at the nearest dollar.

"(e) The term 'basic salary, pay, or compensation,' wherever used in this act, shall be so construed as to exclude from the operation of the act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation."

SEC. 5. The first paragraph of section 5 of the act of May 29, 1930, as amended, is amended to read as follows:

"Subject to the provisions of section 9 hereof, the aggregate period of service which forms the basis for calculating the amount of any annuity provided in this act shall be computed from the date of original employment, whether as a classified or an unclassified officer or employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States, and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States; in the case of an officer or employee, however, who is eligible for and receives retired pay on account of military or naval service, the period of service upon which such retired pay is based shall not be included, except that in the case of an officer or employee who is eligible for and receives retired pay on account of a service-connected disability incurred in combat with an enemy of the United States or resulting from an explosion of an instrument of war, the period of the military service shall be included: *Provided*, That an officer or employee must have served for a total period of not less than 5 years exclusive of such military or naval service before he shall be eligible for annuity under this act. Nothing in this act shall be construed as to affect in any manner an officer's or employee's right to retired pay, pension, or

compensation in addition to the annuity herein provided."

SEC. 6. The first three paragraphs of section 6 of the act of May 29, 1930, as amended, are amended to read as follows:

"Any officer or employee to whom this act applies who shall have served for a total period of not less than 5 years computed as provided in section 5 of this act, and who, before meeting the age and service requirements for retirement under section 1 (a) hereof, becomes totally disabled for useful and efficient service in the grade or class of position occupied by the officer or employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the officer or employee, shall upon his own application or upon the request or order of the head of the department, branch, or independent office concerned, be retired on an annuity computed in accordance with the provisions of section 4 hereof: *Provided,* That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than 5 years next prior to becoming so disabled for useful and efficient service, shall not be required in any case. No officer or employee shall be retired under the provisions of this section unless examined by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons, designated by the Civil Service Commission for that purpose, and found to be disabled in the degree and in the manner specified herein. No claim shall be allowed under the provisions of this section unless the application for retirement shall have been executed prior to the applicant's separation from the service or within 6 months thereafter. The time limitation for execution of claims for retirement under the terms of this section may be waived by the Civil Service Commission in case of an officer or employee who at the date of separation from service or within 6 months thereafter is receiving hospital treatment, but the application in such case must be filed with the Civil Service Commission not later than 6 months after the termination of such hospitalization; in the case of any such person heretofore separated from service application may be filed within 6 months after the effective date of this act. Such time limitation may similarly be waived in the case of an officer or employee who at the date of separation from service or within 6 months thereafter is mentally incompetent, but the application in such case must be filed with the Civil Service Commission within 1 year from the date of restoration of such person to competency or the appointment of a fiduciary whichever is the earlier.

"Every annuitant retired under the provisions of this section unless the disability for which retired be permanent in character, shall at the expiration of 1 year from the date of such retirement and annually thereafter, until reaching age 60, be examined under the direction of the Civil Service Commission by a medical officer of the United States, or a duly qualified physician or surgeon, or board of physicians or surgeons designated by the Civil Service Commission for that purpose, in order to ascertain the nature and degree of the annuitant's disability, if any. If an annuitant shall recover before reaching age 60 and be restored to an earning capacity which would permit him to be appointed to some appropriate position fairly comparable in compensation to the position occupied at the time of retirement, payment of the annuity shall be continued temporarily to afford the annuitant opportunity to seek such available position, but not in any case exceeding 1 year from the date of the medical examination showing such recovery. Should the annuitant fail to appear for examination as required under this section, payment of the annuity shall be suspended until continuance of the disability shall have been satisfactorily established. The Civil Service Commission may order or direct at any time such medical or other examination as it shall deem necessary to determine the facts relative to the nature and degree of disability of any officer or employee retired on an annuity under this section.

"If a recovered disability annuitant whose annuity is discontinued subsequent to June 30, 1945, shall fail to obtain reemployment in any position included in the provisions of this act, he shall be considered as having been separated from the service within the meaning of section 7 of this act as of the date he was retired for disability and shall, after the discontinuance of the disability annuity, be entitled to a deferred annuity in accordance with the provisions of such section."

SEC. 7. Section 7 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 7. (a) Should any officer or employee to whom this act applies after having rendered 5 years of service, computed as prescribed in section 5 of this act, but less than 10 years of creditable civilian service and before becoming eligible for retirement under section 1 (a) of this act become separated from the service, such officer or employee shall be paid as he may elect, (A) a deferred annuity beginning at the age of 62 years, or the age at separation if beyond the age of 62 computed as provided in section 4 (a) of this act, or (B) the total amount credited to his individual account together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of separation.

"(b) Should any officer or employee to whom this act applies, after having rendered at least 10 years of creditable civilian service and before becoming eligible for retirement under section 1 (a) of this act become separated from the service, such officer or employee shall be paid a deferred annuity beginning at the age of 62 years.

"(c) All amounts returned to an officer or employee under this section must upon reinstatement, retransfer, or reappointment to a position within the purview of this act be redeposited by such officer or employee before he may receive full credit for the service covered by the refund."

SEC. 8. Section 8 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 8. In the case of any officer or employee who before the effective date of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, or section 8 (a) of the act of June 16, 1933, the annuity shall be increased, effective on the first day of the fourth month following the month in which this act is enacted by 25 percent or $300, whichever is the lesser: *Provided,* That each such annuitant may, prior to the effective date herein prescribed, elect to retain his or her present annuity, in lieu of the increased annuity provided by this section, and name his wife or her husband to receive upon his or her death one-half of his or her present annuity but not to exceed $600 per annum during the remainder of the life of such surviving husband or wife and upon the death of such survivor no further annuity shall be due or payable.

"In case any officer or employee shall have been separated subsequent to January 23, 1942, and prior to effective date of this act and have acquired title to annuity under section 7 of the act of May 29, 1930, as amended, beginning after such effective date, such annuity shall be computed in accordance with section 4 of this act but any reduction applicable thereto shall be determined as if this act had not been enacted: *Provided,* That any such officer or employee may elect to forfeit his right to such annuity and elect in lieu thereof to receive the benefits provided by section 7 of this act."

SEC. 9. Section 9 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 9. Each officer or employee within purview of this act may deposit to the credit of the 'civil-service retirement and disability fund' a sum equal to 2½ percent of his basic salary, pay, or compensation received for services rendered after July 31, 1920, and prior to July 1, 1926; 3½ percent of the basic salary, pay, or compensation for services rendered from and after July 1, 1926, and prior to July 1, 1942; 5 percent of said basic pay, salary, or compensation for services rendered from and after July 1, 1942, and prior to the first day of the first pay period in 1948, and also 6 percent thereafter, covering service during which no deductions were withheld for deposit in the said fund. Each such officer or employee may elect to make such deposits in installments during the continuance of his service in such amounts and under such conditions as may be determined in each instance by the Civil Service Commission. The amount so deposited shall be credited to the individual account of the officer or employee in the said fund. Upon making such deposit, the officer or employee shall be entitled to full credit for the period or periods of service involved: *Provided,* That no deposit shall be required for any service rendered prior to August 1, 1920, or for periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States."

SEC. 10. The first two paragraphs of section 10 of the act of May 29, 1930, as amended, are amended to read as follows:

"Beginning as of July 1, 1942, there shall be deducted and withheld from the basic salary, pay, or compensation of each officer or employee to whom this act applies a sum equal to 5 percent of such officer's or employee's basic salary, pay, or compensation: *Provided,* That from and after the first day of the first pay period in 1948, there shall be deducted and withheld from the basic salary, pay, or compensation of each officer or employee to whom this act applies a sum equal to 6 percent of such officer's or employee's basic salary, pay, or compensation. The amounts so deducted and withheld from the basic salary, pay, or compensation of each officer or employee shall, in accordance with such procedure as may be prescribed by the Comptroller General of the United States, be deposited in the Treasury of the United States to the credit of the civil-service retirement and disability fund created by the act of May 22, 1920, and said fund is hereby appropriated for the payment of annuities, refunds, and allowances as provided in this act.

"Any officer or employee may at his option and under such regulations as may be prescribed by the Civil Service Commission deposit additional sums in multiples of $25 but not to exceed 10 percent of his annual basic salary, pay, or compensation, for service rendered since August 1, 1920, which amount together with interest thereon at 3 percent per annum compounded as of December 31 of each year, shall, at the date of his retirement, be available to purchase, as he shall elect and in accordance with such rules and regulations as may be prescribed by the Civil Service Commission, an annuity in addition to the annuity provided by this act. The life annuity shall consist of $7 for each $100 in case the officer or employee has not reached age 60; $8 if he has reached age 60 but not age 65; $9 if he has reached age 65 but not age 70; and $10 if he has reached age 70. In the event of death or separation from the service of such officer or employee before becoming eligible for retirement on annuity, the total amount so deposited with interest at 3 percent per annum to date of death or separation compounded on December 31 of

each year shall be refunded in accordance with the provisions of section 12 of this act."

SEC. 11. Section 12 of the act of May 29, 1930, as amended, is amended to read as follows:

"SEC. 12. (a) Under such regulations as may be prescribed by the Civil Service Commission the amounts deducted and withheld from the basic salary, pay, or compensation of each officer or employee for credit to the 'civil-service retirement and disability fund' created by the act of May 22, 1920, covering service from and after August 1, 1920, shall be credited to an individual account of such officer or employee.

"(b) (1) In the case of any officer or employee to whom this act applies who shall become absolutely separated from the service before he shall have completed an aggregate of 5 years of service computed as prescribed in section 5 of this act, or who shall be transferred to a position not within the purview of this act, the amount credited to his individual account together with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of separation shall be returned to such officer or employee: *Provided*, That in computing interest under this subsection, a fractional part of a month in the total service covered by the refund shall be disregarded, and no interest shall be allowed in any case unless the service covered by the refund aggregates more than 1 year.

"(2) All amounts returned to an officer or employee under this subsection must, upon reinstatement, retransfer, or reappointment to a position within the purview of this act, be redeposited by such officer or employee before he may receive full credit for the service covered by the refund.

"(c) (1) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act and is survived by a widow, such widow shall be paid an annuity beginning the first day of the month following the death of the officer or employee or following the widow's attainment of age 60, whichever is the later, equal to 50 percent of the amount of an annuity computed as provided in section 4 (a) hereof with respect to such officer or employee: *Provided*, That such payments shall cease upon death of the widow.

"(2) In case any officer or employee to whom this act applies shall die after having rendered at least 5 years of civilian service computed as prescribed in section 5 of this act, or after having retired subsequent to the effective date of this act under section 1, 2, or 6, and is survived by a widow and a child or children, such widow shall be paid an immediate annuity equal to 50 percent of the amount of an annuity computed as provided in section 4 (a) hereof with respect to such officer or employee. Such annuity shall be terminable upon the death of such widow, her attainment of age 60, or upon termination of dependency of the last surviving child by reason of (A) his attaining the age of 18 years, (B) his marriage, or (C) his death, whichever first occurs, except that if such child is incapable of self-support by reason of mental or physical disability his dependency shall terminate only upon his death, marriage, or recovery from such disability.

"(d) As used in this act—

"(1) The term 'widow' means a surviving wife of an individual, who either (A) shall have been married to such individual for at least five years immediately preceding his death, or (B) is the mother of issue by such marriage.

"(2) The term 'child' means an unmarried child, including a dependent stepchild or an adopted child, under the age of 18 years, or an unmarried child who because of physical or mental disability is incapable of self-support.

"(3) Questions of dependency and disability arising under this section shall be determined by the Civil Service Commission and its decisions with respect to such matters shall be final and conclusive and shall not be subject to review. The Commission may order or direct at any time such medical or other examinations as it shall deem necessary to determine the facts relative to the nature and degree of disability of any annuitant or applicant for annuity under this section, and may suspend or deny any such annuity for failure to submit to any such examination.

"(e) In case an officer or employee to whom this act applies shall die (1) before having rendered five years of civilian service computed as prescribed in section 5 of this act or without a survivor entitled to annuity benefits provided by section 12 (c) hereof the total amount of deductions credited to his individual account with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of death, or (2) leaving a survivor entitled to such annuity benefits the total amount of deductions credited to his individual account without interest, shall be paid upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such officer or employee and recorded with the Civil Service Commission;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such officer or employee;

"Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of 30 days from the date of the death of the officer or employee, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

"(f) In case of death of a retired employee (1) who has not elected a joint and survivorship annuity as provided in section 4 (c) of this act and who has not received in annuities an amount equal to the total amount credited to his individual account with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of retirement, or (2) who has elected a joint and survivorship annuity as provided in section 4 (b) of this act and who has not received in annuities an amount equal to the total amount credited to his individual account, the difference and/or any accrued annuity due shall be paid upon the establishment of a valid claim therefor, in the order of precedence specified in subsection (e) hereof: In case any separated officer or employee who is entitled to a deferred annuity as provided in section 7 (a) or 7 (b) hereof shall die before having established a valid claim for annuity, the total amount credited to his individual account with interest thereon at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter compounded on December 31 of each year to date of death, shall be paid upon the establishment of a valid claim therefor in the order of precedence specified in subsection (e) hereof.

"(g) Where any payment under this act is to be made to a minor, or to a person mentally incompetent or under other legal disability adjudged by a court of competent jurisdiction, such payment may be made to the person who is constituted guardian or other fiduciary by the law of the State of residence of such claimant or is otherwise legally vested with the care of the claimant or his estate: *Provided*, That where no guardian or other fiduciary of the person under legal disability has been appointed under the laws of the State of residence of the claimant, the Civil Service Commission shall determine the person who is otherwise legally vested with the care of the claimant or his estate.

"(h) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed $1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of 30 days from date of separation from the service, to such person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person.

"(i) Each employee or annuitant to whom this act applies shall, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this act."

SEC. 12. The first paragraph of section 13 of the act of May 29, 1930, as amended, is amended to read as follows:

"Annuities granted under the terms of this act shall accrue monthly and shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued. Payment of all annuities, refunds, and allowances granted hereunder shall be made by checks drawn and issued by the Treasury Department in such form and manner and with such safeguards as shall be prescribed by the Civil Service Commission in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments."

SEC. 13. The third paragraph of section 13 of the act of May 29, 1930, as amended, is amended to read as follows:

"An annuity granted for retirement under the provisions of section 1 or 2 of this act shall commence the first day of the month following the date of separation from the service, or on the first day of the month following the month in which salary shall cease provided the employee meets the age and service requirements for retirement at that time, and shall continue during the life of the annuitant. An annuity granted under the provisions of section 6 or 7 hereof shall be subject to the limitations specified in said sections."

SEC. 14. Section 14 of the act of May 29, 1930, as amended, is hereby repealed.

SEC. 15. Except as otherwise provided herein, this act shall become effective on the first day of the fourth month following the month of approval.

The SPEAKER. Is a second demanded?

Mr. FORAND. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. REES. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, this bill proposes legislation that will liberalize the Civil Service Retirement Act of May 29, 1930, as amended. The committee devoted a considerable amount of time in the study of annuities and benefits that are provided

for Federal employees in view of the increased cost of living and considering the inequities of present retirement payments. This bill is recommended for passage.

It is rather difficult to justify the wide differences in the payments, for example, between those who retired prior to January 1942 and those who retired since that time. This bill does not adjust all inequities. It does provide relief for a large group of people who are unable to work and who are in need of funds in order to carry on the ordinary expenses in everyday life.

Actuaries in civil service, upon whose judgment we should have right to depend, tell us the added cost against the Government will amount to not more than between ten and fifteen million dollars. The remainder of the increased cost, which is by far the most of it, is taken care of because of the increase in the contribution of the employees who will under this bill contribute 6 percent of their salary, instead of 5 percent, as heretofore. In other words, the contribution of those presently on the pay roll and those to be employed hereafter will be 20 percent more than they have heretofore been paying.

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

Mr. REES. I yield to the distinguished gentleman from Ohio.

Mr. BREHM. I just want to congratulate the gentleman from Kansas [Mr. REES] for being instrumental in bringing this legislation to the House, and I want the RECORD to show that I favor its enactment.

Mr. REES. I appreciate the gentleman's statement in support of this legislation.

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

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

Mr. HOLIFIELD. May I ask the gentleman from Kansas [Mr. REES] to what class of employees this applies? Does it apply to the ones that have already retired from any type of Government service?

Mr. REES. Yes; those employees now under the retirement fund and those who are paying in retirement payments at the present time.

Mr. HOLIFIELD. And this would also apply in the future to all those who retire.

Mr. REES. That is right, sir.

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

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

Mr. JOHNSON of California. Does this also include postal employees?

Mr. REES. It does, those that are under civil service. Nearly all postal employees are under civil service.

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

Mr. REES. I yield to the gentleman from Louisiana.

Mr. BROOKS. Will the gentleman state whether it would cover also postmasters as well as postal employees?

Mr. REES. It does cover postmasters who are under civil service. Briefly, the principal provisions of the bill are as follows:

(1) Retired employees now on the annuity rolls are to obtain increased annuity benefits, or in lieu thereof are permitted to obtain certain benefits for their surviving spouse.

(2) Provision is made for a more simple and more equitable method of computing annuities which raises annuities by approximately 5 percent in the higher-salary groups to 25 percent in the lower brackets. An increase of 25 percent, or $300, whichever is the lesser, is provided for present annuitants.

(3) Federal employees' contributions to the retirement fund are increased from 5 to 6 percent of such employees' basic salary.

(4) Retirement deductions are to be refunded to employees who have had less than 5 years of service, optional refunds are provided for those employees with from 5 to 10 years of service (excluding military service), but contributions to the retirement fund from employees with 10 or more years of service (excluding military service) are to be retained in the retirement fund until such age as annuities are provided.

(5) The so-called tontine service charge against Federal employees is eliminated.

APPROPRIATIONS NECESSARY FOR CIVIL SERVICE RETIREMENT AND DISABILITY FUND

The Civil Service Commission estimated that during the fiscal year 1948, 1,400,000 employees with aggregate salaries of $3,700,000,000 would be subject to the Retirement Act. Taking into account the decreased percentage cost of the present law because of increased average salaries, the Commission further estimates that the total annual Government cost of the retirement plan, if amended in accordance with the bill, would be approximately 7 percent of pay roll. On the basis of the estimated pay roll of $3,700,000,000, this results in an estimated appropriation for the fiscal year 1949 of $259,000,000 as compared with the request of $244,000,000, for the fiscal year 1948 under the present law, or an increase of $15,000,000.

The elimination of the tontine charge will greatly simplify administration in the agencies. It has been estimated by the agencies in material furnished the Civil Service Commission that elimination of the tontine will produce savings of 100 man-years in administration.

The substitution of two simple formulas for calculating annuities in lieu of the present four complex provisions makes it possible for any Federal employee to readily determine his own annuity without the aid of an expert. This improvement alone should relieve the agencies of much detail in answering employee inquiries, both oral and written.

ANALYSIS OF THE PROVISIONS OF THE BILL

SECTION 1

Under existing law optional retirement is permitted at age 60 after 30 years of service, at age 62 after 15 years of service, and, on a reduced annuity, at age 55 after 30 years of service. This provision is continued unchanged in the bill.

The present law gives an employee involuntarily separated between July 1, 1945, and June 30, 1947, at age 55 with 25 years' service an immediate annuity reduced by 2 percent for each year the employee is under age 60 or 62, depending on his length of service. H. R. 4127 removes this 55-year limitation, thereby permitting the benefit at any age, but with a 3-percent reduction for each year the employee is under the age of 60 years, and makes the provision permanent. This provision will become effective July 1, 1947.

SECTION 2

This section retains the existing compulsory retirement age of 70 years with 15 years' service, and this section also provides an entirely new feature to the retirement law with respect to reemployed annuitants. Under the present law an employee retired under section 1 (age or optionally), may be reemployed in the Federal service only if, in the opinion of the appointing authority, he possesses special qualifications. The annuity previously awarded is terminated upon any such reemployment, and the employee again becomes subject to the Retirement Act with a new annuity right arising under the law in effect at the time of subsequent separation from the service.

It is proposed that the same privileges of reemployment be continued except that if the person is age 60 or over, the annuity will continue to be paid during his reemployment and his salary, as an employee, reduced by the amount of annuity being received. The employee would acquire no additional retirement rights during such period of reemployment.

This will result in a saving in administrative costs because of the elimination of dropping annuitants from the roll, recomputing annuities, and reentering annuitants on the roll. It will prevent inequities arising as a result of annuitants being reemployed primarily for the purpose of acquiring new or additional retirement rights.

SECTION 3

This section amends section 3A of the Retirement Act which was added by section 602 of the Legislative Reorganization Act of 1946 and which extended to Members of Congress the privilege of becoming members of the civil-service-retirement system. The existing law provides for the payment of the total amount deducted from his salary with compound interest at 4 percent if the Member of Congress becomes separated from the service before completing an aggregate of 6 years of service as a Member of Congress. This section would reduce the interest rate from 4 to 3 percent after 1947.

Stipulation is also contained therein that the above amendment is the only provision in H. R. 4127 which will in any way affect the retirement of Members of Congress. The reduction in interest rate for Members of Congress will conform to that proposed for other members of the system. None of the liberalized features of the act, including survivor benefits, will be available to Members of Congress.

This section will also permit secretaries and clerks to Members of Congress and congressional committees who heretofore have not elected to become members of the retirement system to do so, provided such election is made prior to July 1, 1948.

SECTION 4

The existing law provides that the annuity granted thereunder shall be composed of a sum equal to $30 for each year of service not exceeding 30 (which total may not exceed three-fourths of the average annual basic salary received by the employee for the highest five consecutive years, or be less than the employee's purchasable life annuity), plus the amount purchasable with the sum (including interest) to the credit of the employee's individual account in the retirement fund. Provision is made that the annuity shall not be less than an amount equal to the average annual basic salary, not to exceed $1,600 per annum, received by the employee during the highest five consecutive years of allowable service, multiplied by the number of years of service, not exceeding 30 years, and divided by 40. The law contains a third proviso which guarantees an annuity equal to one-seventieth of the average basic salary for the highest five consecutive years, multiplied by the number of years of service, not exceeding 35. In each individual case, the method which will produce the maximum benefit is used.

H. R. 4127 provides that the annuity formula shall be 1½ percent of the highest average salary for five consecutive years multiplied by years of service, or 1 percent of such

average salary plus $25 multiplied by years of service. In no case may the annuity exceed 90 percent of the employee's highest 5 years' average salary. (In general, only the lower-salaried employees will be able to qualify for an annuity of 90 percent of salary; the average salaried employee would need to work approximately 50 years and the high-salaried employee would need to work approximately 60 years to qualify for a retirement benefit of 90 percent of salary.)

The present option given a retiring employee to elect an increased annuity carrying with it upon his death a forfeiture of his retirement contributions to the Government is repealed.

The present act permits an employee retiring under the age or optional provision of the Retirement Act to elect a reduced annuity carrying with it upon the employee's death a continuing benefit at the same rate or 50 percent thereof to a designated survivor annuitant. This section further provides that in the event of death of the employee within 30 days from the date of retirement, the election shall become void, and the death shall be treated as a death in the active service. H. R. 4127 provides two joint and survivor annuity plans. Section 4 (b) would allow a retiring employee (other than one receiving an annuity under sec. 7) to elect an annuity reduced by 10 percent with the provision that 50 percent of his original annuity would be paid to his widow, beginning at his death or her attainment of age 60, whichever is later. Section 4 (c) would allow an employee retiring optionally or for age to elect a reduced annuity with the provision that a survivor annuitant designated at time of retirement, receive an annuity of 50 percent of the employee's reduced annuity after his death. This election is available only to those employees who furnish satisfactory evidence of good health. The reduction in the employee's annuity depends on the difference between his age and that of the survivor annuitant. This subsection is similar to the existing law excepting that the 30-day waiting period is eliminated, and there is substituted the requirement of physical examination.

SECTION 5

This section requires that 5 years of civilian service be rendered before any employee may have title to annuity, rather than a combination of civilian and military service as provided in the present law. It eliminates the present requirement that military service forming the basis for pension (generally only 90 days) be deducted from the time base for retirement.

SECTION 6

This will allow employees who were receiving hospital treatment an additional period to file claims for disability annuity, which provision will cover only a few meritorious cases. It will also eliminate the necessity for further medical examinations for disability annuitants after they have reached age 60.

SECTION 7

The present law freezes retirement deductions from and after January 24, 1942, in the case of employees who have served 5 years or more, and gives them in return, a right to annuity beginning at age 62 or 55, depending upon whether the separation was voluntary or involuntary.

H. R. 4127 provides a right to annuity beginning at age 62 after completion of at least 5 years of civilian service, and regardless of the reason for separation. Any employee who at the date of separation has served an aggregate of at least 5 years but less than 10 years of civilian service may elect to receive an annuity beginning at age 62 or draw a refund of the amount to his account with interest thereon. If the employee elects to receive the refund, he will then forfeit any right to future annuity unless he is again reemployed in a position within the purview of the act. Any employee who at the time of separation has completed an aggregate of 10 or more years of civilian service must leave his contributions to the fund on deposit, and will receive an annuity upon attaining age 62.

SECTION 8

This section provides certain benefits for retired employees already on the annuity rolls. The annuity of each such person would be increased, effective on the 1st day of the fourth month following the date of enactment by 25 percent or $300, whichever is less, unless the annuitant elects in lieu of such increase to retain his present annuity and to have an amount equal to one-half the amount of his annuity paid to his or her spouse upon the annuitant's death, but the annuity to the spouse may not exceed $600 per annum. Such amount would be payable during the remainder of the life of the spouse.

This section also provides that a former officer or employee who presently holds a vested title to a future annuity shall retain this right, but he is offered the privilege of forfeiting his annuity and to elect in lieu thereof to receive a return of contributions.

SECTION 9

Section 9 of the present law permits an employee to make deposit in the retirement fund covering periods of service when not subject to the act, and for which he made no contribution. This section continues this privilege but provides that no interest on deposits shall be required, and that no deposit shall be required for military service.

SECTION 10

This section provides for an increase from 5 to 6 percent in employee contributions, beginning with the first pay period in 1948. As regards voluntary contributions made by employees to increase their annuities, the present actuarial factors now used in determining the additional annuity are replaced by simpler specified figures.

SECTION 11

This section amends section 12 of the Retirement Act so as to eliminate the so-called $1-a-month tontine charge. Provisions relating to the tontine charge appearing in other sections of the act are likewise eliminated.

This section also provides for return of deductions with interest upon separation with less than 5 years' service. No interest is payable if the service covered by the refund aggregates 1 year or less.

Under existing law, deductions are returnable with interest upon separation with less than 5 years' service, but tontine is withheld in voluntary separation cases, and no interest is allowed for service of 1 year or less.

Subsections (c) and (d) of section 12 as amended by this bill provide survivorship benefits, in the case of employees dying in the service after having served for five or more years. The widow of any such employee would be entitled upon attaining age 60 to receive an annuity terminable upon death equal to one-half the amount of an annuity computed on the basis of the salary and years of service of the employee.

Section 11 of the bill also provides for a return of deductions with interest, as under existing law, to a beneficiary in case of death of an employee who leaves no survivor entitled to annuity and a return of deductions without interest if he leaves a qualified survivor.

Where an annuitant who has not elected a joint and survivorship annuity dies without having received in annuities an amount equal to the total amount credited to his individual account with interest, the difference and any accrued annuity will be returned to his beneficiary. Under existing law the amount returnable in such case is the difference between the amount credited to the employee's account with interest and the amount chargeable to the employee as his portion of the annuity purchased with his contributions.

In all cases the interest rate on amounts credited to employee accounts will be reduced from 4 to 3 percent with respect to periods after December 31, 1947, thus affecting amounts returnable in the case of deceased employees and annuitants.

SECTION 12

This proposed change is for administrative expediency only. It provides that annuities shall accrue monthly, thereby eliminating the necessity of any settlement covering a small sum for a fractional part of a month.

SECTION 13

This section will allow the Civil Service Commission to make an age and optional annuity retroactively payable to the first of the month following termination of the employee's salary if he was eligible for annuity at that point. At present, the annuity cannot begin until actual separation occurs, and some employees who have been in leave-without-pay status have a period when neither salary nor annuity is payable. This will affect only a few meritorious cases.

SECTION 14

This will repeal section 14 of the present act, which section no longer serves any purpose.

SECTION 15

This section provides that the act shall be effective on the first day of the fourth month following approval, except as otherwise provided.

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

Mr. REES. I yield to the gentleman from New York, who has shown considerable interest in this legislation.

Mr. JAVITS. The committee has not corrected all problems connected with the civil-service-retirement system for Federal employees, but it has made a number of desirable reforms. Therefore, I ask support for this bill and trust that it will pass. I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. JAVITS. Provision has now been made by this bill to look after the contributions to the retirement fund of Federal employees who have had less than 5 years of service; and it is also possible under the bill for such employees who have had more than 5, but less than 10 years of service to take their choice of accepting retirement benefits or to withdraw their retirement-fund contribution. This is certainly a change for the better, as much hardship has been caused up to now by the previous inflexible provision of the law. Many employees who have been let out as a result of the reduction of the wartime civilian establishment will now be able to recoup substantial amounts in retirement contributions which they badly need.

The increase in annuities provided by the bill will be very welcome, especially to present annuitants who receive 25 percent more, or $300 per annum, whichever

is the lesser, in view of the ascending cost of living. The committee has not seen fit to go as far as we had hoped it would in respect to retirement age and other retirement opportunities. Progress has been made, however, and there is opportunity for still further liberalization in the future.

Mr. REES. I appreciate the gentleman's support of the bill.

Mr. FORAND. Mr. Speaker, I yield myself 5 minutes. If the chairman of the committee will answer a few questions, I do not believe I will use my 5 minutes. I am particularly interested in section 1 of the bill which apparently is similar to the bill that I introduced this year, to extend the so-called Forand amendment, which is Public Law 688 of the Seventy-ninth Congress.

Mr. REES. That is correct.

Mr. FORAND. Under Public Law 688 there was a reduction of 2 percent per year for those who retired before they had reached the ordinary retirement age. From what I understand, this reduction has been raised to 3 percent. Is that correct?

Mr. REES. That is correct.

Mr. FORAND. Will the passage of this bill make retroactive the provisions of Public Law 688, so that there will be no gap from the expiration date of Public Law 688, which was June 30 of this year?

Mr. REES. That is the intent of the bill.

Mr. FORAND. I want to be sure the RECORD shows that, so there will be no question about it. I thank the gentleman for giving me that information.

Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. ANDREWS].

Mr. ANDREWS of New York. Mr. Speaker, I ask unanimous consent to proceed out of order 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. ANDREWS of New York. Mr. Speaker, I regard this as such an important matter, and I am receiving so many inquiries, that I feel compelled to make this statement:

With the close of the war—Seventy-ninth Congress—by resolution there was established a Select Committee on Postwar Military Policy. This committee appointed by the Speaker consisted of seven Members of the House at large, seven of the Naval Affairs Committee, and seven from the Military Affairs Committee, with Hon. Clifton A. Woodrum, of Virginia, as chairman. Among matters studied by this select committee was the subject of universal military training. Extensive hearings were conducted for 14 days during the month of June 1945 in both morning and afternoon sessions and more than 150 witnesses were heard on the subject. Of these, the committee heard a majority who were in opposition. Every phase of the subject was covered. In conclusion the select committee, by an overwhelming vote, recommended a system of universal military training. The printed hearings by this select committee consumed over 600 pages.

In November and December of 1945, the House Committee on Military Affairs conducted hearings on current bills covering this subject over a period of 23 days, hearing in all not less than 65 witnesses from among those both favoring and in opposition thereto. The printed hearings on these meetings consume over 800 pages.

In December 1946, the President's Advisory Commission on Universal Military Training was appointed under the chairmanship of Dr. Karl Compton and, notwithstanding statements to the contrary, among members of the Commission were those who had been in opposition to universal military training. This Commission conducted hearings over a period of 5 months, during the course of which in excess of 200 witnesses were heard. On the statement of Dr. Compton, the majority of those heard were those from the opposition. The unanimous report published in early June of this year, consuming 450 pages, in "The Program for National Security," is now public property.

Following the report of the President's Advisory Commission in early June this year, and since that time, 28 witnesses have been heard either before the full committee or Subcommittee No. 2 of the Armed Services Committee. Among these were Dr. Compton and three other members of the President's Advisory Commission, and of this total number, 16 were selected from among organizations in opposition to the proposal. On Saturday last, July 19, Subcommittee No. 2, by overwhelming action, voted to report favorably H. R. 4278 to the full committee. The gentleman from New Jersey [Mr. TOWE], chairman of this subcommittee, is placing in the RECORD today for the information of all Members of the House an analysis of this bill, and a meeting of the full Committee on Armed Services has been called for Friday morning, July 25, at 9 a. m., to vote upon this report. Should this measure be reported favorably to the House, I wish to make it perfectly clear here and now that there is no desire whatever on my part for House action on this measure at the present time, the opinions of many organizations, the departments and the President notwithstanding. Thus, for the information of the House, and the many organizations pressing for action now, the leadership on both sides of the House is relieved of any responsibility in this connection at the present time; I willingly accept it. In view of the great scope of all the hearings referred to, this action on the part of the Armed Services Committee, and I am sure a majority agree, will be taken in the one thought of placing squarely before the American people during the recess one measure, H. R. 4278, on the subject which represents the best of all the various proposals in the past with the necessary refinements suggested by the President's Advisory Commission, and only by such action would I, as chairman of the Armed Services Committee, feel that I had done my duty as a Representative in Congress and as an American.

Following is a list of all witnesses by name and organization, in order of their appearances, who have appeared before the Congress on the subject of universal military training:

Hon. Joseph C. Grew, former Acting Secretary of State.

Col. Jay Cooke, president of the Citizens Committee for Military Training for Young Men, Inc.

Mrs. Ernesta Barlow, vice president, the Citizens Committee for Military Training for Young Men, Inc.

Statements by Kathleen Norris and Margaret Culkin Banning were filed for the record by Mrs. Barlow.

Mrs. Barbara Skau, domestic nurse, Jackson Heights, Queens, N. Y.

Mr. Philip A. Carroll, director, the Citizens Committee for Military Training for Young Men, Inc.

Dr. Franklin Clarke Frye, president, United Lutheran Church of America.

Capt. Paul Hammond, director, Citizens Committee for Military Training for Young Men, Inc.

Mrs. John Weinstein, president, New York City Federation of Women's Clubs.

Letter from Sgt. John D. Scarlett, Liege, Belgium, was read into the record.

Mr. Charles G. Bolte, chairman, American Veterans Committee.

Maj. George Fielding Eliot, commentator, Columbia Broadcasting System.

Col. John Thomas Taylor, director, national legislative committee, the American Legion.

Mrs. Lorena Hahn, former national president of American Legion Auxiliary and present chairman of the Legion's postwar committee.

Maj. Gen. Ellard Walsh, president, National Guard Association of the United States.

Hon. Edward Martin, Senator, State of Pennsylvania.

Omar B. Ketchum, national legislative representative, Veterans of Foreign Wars of the United States.

Col. William B. Tuttle, legislative chairman, board of trustees, Reserve Officers Association of the United States.

Mr. William B. Mathews, editor, Arizona Daily Star, Tucson, Ariz.

Mrs. Willard Steele, chaplain general, Daughters of the American Revolution.

Vernon A. Eagle, honorably discharged commando.

Dr. Harrop A. Freeman, professor of law, College of William and Mary, Williamsburg, Va., as read by Dr. Theodore A. Paullin, assistant professor, Swarthmore College, Swarthmore, Pa.

Archibald G. Thatcher, attorney, New York City.

Dr. A. J. Brumbaugh, vice president, American Council on Education.

Dr. William J. Miller, president, University of Detroit, representing Michigan Council to Oppose Peacetime Conscription.

Judge William Hastie, National Association for Advancement of Colored People.

Dr. Gould Wickey, executive secretary, national commission on Christian higher education, Association of American Colleges.

Dr. John L. Davis, executive secretary, board of higher education, Disciples of Christ.

Mr. Benjamin C. Marsh, executive secretary, People's Lobby, Inc.

Dr. James Mendenhall, chairman, legislative committee, department of supervision and curriculum development of National Education Association.

Dr. William Heard Kilpatrick, Liberal Party of New York State.

Mr. Mark Wiseman, commander, Willard Straight Post, American Legion.

Dr. Walter E. Hager, American Association of Teachers Colleges.

Statements from Dr. John Purdy, chairman, Ohio College; Mr. Robert Forsberg, pres-

ident of student body of Wooster College; and Mary Ann Brown, chairman of public opinions committee of Wooster College, Wooster, Ohio, were filed for the record by Dr. Hager.

Letter from Mr. G. O. Aubrey, chairman, committee on work with high-school youth, National Council of the Young Men's Christian Association.

Dr. Herbert J. Burghstahler, president, Ohio Wesleyan University, Delaware, Ohio, testifying for the Federal Council of Churches of Christ in America.

Very Rev. Msgr. Howard J. Carroll, general secretary, National Catholic Welfare Conference.

Mr. Huber F. Klemme, executive secretary of the commission on Christian social action, Evangelical and Reformed Church.

Dr. Ganse Little, pastor, Broad Street Presbyterian Church, Columbus, Ohio.

Mrs. Glen L. Swiggett, legislative representative, National Congress of Parents and Teachers.

Dr. Robert Gordis, president, Rabbinical Assembly of America.

Dr. Joseph Zeitlin, Rabbinical Assembly of America.

Mr. Eyrl A. Whitney, director of education and research and assistant general counsel, Brotherhood of Railroad Trainmen.

Rt. Rev. Herman R. Page, bishop, diocese of northern Michigan, Episcopal Church.

Mr. D. Robert Yarnell, vice chairman, American Friends Service Committee.

Rev. T. T. Brumbaugh, executive secretary, Detroit Council of Churches.

Mr. Ensworth Reisner, representing citizens committee of Buffalo, Erie County, and western New York on Peacetime Conscription.

Dr. Karl T. Compton, president, Massachusetts Institute of Technology.

Mrs. Thomasina W. Johnson, legislative representative, national nonpartisian council on public affairs of Alpha Kappa Alpha Sorority.

Mr. Ernest Angell, representing Civil Liberties Union.

Dr. Paul E. Elicker, executive secretary, National Association of Secondary-School Principals of National Education Association.

Rev. F. W. Burnham, of the Christian Churches of America.

Mr. Frederick J. Roy, national vice commander, Catholic War Veterans Association.

Mr. Roscoe S. Conkling, attorney, New York City.

Mr. Norman Thomas, president, Postwar World Council.

Prof. Alonzo F. Myers, chairman, National Council Against Peacetime Conscription Now.

Mr. Milton Friedman, free labor committee, Workers Defense League.

Rev. Phillips Packer Elliott, chairman of board of Presbyterian Tribune.

Dr. Edward C. Elliott, president, Purdue University, Lafayette, Ind.

Rev. Edwin F. Lee, Methodist bishop and director of General Commission for Army and Navy Chaplains.

Mr. Arthur L. Williston, retired educator and engineer, Dedham, Mass.

Mr. Stanley J. Quinn, American Defense Society, Inc.

Mr. Leslie J. Tompkins, American Defense Society, Inc.

Brig. Gen. Albert L. Cox, retired, Washington, D. C.

Brig. Gen. Henry I. Reilly, retired.

Dr. Charles Clayton Morrison, editor, Christian Century, representing the Chicago Committee to Oppose Conscription.

Mrs. Mary Dingman, member, Women's Committee to Oppose Conscription.

Mrs. Charles D. Rockel, member, Women's Committee to Oppose Conscription.

Letters from Maj. Gen. Norman T. Kirk, Surgeon General of the Army (retired), and Vice Admiral Ross T McIntire, Surgeon General of the Navy (retired), with reference to Mrs. Rockel's testimony.

Mrs. Johanna M. Lindlof, member, Women's Committee to Oppose Conscription.

Mrs. Annie B. Whitner, Roanoke, Va.

Miss Elizabeth A. Smart, National Woman's Christian Temperance Union.

Hon. Josephus Daniels, former Secretary of the Navy, editor, the News and Observer, Raleigh, N. C.

Mr. John W. Hershey, Downingtown, Pa.

Rev. Donald B. Cloward, executive secretary, Council on Christian Social Progress, Northern Baptist Convention.

Mr. Harold S. Bender, assistant secretary, the Mennonite Central Committee.

Mr. B. F. McLaurin, international field organizer, Brotherhood of Sleeping Car Porters.

Dr. Leslie W. Kindred, Greater Philadelphia Committee Against Wartime Enactment of Peacetime Conscription.

Mr. William F. Saunders, High School Teachers Association of New York City, Inc.

Dr. Raymond Walters, chairman, Association of American Colleges.

Dr. Daniel L. Marsh, president, Boston University, member Association of American Colleges.

Dr. Guy E. Snavely, executive director, Association of American Colleges.

Mr. Walter Johnson, chairman, national legislative committee, Military Order of the Liberty Bell.

Dr. Donald DuShane, secretary, Commission for the Defense of Democracy Through Education, National Education Association.

Hon. Maury Maverick, Chairman, Smaller War Plants Corporation.

Mr. Ralph McDonald, executive secretary, Department of Higher Education, National Education Association.

Resolution from the State of North Carolina, with reference to universal military training.

Letter from the Citizens Medical Reference Bureau, Inc., with reference to universal military training.

Miss Dorothy K. Funn, labor secretary, National Negro Congress.

Mr. Eric Hass, Socialist Labor Party of America.

Dr. Ralph E. Himstead, American Association of University Professors.

Mr. Otto Steele, National Conference of Methodist Youth Fellowship.

Mr. H. W. Brown, president, International Association of Machinists.

Rev. Kenneth L. Patton, pastor of the First Unitarian Society of Madison, Wis., representing the Wisconsin Council of Churches.

Dr. Paul H. Bowman, president, Bridgewater College, and vice chairman, Brethren Service Committee.

Mr. Charles C. Rohrer, dairy farmer, Manchester, Ind.

Dr. S. V. Sanford, chancelor, University System of Georgia.

Mrs. Dorothy Groeling, secretary, National Board for International Education, Young Women's Christian Association of the United States.

Mr. Fred Bailey, legislative counsel, the National Grange.

Mr. Edward C. M. Richards, representing the War Resisters League in Opposition to Peacetime Conscription.

Statement by Dr. Evan W. Thomas, chairman, War Resisters League, read for the record by Mr. Richards.

Mr. Russell Smith, legislative secretary, National Farmers Union.

Mr. Homer E. Woodbridge, representing Middletown Committee Against Wartime Passage of Peacetime Conscription.

Mr. Walter H. Uphoff, secretary of the Wisconsin Committee Against Peacetime Conscription.

Mr. Royal C. Stephens, Netcong, N. J.

Mr. Lewis G. Hines, national legislative representative of American Federation of Labor.

Mrs. Mary Farquharson, representing Women's International League and the Oregon and Washington State Committees Opposing Peacetime Conscription.

Mr. R. J. Thomas, president, United Automobile Workers (as read by Loren Grey).

Mr. Vinal H. Tibbetts, representing American Education Fellowship.

Mr. Nathan E. Cowan, chairman, legislative committee, Congress of Industrial Organizations.

Mr. R. B. Marston, director, legislative, Federal relations division, National Education Association.

Communication from American Association for Health, Physical Education, and Recreation, National Education Association.

Dr. Clinton N. Howard, general superintendent of International Reform Federation.

Mr. Eugene C. Pulliam, editor and publisher, Indianapolis, Ind.

Dr. Douglas Southall Freeman, editor, the Richmond (Va.) News Leader.

Mr. Millard W. Rice, national service director, Disabled American Veterans.

Brig. Gen. John W. Mahan, chairman, national defense committee, Disabled American Veterans.

Communication from Mr. Knowlton Durham, chairman, special committee on universal military training of the Association of Ex-Members of Squadron A.

Mr. Frank L. Weil, president, National Jewish Welfare Board.

Mr. Chester J. Nicklas, veteran of both World Wars.

Mrs. Helen W. Zbikowski, member, house of representatives, Connecticut State Legislature.

Mr. Bernard H. Sandler, chairman, twenty-fifth anniversary, reunion committee, Plattsburg, N. Y.

Mr. Henry Rood, author.

Dr. Gibb Gilchrist, president, Agricultural and Mechanical College of Texas.

Mr. Dunlap C. Clark, chairman, national defense committee, Chamber of Commerce of the United States.

Mr. Richard L. Feldman, teacher at Roosevelt High School.

Mr. Carl McIntire, vice president, American Council of Christian Churches.

Mr. H. McAllister Griffiths, general secretary, American Council of Christian Churches.

Hon. Henry L. Stimson, Secretary of War.

Letter from Gen. Dwight D. Eisenhower.

Brig. Gen. John McA. Palmer, United States Army, retired.

Brig. Gen. Luther D. Miller, Chief of Chaplains, United States Army.

Maj. Gen. William F. Tompkins, Director, Special Planning Division, War Department Special Staff.

Dr. Daniel A. Poling, editor, the Christian Herald.

Mr. Ben L. Johnson, honorably discharged Marine Corps corporal.

Mr. William Kent Montroy, honorably discharged shipfitter, first class.

Hon. James Forrestal, Secretary of the Navy.

Letter from Fleet Adm. C. W. Nimitz, United States Navy.

Letter from Admiral William F. Halsey, United States Navy.

Vice Adm. Aubrey W. Fitch, United States Navy, Chief of Naval Operations (Air).

Vice Adm. Randall Jacobs, United States Navy, Chief of Naval Personnel.

Lt. Gen. Ira Eaker, Chief of Air Staff, United States Army (retired).

Gen. A. A. Vandegrift, Commandant, United States Marine Corps.

Fleet Adm. Ernest J. King, United States Navy, Commander in Chief, United States Fleet (retired).

General of the Army George C. Marshall, Secretary of State.

Hon. Earl R. Lewis, Representative in Congress from State of Ohio.

Hon. Charles R. Savage, former Representative in Congress from State of Washington.

Mrs. Frances P. Bolton, Representative in Congress from State of Ohio.

Hon. Compton I. White, former Representative in Congress from State of Idaho.

Hon. Everett Dirksen, Representative in Congress from State of Illinois.

Hon. Emanuel Celler, Representative in Congress from State of New York.

Hon. Jerry Voorhis, former Representative in Congress from State of California.

Hon. John E. Fogarty, Representative in Congress from State of Rhode Island.

Hon. Robert P. Patterson, Secretary of War.

General of the Army Dwight D. Eisenhower, commanding general, United States forces, European theater, and Chief of Staff.

Fleet Adm. E. J. King, Chief of Naval Operations (retired).

Mrs. LaFell Dickinson, president, General Federation of Women's Clubs.

Mrs. Lula E. Bachman, president, National Association of Women Lawyers.

Mrs. Ernesta Barlow, vice president, Citizens' Committee and National Women's Chairman.

Hon. James W. Wadsworth, Representative in Congress from New York.

George W. McClelland, president, University of Pennsylvania.

Dr. George F. Zook, president, American Council on Education.

Benjamine C. Marsh, executive secretary, People's Lobby, Inc.

Dr. Karl T. Compton, president, Massachusetts Institute of Technology.

Omar B. Ketchum, national legislative representative, Veterans of Foreign Wars.

Millard Rice, national legislative representative, Disabled American Veterans.

Dr. Frank B. Gigliotti, national adjutant, Regular Veterans Association.

Hon. James Forrestal, Secretary of the Navy.

Dr. John T. Tigert, Dr. Frank L. Eversull, and Dr. J. W. Harrelson, representing Land-Grant Colleges Association.

Former Lt. Gen. William S. Knudsen.

S. Stanwood Menken.

Miss Dorothy Detzer, national secretary, the Women's International League.

Donald DuShane, secretary, the National Commission for the Defense of Democracy through Education.

Resolution adopted by American Legion.

Statement of Dunlap C. Clark, representing the Chamber of Commerce of the United States.

Mrs. D. Leigh Colvin, president, National Woman's Christian Temperance Union.

Miss Elizabeth Smart, Woman's Christian Temperance Union.

Dr. James B. Conant, president of Harvard University.

Paul E. Elicker, executive secretary, Legislative Committee of National Association of Secondary School Principals.

Ralph E. Himstead, general secretary, American Association of University Professors.

Dean Virginia Gildersleeve, Barnard College.

Charles R. Hook, president, the American Rolling Mill Co.

J. Henry Scattergood, representing the Friends' Committee on National Legislation.

Carl McIntire, vice president of the American Council of Christian Churches.

Ralph McDonald, representing the National Education Association.

H. S. Bender, assistant secretary, Mennonite Central Committee.

Martin H. Miller, national legislative representative, Brotherhood of Railroad Trainmen.

Dr. Allen Bates, Westinghouse Electric & Manufacturing Co.

Dr. Gould Wickey, executive secretary, National Commission on Christian Higher Education of Association of American Colleges.

Rev. Charles F. Boss, Jr., secretary, Commission on World Peace of the Methodist Church.

Edward T. McCaffery, national commander, Catholic War Veterans.

Eugene Meyer, publisher, the Washington Post.

Mr. McCaffery (recalled).

Lt. Gen. Ray McLain, United States Army.

Brig. Gen. Luther D. Miller, Chief of Chaplains, United States Army.

Lewis G. Hines, legislative representative, American Federation of Labor.

Nathan E. Cowan, legislative director, and Meyer Bernstein, director of veterans' legislation, Congress of Industrial Organizations.

William V. Damron, legislative representative, International Association of Machinists.

Maj. Gen. Ray E. Porter, Special Planning Division, War Department.

Maj. Gen. I. H. Edwards, Assistant Chief of Staff, G-3.

Maj. Gen. Willard S. Paul, Assistant Chief of Staff, G-1.

Maj. Gen. George J. Richards, Budget Officer for the War Department.

Pvt. George L. Mark, Camp Kilmer, N. J.

Dr. John W. Rustin, pastor, Mount Vernon Methodist Church.

Rev. Charles R. Bell, Jr., representing Wisconsin Committee Against Pacetime Conscription.

Mrs. Emma B. Swiggett, representing National Congress of Parents and Teachers.

Vice Adm. Louis Denfeld, Commander in Chief, Pacific Fleet.

Capt. W. R. Terrell, United States Navy.

Lt. Col. T. B Hughes, the Marine Corps.

Rear Adm. Ezra G. Allen, Budget Officer, United States Navy.

Hon. John H. Steele, former national commander, the American Legion.

Lt. Martin Buckner.

Sgt. Eddie Burns.

Captain Moran.

S. Perry Brown, chairman, the American Legion National Committee on National Defense.

Brig. Gen. E. A. Evans, executive secretary, Reserve Officers Association of the United States.

Maj. Gen. Milton J. Reckford, chairman, Legislative Committee of the National Guard Association.

Sgt. James F. Donnelly.

Dr. Karl T. Compton, Chairman, President's Advisory Commission.

Dr. Edmund Walsh, of Georgetown University.

Mr. Truman Gibson, member, President's Advisory Commission.

Dr. Daniel Poling, editor of the Christian Herald.

Former Justice Owen J. Roberts, Citizens Emergency Committee.

Mr. J. Henry Scattergood, Greater Philadelphia Council Against Conscription.

Mrs. Alexander Stewart, cochairman, Women's Committee to Oppose Conscription.

Mrs. Norton H. Pearl, president, American Legion Women's Auxiliary.

Mr. William Gausmann, Socialist Party, U. S. A.

Mr. Edwin Lupow, Young Progressive Citizens of America.

Mr. Richard Bolling, vice chairman, American Veterans' Committee.

Mr. S. Perry Brown, chairman, American Legion Security Committee.

Rabbi Aaron Opher, Synagogue Council of America.

Miss Elizabeth Smart, director, Woman's Christian Temperance League.

Father Dan Laning, of Mission, Tex.

Mr. Kermit Eby, national headquarters, CIO.

Dr. Blake Van Leer, president, Georgia School of Technology.

Mr. J. M. Dawson, executive director, Baptist of the United States.

Mr. Jesse P. Bogue, secretary, American Association of Junior Colleges.

Rabbi Michael Aronson, of Cincinnati, DAV.

Hon. Adam Clayton Powell, Member of Congress.

Mr. Norman Thomas, chairman, Post War World Council.

Dr. A. Allan Bates, of Chicago.

Mr. Omar B. Ketcham, legislative director, Veterans of Foreign Wars.

Lt. Gen. J. Lawton Collins, U. S. A., Chief of Army Information.

Capt. Thomas F. Darden, U. S. N., Bureau of Naval Personnel.

Lt. Col. William J. Van Ryzin, U. S. M. C., headquarters Marine Corps.

Rev. William J. Mather; Northern Baptists of America.

Mr. REES. Mr. Speaker, I yield 4 minutes to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS of Indiana. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

Mr. HARNESS of Indiana. Mr. Speaker, I deem it necessary, again, to call the attention of the House to activities of departments of Government propagandizing for legislation pending before this body. The subcommittee investigating publicity and propaganda, of which I am chairman, has just concluded hearings involving the War Department and its use of public funds in a drive for the enactment of universal military training. There has been much public indignation regarding the manner in which the military group have been attempting to sell universal military training to the people of this country, with the obvious intent that pressure should be put upon the Congress to enact legislation that will so vitally affect every home and the lives of all of the youth of this Nation.

Civilians were employed by the Secretary of War, as consultants on military training. Evidence before the committee reveals that the primary duty of these so-called consultants was to travel about the country, selling groups—important groups—on what the War Department has claimed to be an emergency requiring every boy in the country to be trained for military service.

In testimony before the committee, the Assistant Secretary of War, Howard C. Petersen, testified that the purpose of employing civilian consultants was "to sell the program to the public, with the hope that the public would sell it to the Congress." We have heard and read much, Mr. Speaker, of Government lobbies. Here we have the frank admission of the Assistant Secretary of War, without reservation that the War Department deliberately set out to sell the people who, in turn, would pressure the Congress. This activity went far beyond the duty of the War Department to inform the people of the country and the Congress, and entered into the field of propaganda—propaganda in support of legislation.

One of the civilians employed with the War Department was Alan Coutts. Mr. Coutts toured the country, at taxpayers' expense, conducting radio panels and speaking to groups wherever and whenever they could be assembled. The radio panels were top-heavy with persons se-

lected to speak for universal military training.

Material supporting the legislation was prepared at the War Department by Mr. Coutts for distribution to participants in the radio discussions.

Evidence before the committee reveals that, on March 5, 1947, over Station WIP, in Philadelphia, Pa., Mr. Coutts asked that the listening audience write to the radio station; and that the letters received would be forwarded to proper congressional authorities. I might say, Mr. Speaker, Mr. Coutts is no longer with the War Department.

Another of the War Department civilian consultants was Mrs. Arthur Woods. Mrs. Woods, a former lieutenant colonel in the WAC's, also, traveled throughout the country, at Government expense, speaking on behalf of universal military training. She was particularly interested in influencing the women and parents of the country, on the virtues of compulsory military training.

Mrs. Woods communicated with others supporting the War Department program, advising that congressional action would be taken during the present session, and urged that support of the program be intensified. A typical statement by Mrs. Woods was contained in a letter to Mrs. Holt, of Portland, Maine, April 23, 1947, referring to universal military training. She stated:

> We believe that the question will come up for definite congressional action this summer and, therefore, we are anxious to stimulate activity and local support over a wide area and as quickly as possible.

Mrs. Woods made contact with many organizations throughout the country, seeking to have the opportunity to discuss the pending legislation. She worked, particularly, with church groups, Girl Scouts, Legion auxiliaries, and known organizations that had been formed to lobby for the universal military training program.

In a speech which Mrs. Woods made in Hollywood, Calif., June 12, to the women of the Los Angeles Chamber of Commerce, she stated, in part:

> I believe that every American parent should demand universal military training.

The War Department has prepared a propaganda motion picture titled "The Plan for Peace." Mrs. Woods, who is a member of the national board of the Girl Scouts of America, wrote to the members of the board—and, again, I am quoting:

> I am hoping it will not be too much to ask you to urge any organization with which you are connected to arrange to show this film at their meetings.

Mrs. Woods' activities on behalf of universal military training with the Girl Scouts of America is quite exhaustive. Through this organization, she attempted to sell the advantages to the youth of the country, as they related to the question of morals and spiritual guidance. Preparation of the material for the organizations which I have referred to—which were lobbying for the universal military training bill—was brought out at the hearings in many instances. One in particular was correspondence between Mrs. Woods and Mr. Justice Owen Roberts, who now heads the committee in support of universal military training. Mrs. Woods advised Mr. Justice Roberts that she would prepare any material he might want in his work with that committee.

In addition to the activities of Mrs. Woods, with the groups to which I have already referred, she was active in preparing support of the plan for the President's Commission, which was appointed to make a study of this subject. Mrs. Woods suggested witnesses to appear before the Commission, and evidence before our committee reveals that she made reports on this activity, to officers in the War Department. A memorandum addressed to Colonel Huntley—and referring to a report which Mrs. Woods had received as to the impression her witnesses had made upon the Commission—reads as follows:

> I thought you might be interested in reading this account of that group of women Mrs. Barlow took before the President's Advisory Commission. The group was set up, each one to cover a certain aspect, as you had suggested. I mapped it all out with her along those lines.

In the report which Mrs. Woods had received from Mrs. Barlow, in reference to the reactions of the members of the Commission, Mrs. Barlow reported that Sam Rosenman said that they had begun to doubt the validity of the popular polls on universal military training and felt reassured by the widely diverse opinions and points of view that had been offered by the women supplied by Mrs. Woods. The Commission, Mr. Speaker, was following the popular polls and the evidence of witnesses supplied, prepared, and briefed by employees of the War Department, whose duty it was to sell the program to the public in hopes that the public would sell the program to the Congress.

Mrs. Woods is no longer with the War Department. We are advised that, on the day of our hearing, she resigned.

This, Mr. Speaker, is only a part of the activities of the War Department, lobbying for universal military training.

The subcommittee to investigate publicity and propaganda does not concern itself with the merits of pending legislation, but is interested in the subject of unlawful and improper activities of Federal agencies and employees in their use of public funds, attempting to influence the Congress for or against pending legislation.

It is the intention of your committee, before the adjournment of Congress, to file a full report of our investigations into these activities.

The SPEAKER. The time of the gentleman from Indiana [Mr. HARNESS] has expired.

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

Mr. HARNESS of Indiana. I thank the gentleman very much.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HARNESS of Indiana. I yield.

Mr. BROWN of Ohio. Instances have been called to my attention where the War Department has been furnishing films of propaganda and sending out Army officers to display those films. Of course, as the gentleman points out, that is a violation of the criminal law.

Mr. HARNESS of Indiana. There is no question about it. Public funds spent by Federal officials and employees in behalf of legislation pending in this Congress is a violation of the criminal code. This expenditure of public funds is not only unwarranted, it is not only improper, but in instances it is a violation of the criminal code, and before this session ends I shall appear before the House again with an official report of my committee giving in detail the activities of the War Department in connection with this propaganda effort.

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

Mr. HARNESS of Indiana. I yield.

Mr. GRANGER. Is this the same legislation that used to be called compulsory military training?

Mr. HARNESS of Indiana. It is the same legislation, as far as I know. It is the program of the War Department for compulsory universal military training.

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

Mr. FORAND. Mr. Speaker, I yield such time as he may require to the gentleman from New Jersey [Mr. TOWE].

Mr. TOWE. Under leave to extend my remarks, I include an analysis of H. R. 4278, National Security Training Act of 1947:

A BRIEF OF H. R. 4278, A BILL TO ENACT THE NATIONAL SECURITY TRAINING ACT OF 1947

A. The purpose of H. R. 4278 is to provide for the common defense by requiring all qualified young men between the ages of 18 and 20 to undergo a period of training which will fit them to contribute to the protection of the country in time of emergency.

B. The bill creates the following agencies:

1. The National Security Training Corps.
2. The National Security Training Commission.
3. The General Advisory Board.
4. The Selective Training System.
5. The Code of Conduct.

C. The National Security Training Corps.

This consists of all qualified young men residing in the United States, or the Territories or possessions thereof, except certain categories of aliens to be specified by the National Security Training Commission. The following are specifically exempted:

(a) Present members of the armed forces.

(b) Past members of the armed forces who were discharged honorably therefrom.

(c) Cadets and midshipmen respectively at the United States Military Academy, United States Naval Academy, and the Coast Guard Academy.

(d) Members of the senior division of the ROTC and NROTC, or naval aviation college program.

(e) Members of the National Guard and the Organized Reserve of the Army, Navy, and Marine Corps.

In addition, the President is authorized, pending full-scale implementation of this program, to exempt any person accepted for admittance at one of the service academies, members of the National Security Training Corps, although they shall be legally deemed to have military status, shall not be members of the armed forces, shall be liable to no duty other than training duty, and shall be liable to bear arms for the United States only in the event of a national emergency, so declared by Congress and the President.

After having fulfilled his training obligation hereunder, and upon separation from the corps, a young man will revert to complete civilian status and will have no further obligation to the armed forces, or to any Reserve component thereof, except in the event of a national emergency.

D. The National Security Training Commission:

There is created in the executive branch a Commission to set the policies and standards of the training program. The Commission shall consist of three persons appointed by the President with Senate confirmation. Two of its members, including the Chairman, shall be civilians. One member shall be appointed from the armed forces. The Commission shall report directly to the President.

The Commission shall be the policy and supervisory agency of the training program. As such it shall not operate directly any phase of the program. The War and Navy Departments shall be the operating agencies and will be governed by the policies and standards of the Commission; provided that the Commission itself shall determine the substance and character of the nonmilitary training provided for in this act.

Members of the Commission shall receive compensation at the rate of $12,500 per year, except the Chairman, who shall receive $15,000. The Commission shall appoint an Executive Director, to whom it may delegate all of its powers, duties, and functions. He shall receive compensation at the rate of $12,000 per year. The Commission is empowered to employ a staff and to establish a full-time civilian inspectorate to keep it informed of actual conditions at the local level.

E. The General Advisory Board:

This shall consist of not less than 10 nor more than 25 persons appointed by the President, for the purpose of providing the Commission with the best technical advice on matters pertaining to the moral, religious, and educational phases of the program. The Board shall be composed in large part of outstanding civilians, but shall include not less than three members of the armed forces. The Board shall serve part-time, as the Commission may prescribe, and shall have no policy-making authority. Its members shall receive compensation and expenses when actually serving.

F. Training:

1. Military training:

The military training shall be divided into two phases. The first phase shall consist of 6 months' continuous training, as prescribed by the Secretary of War or the Secretary of the Navy, in the Ground, Naval, or Air components of the Corps. The second phase shall be devoted to the completion of one of the several "alternative programs," provided herein. In the first phase the trainee shall be given the opportunity to choose his desired service branch, and in the second phase, his desired alternative program. He shall be assigned in accordance with his choice within the limits of applicable quotas, and standards of qualification and selection prescribed by law or by the President.

The alternative programs of the second training phase are as follows:

(a) Additional training in the National Security Training Corps for a period of 6 months.

(b) Voluntary enlistment in the Regular forces for at least the minimum period authorized by law.

(c) Enlistment in the National Guard or Organized Reserve for such period as the President may prescribe.

(d) Enlistment in the Enlisted Reserve Corps and assignment to an organized unit for such period as the President may prescribe.

(e) Entrance into the Military, Naval, or Coast Guard Academies.

(f) Enrollment in the Naval and Marine Corps officer-procurement program (the Holloway plan).

(g) Enrollment in ROTC or NROTC college course with agreement to accept the appropriate Reserve commission, if offered.

(h) Entrance into the United States Merchant Marine Academy or one of the five State-accredited maritime academies, with agreement to accept a naval Reserve commission, if offered.

(i) Entrance upon a technical or specialist course in school or college, the course being approved by the War or Navy Department and the minimum length of the course prescribed by the President.

(j) Enlistment in the Enlisted Reserve Corps for 6 years, with not to exceed 1 month's active duty per year.

The President shall provide for a system of training credits so as to allow transfer from one alternative program to another.

Scholarships and grants-in-aid may be offered to specially selected trainees who enter the educational alternatives (g) and (i) above.

2. Nonmilitary training:

The Commission, after study and consultation with other departments or agencies of the Government, shall determine the substance, character, and rate of implementation of the nonmilitary training for those members of the corps unacceptable physically or mentally for military training, and for conscientious objectors.

Each trainee shall receive during the first training phase and during alternative program (a) a cash allowance of $30 per month. Compensation in the other alternatives shall be as prescribed by law or regulation.

If a trainee is the chief support of his family or members of his family, he may apply for a dependency allowance, which shall be paid in whole by the Government, without reduction in the trainee's monthly allowance. This dependency payment shall be $50 per month for one dependent, $65 per month for two or more dependents.

Trainees in the basic period and in alternative (a) shall be entitled to the benefits of the Soldiers' and Sailors' Relief Act of 1940, as amended, and to the benefits furnished to civil employees of the United States who suffer death or disability while in performance of duty. For this purpose trainees shall be deemed to receive compensation of $87.50 per month.

G. The Selective Training System:

There is created a Selective Training System closely analogous to the Selective Service System utilized in the past war. It shall be administered by a Director, who shall be the present Director of the Office of Selective Service Records. This System is established for the registration, examination, classification, assignment, deferment, delivery, and maintenance of records of men registered under this act.

This system shall include local boards in each county or comparable subdivision, appeal boards and other agencies analogous to the former Selective Service System.

Each local board shall maintain a register containing a current record of the address, occupations, training status and other pertinent data of each trainee for a period of 6 years following the trainee's completion of the first military training phase. The local board shall supervise the "alternative programs" with respect to ensuring fulfillment of the training obligation on the part of the trainee.

H. The code of conduct:

This consists of a detailed system of discipline for miltiary trainees in the first training phase and in alternative (a) of the second phase. Trainees concerned shall not be subject to the articles of war, nor to the articles for the government of the Navy.

Three levels of disciplinary punishment are provided:

(a) Commanding officer's punishment to be utilized in cases of minor violations. No restriction or confinement ordered hereunder shall exceed 1 week. The trainee may always ask for a trial.

(b) National Security Training Court. This consists of 5 officers appointed by a regimental commander or above to try cases specified in this act. Punishment of such court may not exceed restriction, extra duty, or confinement of more than 3 months; except that dishonorable discharge may be adjudged by this court.

(c) District Courts of the United States and other civil authorities. Serious crimes, specified misdemeanors, and unlawful acts committed by trainees shall come within the jurisdiction of civil courts—in most cases, district courts of the United States.

Mr. FORAND. Mr. Speaker, I yield 5 minutes to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to speak out of order and to revise and extend my remarks.

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

There was no objection.

GOVERNOR DEWEY, KEEP YOUR 50,000 REDS; MONTANA DOES NOT WANT ANY PART OF THEM

Mr. MANSFIELD. Mr. Speaker, according to this morning's press, Gov. Tom Dewey, "Silent Tom," offered to give Montana 50,000 New York Communists to add to its population—and then he went fishing.

It seems to be the habit of the Republican leaders to "go fishing" whenever they are asked to help Montana.

Governor Dewey's suggestion is typical of the attitude of the absentee landlords in the East whenever they think of Montana or for that matter any part of the West. Montana is not a second-class State and it does not want Governor Dewey's Communists. It does not propose to be a haven for the people Governor Dewey, and his backers in Wall Street, do not want.

We wonder if Governor Dewey is going to be as helpful of all Montana's problems as he seems to be on this one of population. Since he is the titular head of the Republican Party and since he is on his first campaign tour, perhaps I could suggest what he could do for Montana.

He could tell his party to do the following things:

First. Stop cutting the appropriations for reclamation, flood control, and public power.

Second. Have the Republican majority in the Congress do something about high prices, inflation, and low-cost housing.

Third. Advise the people of Montana how to keep some of the wealth they have produced retained in Montana instead of having mansions and boulevards built on Riverside Drive while Montanans are made to walk in the mud.

He could do any or all of these things but instead, like all the Republicans whenever Montana's problems are mentioned to them, he "goes fishing."

I want to state emphatically that while we could support many more people in Montana we cannot and will not support

the kind that he, as titular head of the Republican Party, wants to give us. There is room in Montana for more men and women who believe in America and who will help to develop our State, but there is no room for anyone whose first and complete loyalty is not to the United States of America.

I want Governor Dewey to know that Montana resents his slur against our State and that he would be far better off if he had remained in New York attending to his own Communist problem instead of trying to foist it off on a State which, on a per capita basis, bought more bonds and contributed more men than any other State in the Union in both world wars. We in Montana can take care of our own problems, but you, Governor Dewey, are evidently afraid to take care of yours. If all "Silent Tom" has to do is offer Montana 50,000 Reds, then it is up to the Republican Party to look elsewhere for a candidate who will be able to offer to Montana and the West real help in developing the resources which we possess in such abundance so that we can offer more opportunities to the people of Montana and the Nation. In my 5 years as a Congressman from Montana I have constantly been looking for means to help develop our State and to give our people more in the way of opportunities. I have achieved some degree of success, especially in the authorization and appropriations for the Hungry Horse project, which is the first real start in the development of a great State. This is the kind of a project that will benefit not only the people of Montana but the people of the entire Northwest as well. It certainly differs from the project which Governer Dewey is offering to Montana in the form of 50,000 exportable New York Communists. If Governor Dewey would offer to send back to Montana some of the wealth which has been taken out of our rivers and our mines I think he would be contributing to the correction of an injustice which has existed since the days Montana was a Territory. Governor Dewey, your statement indicates quite clearly that you are not interested in Montana's welfare but only in your own chances of achieving the Presidency. If this is the way you really think this problem should be handled God help the State of Montana should you ever be elected President.

Mr. REES. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. STEVENSON] and express the hope that the remainder of the time under this suspension will be devoted to a discussion of the bill under consideration.

The SPEAKER. The Chair will state to the membership that we still have a very full calendar for consideration and disposition before we adjourn tonight, and the Chair expresses the hope that we can go ahead with the business of the House.

The gentleman from Wisconsin [Mr. STEVENSON] is recognized for 5 minutes.

Mr. STEVENSON. Now, let us get back to the bill before us, H. R. 4127.

Mr. DAVIS of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. STEVENSON. I yield to my friend and colleague of Wisconsin.

Mr. DAVIS of Wisconsin. I wish to express my appreciation and admiration of the gentleman for the ability and tenacity with which he has pushed the task of bringing this measure to the floor of the House. I know he has lived with it day and night for several months and I wish to compliment him now on the action I know the House is going to take in a few minutes.

Mr. STEVENSON. I thank my friend.

Mr. Speaker, H. R. 4127 has for its purpose the amending of the existing civil-service retirement law. It provides many needed changes in the present law. Changes that are demanded by simple justice, changes in administrative practices, and changes that bring civil-service retirement in line with benefits already extended to many groups. From a standpoint of clearness and intelligibility, the act is much improved. It can safely be stated that the cost of this bill is borne almost entirely by the increase in employees' contributions.

During the last few years when the cost of living has been excessively high, the retired employees of the United States Government have been living on an average annuity of $950. An increase to this group of faithful retired employees is long since due. These men contributed regularly to the fund prior to their retirement. The dollar they deposited in the fund was a mighty dollar. We hear very little about the "almighty dollar" now, because it has lost its mightiness. We are paying the retired men back with a dollar of reduced purchasing power. In this bill we recognize the just claim of these men and grant them a modest increase of 25 percent or $300, whichever is the lesser amount.

Some months ago we read of a spectacular train wreck on the Pennsylvania Railroad. Six railway-mail clerks were killed and four seriously injured. These men, taken while in faithful pursuit of their duty, left families without adequate means of support. Again, in New York City, a woman jumped off a tall building and crushed to death a mail carrier absorbed in the delivery of his route. These are spectacular cases, but daily, faithful civil-service employees are dying, leaving wives and dependents, while in the performance of work for their Government. The comparative death rate is not high, but that does not reduce the individual need. The modest salaries paid to our Federal and postal employees do not permit the establishment of a large competence. So in this act we have provided for a modest form of widows' annuities. No mathematical formula can compute the immense good that will flow from this provision.

This is by no means a new departure. The Railroad Retirement Act, and the Social Security Act provide for widows and dependents. Our good neighbors to the north in the Dominion of Canada have provided annuities for the widows of Dominion employees for many years.

In making this provision for the widows of our employees; and such provision in the case of active employees is made only where there are dependent children; and, in the case of retired employees, it is made only when they elect to take a reduced annuity to make such provision possible. In making such a provision we are affording a source of security to our employees.

In this bill we have recognized the fact that in 1942 we increased the contributions made by employees to the retirement fund without affording the Government employee an increase in his annuity. We have recognized the fact that the present annuity paid to Government employees is not in proportion to the present salary scales. We have attempted to place annuities in a proper relative ratio to present salary scales. We have recognized the fact that this bill makes a saving that is not possible to find on any balance sheet. Employers around the country recognize the fact that from a standpoint of sound practice and economy a good pension plan permits the employer to maintain a more efficient working force. The discrepancy now existing between salaries and annuities has the effect of keeping men in the Federal service long after they should retire. It creates, as it were, "hidden annuitants," employees who are drawing full pay rather than an annuity. The new proposals found in this bill foster good personnel practices as well as providing a badly needed increase to retiring employees.

In H. R. 4127 we have simplified the administration of the retirement law. We have replaced the existing four complicated formulas with two simple formulas. Under present law, an employee must be skilled in higher mathematics and he must maintain cumbersome accounts to compute how much annuity he is going to receive. In H. R. 4127, every employee will find it simple to compute his own annuity.

Additional benefits are extended to employees under this bill, but substantial reductions are made in costs as well. The bill provides for a reduction in interest rate from 4 to 3 percent; it compels employees who have less than 5 years of service to withdraw their contributions on leaving the service; it permits withdrawal of contributions for those with less than 10 years of service. These provisions will act to materially reduce the future liability of the fund; it provides further that the total annuity received by the employee be charged against his accumulated deductions. Further, as I have previously pointed out, the bill provides for better administration. These are all steps in the direction of economy.

The bill increases the contributions of the employees from 5 percent of salary to 6 percent of salary. Since the retirement law became effective in May 1920, Federal employees have contributed $1,743,411,118.03 to the retirement fund. The total expenditures of the fund over this period has been $1,378,115,033. The employees' contributions have exceeded total expenditures by $365,296,085.03. The additional contribution to the fund to be made by the Federal employees will amount to approximately $40,000,000 per

year. It can safely be said that the cost of this bill is borne almost entirely by the increase in employees' contributions.

H. R. 4127 is a good bill, it is a just bill, it is a necessary and timely bill. It is a good bill for the employees, it is a good bill for the Government, and I urge its immediate enactment into law.

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

Mr. STEVENSON. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Does this bill lower the retirement age?

Mr. STEVENSON. The retirement age is as in the present law after 30 years service. An employee may retire at 50 years but with a 30-percent reduced annuity. He may retire at 60, and also at 62. There is also provision for compulsory retirement at 70.

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

Mr. STEVENSON. I yield to my friend the gentleman from Iowa.

Mr. JENSEN. The employees under the Civil Service pay most of this out of their own salaries, do they not?

Mr. STEVENSON. That is right. The contribution to the fund is now greater than the appropriation by the Government.

Mr. JENSEN. The postal clerks and the employees' organizations of the Postal Department, are in favor of this bill, are they not?

Mr. STEVENSON. That is right. The Post Office and Civil Service Committee reported the bill unanimously, and the subcommittee of which I am chairman voted it out unanimously. I understand also that the Rules Committee reported it out unanimously.

Mr. JENSEN. It appears to me that the gentleman and his committee have done a very fine job.

Mr. STEVENSON. I thank the gentleman.

Mr. KERSTEN of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. STEVENSON. I yield to my friend and colleague from Wisconsin.

Mr. KERSTEN of Wisconsin. I wish to compliment the gentleman and his committee for reporting out this bill at the present time. What is the nature of the provision made for widows of these employees generally?

Mr. STEVENSON. A widow may receive an annuity, if the annuitant dies and she has a child or children. The annuitant also may designate his widow to receive a reduced annuity during her lifetime or until she remarries.

Mr. KERSTEN of Wisconsin. If there are no children are there benefits to the widow?

Mr. STEVENSON. Under those conditions, yes. He may name his widow as beneficiary and she receives a reduced annuity.

Mr. KERSTEN of Wisconsin. I thank the gentleman.

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

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

Mr. BUCK. I am uncertain as to the exact increase in cost to the Government of this bill.

Mr. STEVENSON. The actuaries coming before the committee said it would cost approximately ten to fifteen millions dollars a year, but since then we have taken out several provisions of the bill which must materially decrease the cost. We have taken out the provision which would have allowed persons to retire with 10 years' service at 55 and 60, and would have given certain annuity benefits to the children of the widows of annuitants. We have taken those provisions out, which will materially reduce the cost.

I hope the bill passes unanimously. It is one of the most humanitarian and worth-while pieces of legislation that we have ever considered.

Mr. REES. Mr. Speaker, I have no more requests for time.

Mr. FORAND. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, this bill to amend the Civil Service Retirement Act is one of the very few bills reported out this session which is in the interest of deserving Government employees. Unfortunately it is not the original bill that was reported out which contained several broader and liberal provisions that would have provided retirement after 10 years' service to postal and other employees who are partially disabled by reason of the heavy work or arduous duties they perform. To such employees retiring at the age of 55, among whom are many veterans, the retirement compensation would have been little enough. I shall support this substitute and hope the Committee on Post Office and Civil Service will report out a bill in the next session that will carry the just and deserving provisions that were eliminated from the original bill.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a radio address I delivered on Saturday.

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

There was no objection.

Mr. REES. Mr. Speaker, I yield such time as he may desire, to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Speaker, each member of the Committee on Post Offices and Civil Service has received many communications with regard to amending the Civil Service Retirement Act of May 29, 1930, as amended. The letters increased in volume when S. 637 was introduced in the other body and were noted in still greater number when the gentleman from Wisconsin [Mr. STEVENSON] the author of the present bill, introduced H. R. 3232, in essence a companion bill to the Langer-Chavez proposal I mentioned earlier.

But the measure before us presently did not evolve into H. R. 4127 from H. R. 3232; there was an intermediate step since the committee desired to bring out a so-called clean bill after extended discussions of H. R. 3232 and that proposal was numbered H. R. 3872. The merit of the new additions enhanced further inquiries and further increased the letter volume.

With the continued desire to report a complete bill to the House, legislation that would overcome objections raised theretofore, H. R. 4127 was drafted and is now being debated.

We have heard an explanation of the bill by the chairman of the full committee, the gentleman from Kansas [Mr. REES], and the gentleman from Wisconsin [Mr. STEVENSON], the chairman of the subcommittee, has just concluded a longer discussion of the provisions.

I congratulate the gentleman from Wisconsin [Mr. STEVENSON] for his tenacity of purpose and compliment his fine subcommittee for their application and belief in a liberalization of the annuities and benefits given Federal employees. Their determination, after hearings, to effect desirable amendments obtained unanimous approval of H. R. 4127 by the entire committee and should have like approval by the Membership of the House this afternoon.

Mr. VURSELL. Mr. Speaker, I rise in support of H. R. 4127, better known as the annuity bill, to increase annuities for Federal employees.

This bill, which amends the retirement law, brings many benefits to Federal workers, simplifies the Retirement Act, and will give all Federal employees larger annuities for their comfort in later life when they retire from Federal service.

It will increase the annuities of all who have previously retired which will help them now to meet the present high cost of living. This act provides for widows of Federal employees and for their children under 18 years of age.

It will not add greatly to the cost of Government. It should and, I believe, will be approved by the Members of the House by a substantial majority.

Mr. HAND. Mr. Speaker, there is no need to argue about H. R. 4127 to amend and liberalize the civil-service laws. I found no sentiment whatever against it. It remains only to pass the bill by the required two-thirds majority, and to hope that it will be enacted into law forthwith.

The postal employees, and civil-service workers generally, are entitled to the benefits which the act provides, and I am glad to be recorded in support of the measure.

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 292 was laid on the table.

Mr. REES. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks in the RECORD at the point immediately preceding the passage of the bill.

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

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1948

Mr. HORAN. Mr. Speaker, I ask unanimous consent that the managers

on the part of the House may have until midnight tonight to file a conference report and statement on the bill (H. R. 4106) making appropriations for the District of Columbia for the fiscal year 1948.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate disagrees to the amendments of the House to the bill (S. 758) entitled "An act to promote the national security by providing for a National Security Organization, which shall be administered by a Secretary of National Security, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Security Organization, and for the coordination of the activities of the National Security Organization with other departments and agencies of the Government concerned with the national security," agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GURNEY, Mr. SALTONSTALL, Mr. MORSE, Mr. BALDWIN, Mr. TYDINGS, Mr. RUSSELL, and Mr. BYRD to be the conferees on the part of the Senate.

PRESUMPTION OF SERVICE CONNECTION FOR TROPICAL DISEASES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 3889) to amend Veterans Regulation No. 1 (a), parts I and II, as amended, to establish a presumption of service connection for chronic and tropical diseases.

The Clerk read as follows:

Be it enacted, etc., That subparagraph (c) of paragraph I, part I, Veterans Regulation No. 1 (a), as amended, is hereby amended by substituting a colon for the period at the end thereof and adding the following: *"Provided further*, That the term 'chronic disease' as used in this paragraph shall include anemia, primary; arteriosclerosis; arthritis; bronchiectasis; calculi of the kidney, bladder, or gall bladder; cardiovascular-renal disease, including hypertension, Buerger's disease and Raynaud's disease; cirrhosis of the liver; coccidiomycosis; endocarditis; diabetes, mellitus; endocrinopathies; epilepsies; Hodgkin's disease; leukemia, nephritis; osteitis, deformans; osteomalacia; organic diseases of the nervous system, including tumors of the brain, cord, or peripheral nerves; functional disorders of the nervous system; scleroderma; tuberculosis, active; tumors, malignant; ulcers, peptic (gastric or duodenal) and such other chronic diseases as the Administrator of Veterans' Affairs may add to this list: *And provided further*, That, subject to the limitations of this subparagraph, tropical diseases, such as cholera; dysentery, amebic or bacillary; filariasis; fungus diseases; lieshmaniasis; leprosy; loiasis; malaria: black-water fever; onchocerciasis; oroya fever; oracontiasis (or dracontiasis); pinta; plague; relapsing fever; schistosomiasis; yaws; yellow fever and others and the resultant disorders or diseases originating because of therapy, administered in connection with such diseases, or as a preventative thereof, shall be accorded service connection when shown to exist within 1 year after separation from active service or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service. Nothing in this paragraph shall be construed to prevent service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active service.

SEC. 2. Veterans Regulation No. 1 (a), part II, paragraph I, as amended, is hereby amended by adding subparagraph (d) thereto, said paragraph to read as follows: "That for the purpose of paragraph I (a) hereof, any person who served in the military or naval service for 6 months or more and was honorably discharged therefrom and contracts a tropical disease such as cholera; dysentery, amebic or bacillary; filariasis; fungus diseases; lieshmaniasis; leprosy; loiasis; malaria; black-water fever; onchocerciasis; oroya fever; oracontiasis (or dracontiasis); pinta; plague; relapsing fever; schistosomiasis; yaws; yellow fever and others and the resultant disorders or diseases originating because of therapy administered in connection with such diseases, or as a preventative thereof, unless shown by clear and unmistakable evidence to have had its inception prior or subsequent to active service, shall be deemed to have incurred such disability in active service when it is shown to exist within 1 year after separation from active service, or at a time when standard and accepted treatises indicate that the incubation period thereof commenced during active service. Nothing in this paragraph shall be construed to prevent service connection for any disease or disorder otherwise shown by sound judgment to have been incurred in or aggravated by active service.

The SPEAKER. Is a second demanded?

Mr. WHEELER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I will take very little time. I think the House will be very glad to pass this bill. The Veterans' Administration has regulations at the present time under which it applies the presumption of service connection to cases involving certain diseases, particularly the tropical diseases. One Veterans' Administration office will interpret the regulation in one way and another office will interpret it in another way. I think the Veterans' Administration feels as we do, that these tropical diseases are extremely far-reaching. Some of them start with just a rash, and the fungus growths then extend inward into the digestive organs. They are extremely dangerous and very painful. This bill was endorsed by all the veterans' organizations.

Mr. Speaker, I think there is absolutely no objection to the bill.

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

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. In enlarging the field for the primary diseases, a long list of which is included in the bill, what will be the additional cost to the Veterans' Administration?

Mrs. ROGERS of Massachusetts. I think the cost will not be appreciable in any event. It cannot be appreciable because the Veterans' Administration say they do not need the bill, since they can do it under regulations under the present law. However, as the regulations are interpreted differently in different offices, it is very essential to pass this bill.

Mr. Speaker, I yield 5 minutes to the author of the bill, the gentleman from Connecticut [Mr. PATTERSON].

Mr. PATTERSON. Mr. Speaker, this bill will establish a presumption of service connection for chronic and tropical diseases. For instance, during the war many of our soldiers, sailors, and marines contracted various diseases while serving their country on foreign shores. Some of these diseases have a period of incubation of, say, 5 years. In many cases boys contracted malaria while in the South Pacific, China, Burma, and in Europe. While they were in action they were taking atabrine or some other suppressive medicine. After discharge from the service and stopping this medication a period of a year might go by, I have been informed by doctors, and the suppressive medicine they had used in the service was still strong enough to ward off an attack of malaria. However, after coming back to civilian life and engaging in their occupations they have come down with malaria or some other tropical disease. I claim that if they have malaria and have been in those areas of the Pacific and Europe where the disease is prevalent, it creates a presumption of service connection. I know in my own case that many of the boys that served under me in the Pacific contracted filariasis. That is a disease that can be arrested, but up to date cannot be cured. This bill is to take care of all kinds of diseases that have been contracted in the service, and if a boy has been serving in the Tropics and comes down with filariasis or any of the diseases that are foreign to this hemisphere it is presumptive evidence that it is service-connected.

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

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

Mr. BREHM. It applies to the veterans of World War II but not to the veterans of World War I?

Mr. PATTERSON. No; it applies to all veterans of World War I and II and the Spanish-American War veterans.

Mr. BREHM. I am glad to know that this does include veterans of World War I and II and the Spanish-American War veterans.

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

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

Mr. JOHNSON of California. Is it not the purpose of this bill to modernize the rules and regulations of the Veterans' Administration to catch up with the things that happened in this war, making it simpler and easier for a man to prove the service connection of his disability?

Mr. PATTERSON. That is right. Now it is a regulation, and this is putting it in the form of a statute so that when an adjudicator gets a case from a veteran, he will take notice of it because it is the law and not a regulation. There is an old saying that you can waive a regulation but you cannot waive the law.

Mr. JOHNSON of California. It will liberalize the rules and make it easier for the veteran to prove his case.

Mr. PATTERSON. That is right.

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

Mr. PATTERSON. I yield.

Mr. TALLE. May I say to the gentleman that I am in thorough accord with his views. As time passes, it will be found that many bad cases of sinus trouble will develop as a result of high-altitude flying during the war. Such afflictions as well as those already mentioned should certainly be recognized as service-connected.

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

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

Mr. KEATING. I commend the gentleman for bringing in this bill. I served in the China-Burma-India theater and I know there are many veterans who need this legislation badly. I think it is a fine piece of legislation and I intend to support it.

Mr. PATTERSON. I thank the gentleman.

I yield to the gentleman from Connecticut [Mr. LODGE].

Mr. LODGE. I join with the distinguished gentleman and commend him for his excellent presentation.

Mr. PATTERSON. I thank the gentleman.

I yield to the gentleman from Indiana [Mr. MITCHELL].

Mr. MITCHELL. This bill came out of the committee unanimously. Every member heard the testimony and is 100 percent for it.

Mr. PATTERSON. I thank the gentleman.

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

Mr. PATTERSON. I yield to the gentleman.

Mr. KEAN. This seems to be a very meritorious bill, but can you tell me why the Veterans' Administration is not in favor of it?

Mr. PATTERSON. It does not fit in with the program of the President. Of course, the committee has unanimously reported it out so I hope it will be accepted.

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

Mr. PATTERSON. I yield.

Mr. MITCHELL. It so happens that we get very few reports back from the Veterans' Administration in favor of our legislation.

Mr. PATTERSON. That is right. They do not approve of the majority of them because they do not conform with the program of the President.

Mr. WHEELER. Mr. Speaker, this bill is a very much needed piece of legislation.

Mr. Speaker, I have no further requests for time.

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

APPOINTMENT TO VACANCY IN THE BOARD OF REGENTS, SMITHSONIAN INSTITUTION

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 250, to provide for the appointment of Robert V. Fleming as a member of the Board of Regents of the Smithsonian Institution.

The Clerk read the title of the joint resolution.

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

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the vacancy in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, caused by the resignation of Frederic A. Delano, be filled by the appointment of Robert V. Fleming, a citizen of the District of Columbia, for the statutory term of 6 years.

The joint resolution 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.

INTERIOR DEPARTMENT APPROPRIATION BILL, 1948—CONFERENCE REPORT

Mr. JONES of Ohio. Mr. Speaker, I call up the conference report on the bill (H. R. 3123) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes; and I ask unanimous consent that the statement may be read in lieu of the report.

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

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 Senate to the bill (H. R. 3123) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, 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 Senate recede from its amendments numbered 14, 82, 83, 97, 98, 103, 117, 118, 119, 120, 123, 126, 127, 155, 160, 173, 174, and 175.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 8, 10, 11, 12, 15, 21, 22, 23, 24, 25, 26, 27, 28, 32, 33, 35, 36, 37, 38, 40, 42, 43, 46, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 79, 80, 89, 99, 102, 106, 107, 110, 111, 112, 115, 116, 121, 122, 131, 132, 133, 134, 136, 139, 142, 147, 150, 154, 156, 157, 158, 159, 161, 163, 165, 170, and 172, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: ": *Provided further*, That not to exceed $50,000 of this appropriation may be used for the Division of Power under the Office of the Secretary"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,900,000"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$8,596,400"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows:

"Construction: The funds appropriated for the fiscal year 1947 (Interior Department Appropriation Act, 1947), are hereby continued available during the fiscal year 1948 to meet obligations incurred in contract or contracts duly executed and in force on or before June 30, 1947; for administrative expenses connected therewith; including purchase of five, and hire of passenger motor vehicles; for temporary services as authorized by section 15 of the Act of August 2, 1946 (Public Law 600), but at rates not exceeding $35 per diem for individuals; printing and binding; for the purchase or acquisition of necessary lands for rights-of-way and necessary engineering and supervision of the construction under said contracts; and for the construction of necessary interconnecting facilities incident to and connected with the construction of the Denison-Norfork transmission line."

And the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,175,000"; and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,500,000"; and the Senate agree to the same.

Amendment numbered 30: That the House recede from its disagreement to the amendment of the Senate numbered 30, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$11,139,700"; and the Senate agree to the same.

Amendment numbered 31: That the House recede from its disagreement to the amendment of the Senate numbered 31, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,000,000"; and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$450,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$180,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,012,500"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert "$3,130,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,800,000"; and the Senate agree to the same.

Amendment numbered 81: That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,600,000"; and the Senate agree to the same.

Amendment numbered 84: That the House recede from its disagreement to the amendment of the Senate numbered 84, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$18,345,750"; and the Senate agree to the same.

Amendment numbered 86: That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$1,400,000"; and the Senate agree to the same.

Amendment numbered 87: That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

Davis Dam project, Arizona-Nevada, $9,700,000;

And the Senate agree to the same.

Amendment numbered 88: That the House recede from its disagreement to the amendment of the Senate numbered 88, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Central Valley project, California: Joint facilities, $690,000; irrigation facilities $5,622,028; power facilities, Shasta power plant, $427,800, Keswick Dam, $100,740, Keswick power plant, $218,040; transmission lines, Shasta to Delta, via Oroville and Sacramento, two hundred and thirty kilovolt, $256,680, Shasta Dam to Shasta substation, two hundred and thirty kilovolt, $1,500,000, Keswick tap line, two hundred and thirty kilovolt, $160,000, Contra Costa Canal extension, sixty-nine kilovolt, $118,000; substation, Contra Costa, $48,000; in all, $9,141,288;"

And the Senate agree to the same.

Amendment numbered 90: That the House recede from its disagreement to the amendment of the Senate numbered 90, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$9,500,000"; and the Senate agree to the same.

Amendment numbered 91: That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$2,500,000"; and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the sum named in line 4 of said amendment insert "$17,500,000"; and the Senate agree to the same.

Amendment numbered 93: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$49,841,288"; and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,500,000"; and the Senate agree to the same.

Amendment numbered 95: That the House recede from its disagreement to the amendment of the Senate numbered 95, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "as provided in the Act of December 22, 1944 (Public Law 534), Seventy-eighth Congress, and the Act of August 14, 1946 (Public Law 732), Seventy-ninth Congress"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$17,000,000"; and the Senate agree to the same.

Amendment numbered 100: That the House recede from its disagreement to the amendment of the Senate numbered 100, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$435,000"; and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,300,000"; and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$500,000"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the matter stricken out and inserted by said amendment insert the following: "the payment, directly or indirectly, for the drilling of water wells for the purpose of supplying water for domestic use"; and the Senate agree to the same.

Amendment numbered 125: That the House recede from its disagreement to the amendment of the Senate numbered 125, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$10,091,340"; and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$400,000"; and the Senate agree to the same.

Amendment numbered 129: That the House recede from its disagreement to the amendment of the Senate numbered 129, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$93,500"; and the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,060,000"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,500"; and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$75,000"; and the Senate agree to the same.

Amendment numbered 140: That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$600,000"; and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$41,500"; and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,060,000"; and the Senate agree to the same.

Amendment numbered 144: That the House recede from its disagreement to the amendment of the Senate numbered 144, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$38,500"; and the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$29,000"; and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,000,000"; and the Senate agree to the same.

Amendment numbered 148: That the House recede from its disagreement to the amendment of the Senate numbered 148, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$680,000"; and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$580,000"; and the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,500,000"; and the Senate agree to the same.

Amendment numbered 162: That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$225,000"; and the Senate agree to the same.

Amendment numbered 164: That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$258,450"; and the Senate agree to the same.

Amendment numbered 166: That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$200,000"; and the Senate agree to the same.

Amendment numbered 167: That the House recede from its disagreement to the amendment of the Senate numbered 167, and agree to the same with an amendment as follows:

In lieu of the sum proposed by said amendment insert "$6,492,810"; and the Senate agree to the same.

Amendment numbered 168: That the House recede from its disagreement to the amendment of the Senate numbered 168, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$6,492,810"; and the Senate agree to the same.

Amendment numbered 169: That the House recede from its disagreement to the amendment of the Senate numbered 169, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,082,700"; and the Senate agree to the same.

Amendment numbered 178: That the House recede from its disagreement to the amendment of the Senate numbered 178, and agree to the same with an amendment as follows: In line 1 of said amendment, strike out the figure "9" and insert in lieu thereof the following: "10"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 6, 7, 16, 17, 18, 34, 39, 41, 68, 78, 85, 101, 104, 105, 114, 124, 130, 151, 152, 171, 176, 177, and 179.

ROBERT F. JONES,
BEN F. JENSEN,
IVOR D. FENTON,
LOWELL STOCKMAN,
FRANCIS CASE,
MICHAEL J. KIRWAN,
JOHN J. ROONEY,
ALBERT GORE,
W. F. NORRELL,
Managers on the Part of the House.

KENNETH S. WHERRY,
CHAN GURNEY,
JOSEPH H. BALL,
GUY CORDON,
CARL HAYDEN,
ELMER THOMAS,
JOSEPH C. O'MAHONEY,
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 Senate to the bill (H. R. 3123) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1948, and for other purposes, submit the following report in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Nos. 1, 2, 3, and 4, relating to the Office of the Secretary: Provides for the temporary employment of consultants at $35 per diem, as proposed by the Senate, instead of $50 per diem, as proposed by the House; appropriates $1,103,000, as proposed by the Senate, instead of $1,000,000, as proposed by the House; provides that not to exceed $50,000 may be used for the Division of Power, instead of the prohibition against the use of any funds for such purpose, as proposed by the House, and the elimination of any restriction, as proposed by the Senate; and provides that not to exceed $42,500 may be used for the Division of Information or for publicity and public relations activities, as proposed by the Senate.

No. 5: Appropriates $215,460 for the Office of the Solicitor, as proposed by the Senate, instead of $200,000, as proposed by the House.

No. 6: Reported in disagreement.

No. 7: Reported in disagreement.

Nos. 8 and 9: Appropriates $1,900,000 for soil and moisture conservation operations, instead of $1,500,000, as proposed by the House, and $2,100,000, as proposed by the Senate, of which not to exceed $200,000 is provided for use in connection with the aerial seed planting program being carried on by this activity; and provides for the purchase of "not to exceed" four passenger motor vehicles.

No. 10: Appropriates $220,430, as proposed by the Senate, instead of $215,000, as proposed by the House, for contingent expenses, Department of the Interior.

No. 11: Appropriates $136,500 for penalty mail costs, as proposed by the Senate, instead of $185,000, as proposed by the House.

BONNEVILLE POWER ADMINISTRATION

Nos. 12, 13, 14, 15, 16, 17, and 18, relating to the Bonneville Power Administration: Appropriates $8,596,400, instead of $6,907,800, as proposed by the House, and $16,222,400, as proposed by the Senate; authorizes the use of $2,500,000 for operation and maintenance, and administrative expenses, as proposed by the House, instead of $3,290,000, as proposed by the Senate; permits the purchase of "not to exceed" 14 passenger motor vehicles, as proposed by the Senate; provides $24,000 for personal services in the District of Columbia, as proposed by the Senate, instead of $12,000, as proposed by the House; and reports amendments 16, 17, and 18 in disagreement. In connection with amendment No. 16, reported in disagreement, the managers on the part of the House have directed that a motion be made providing a contract authorization in the sum of $4,935,500. Assuming that the recommendation of the managers on the part of the House in connection with the contract authorization is accepted, the following table sets forth the distribution of funds as agreed upon by the conference committee:

Bonneville Power Administration

Description	Appropriation	Contract authorization	Total
Transmission system for which funds have been previously appropriated:			
Grand Coulee-Snohomish No. 1	$3,000,000	$3,000,000	$6,000,000
Snohomish-Arlington-Bellingham-Blaine	12,000		12,000
Chehalis-Olympia	231,000		231,000
Columbia substation additions	141,000		141,000
Olympia-Shelton-Potlatch-Fairmont-Port Angeles	1,754,800	748,500	2,503,300
McNary-Pasco	164,000		164,000
Olympia-Cosmopolis	376,000	185,000	561,000
Hungry Horse-Kerr Dam	237,000		237,000
Subtotal	5,915,800	3,933,500	9,849,300
Transmission system for which funds have not been previously appropriated:			
Covington-Olympia	51,000	650,000	701,000
North Bonneville-Troutdale	29,600	352,000	381,600
Tools and equipment	100,000		100,000
Subtotal	180,600	1,002,000	1,182,600
Total, construction	6,096,400	4,935,500	11,031,900
Operation and maintenance	2,500,000		2,500,000
Total	8,596,400	4,935,500	13,531,900

SOUTHWESTERN POWER ADMINISTRATION

No. 19, relating to the item for construction, Southwestern Power Administration: Continues available during the fiscal year 1948 funds appropriated for the fiscal year 1947 for which obligations have been incurred under contracts executed on or before June 30, 1947; makes the unexpended balance of the 1947 construction appropriation available for construction of necessary interconnecting facilities incident to and connected with the construction of the Denison-Norfork transmission lines; and also makes available the 1947 appropriation for administrative expenses and other expenses necessary to continued operation and supervision, including the purchase or acquisition of necessary lands, engineering, and so forth; instead of appropriating $1,246,000 together with reappropriation of the 1947 unexpended balance, as proposed by the House; and the elimination of the item, as proposed by the Senate.

BUREAU OF LAND MANAGEMENT

Nos. 20, 21, 22, 23, 24, 25, 26, and 27: Appropriates $1,175,000 for salaries and expenses, instead of $1,000,000, as proposed by the House, and $1,218,000, as proposed by the Senate; appropriates $2,084,640, as proposed by the Senate, instead of $1,888,000, as proposed by the House, for management, protection, and disposal of public lands, and in connection with such item, provides for the purchase of "not to exceed" 25 passenger motor vehicles, as proposed by the Senate, for the payment of a salary of $6 per diem to members of advisory committees of local stockmen, as proposed by the Senate, instead of $5 per diem, as proposed by the House, and increases the limitation on funds available for carrying out the provisions of the act of June 28, 1934, as amended, to $398,000, as proposed by the Senate, instead of $373,000, as proposed by the House; provides for the purchase of not to exceed 1 passenger motor vehicle in connection with range improvements, as proposed by the Senate; and appropriates $469,300, as proposed by the Senate, instead of $425,000, as proposed by the House, in connection with revested Oregon & California Railroad and reconveyed Coos Bay Wagon Road grant lands, Oregon, including authorization for the purchase of "not to exceed" 1 passenger motor vehicle, as proposed by the Senate.

BUREAU OF INDIAN AFFAIRS

No. 28: Appropriates $500,000 for salaries and expenses, district offices, as proposed by the Senate, instead of $700,000, as proposed by the House.

No. 29: Appropriates $3,500,000 for the Alaska native service, instead of $3,250,000, as proposed by the House, and $3,650,000, as proposed by the Senate.

No. 30: Appropriates $11,139,700 for education of Indians, instead of $8,000,000, as proposed by the House, and $11,500,000, as proposed by the Senate, and directs a proportionate distribution of the reduction in the Budget estimate on the basis of the Budget break-down for such item as set forth in the 1948 Budget Estimates.

The conferees recommend that quarterly reports be made to the Appropriations Committees showing the obligations by activity under this appropriation and also the obligations by quarters for the various reservation, nonreservation, and day schools financed out of this appropriation.

The conferees further recommend to the Department that in preparing the justifications for the fiscal year 1949, there should be set forth in the justification for the appropriation "Education of Indians" a table showing for each reservation, nonreservation, and day school, the actual obligations for the fiscal year 1947, the estimated obligations for the fiscal year 1948, and the estimate for the fiscal year 1949.

No. 31: Appropriates $7,000,000 for conservation of health, instead of $6,830,570, as proposed by the House, and $7,240,570, as proposed by the Senate.

The conferees recommend that quarterly reports be made to the Appropriations Committees showing the obligations by activity under this appropriation and also the obligations by quarters for the various Indian hospitals and sanatoria financed out of this appropriation.

The conferees further recommend to the Department that in preparing the justifications for the fiscal year 1949, there should be set forth in the justification for the appropriation "Conservation of health" a table

showing for each hospital and sanatorium the actual obligations for the fiscal year 1947, the estimated obligations for the fiscal year 1948, and the estimate for the fiscal year 1949.

No. 32: Appropriates $498,710, as proposed by the Senate, instead of $488,910, as proposed by the House, for welfare of Indians.

No. 33: Appropriates $801,500, as proposed by the Senate, instead of $1,000,000, as proposed by the House, for management, Indian forest and range resources.

No. 34: Reported in disagreement.

Nos. 35, 36, 37, 38, 39, 40, and 41, relating to acquisition of lands for Indian tribes: Prohibits the use of such appropriation for the acquisition of land outside the boundaries of existing Indian reservations in the States of California and South Dakota, and strikes out such prohibition as regards the States of Montana and Washington, as proposed by the Senate; prohibits the use of such funds for the purchase of lands either inside or outside the boundaries of existing reservations in the States of Montana, Nevada, Oregon, and Washington, as proposed by the Senate, instead of the States of Nevada and Oregon, as proposed by the House; and reports in disagreement authorizations for the purchase of land for the Alamo Band of Puertocito Indians in the State of New Mexico, and for the acquisition of land at Celilo Falls, Oreg.

No. 42: Authorizes the use of $15,500 for personal services in the District of Columbia, as proposed by the Senate, instead of $12,000, as proposed by the House, in connection with Indian arts and crafts.

Nos. 43, 44, 45, 46, 47, and 48, relating to Indian irrigation: Appropriates $406,000, of which $337,833 shall be reimbursable, as proposed by the Senate, instead of $337,833, as proposed by the House, for maintenance of irrigation systems; and in connection with the construction of irrigation systems, appropriates $450,000 for the Colorado River project, Arizona, instead of $400,000, as proposed by the House and $500,000, as proposed by the Senate; $180,000 for the Navajo, Arizona and New Mexico, project, instead of $150,000, as proposed by the House, and $210,000, as proposed by the Senate; $40,000 for the Fort Hall, Idaho, project, and $17,500 for United Pueblos, New Mexico, as proposed by the Senate; and corrects the total of such items.

Nos. 49, 50, 51, and 52, relating to construction of buildings and utilities: Appropriates $400,000 for construction in Alaska, as proposed by the Senate, instead of $160,000, as proposed by the House; $20,000 for water improvements at Fort Belknap, Mont., as proposed by the Senate, instead of $10,000, as proposed by the House, with the understanding that such amount will be used to complete the project; provides for the hire of private architects, as proposed by the Senate, and corrects the total of such items, as proposed by the Senate.

Nos. 53, 54, 55, 56, 57, 58, 59, 60, and 61, relating to appropriations from Indian tribal funds: Appropriates $304,800 for administration of tribal funds, as proposed by the Senate, instead of $294,800, as proposed by the House; appropriates $147,500 for support of the Menominee Agency, Wis., as proposed by the Senate, instead of $135,000, as proposed by the House; provides a salary of $1,954 for the curator of the Osage Indian Museum, as proposed by the Senate; strikes out language authorizing the employment of a tribal attorney for the Osage Indian Agency, as proposed by the Senate; authorizes the use of $2,000 for education of Indian children at the St. Louis Mission Boarding School, Oklahoma, as proposed by the Senate, instead of $1,500, as proposed by the House; authorizes payment of $10 per diem in lieu of subsistence for travel and expenses of members of the Osage Tribal Council, as proposed by the Senate, instead of $6 per diem as proposed by the House; appropriates $73,000 for expenses of tribal councils, as proposed by the Senate, instead of $35,000, as proposed by the House; strikes out the words "non-Indian owned" in the proviso of the item for purchase and lease of lands, as proposed by the Senate, and excludes the states of Montana, Nevada, Oregon, South Dakota, and Washington from such item, as proposed by the Senate, instead of limiting the proviso to the States of Nevada and Oregon, as proposed by the House.

BUREAU OF RECLAMATION

Nos. 62 and 63, relating to administrative provisions: Strikes out the limitation of $239,000 on printing and binding contained in the House bill, as proposed by the Senate; and inserts the proposal of the Senate inserting the words "not to exceed" in connection with the purchase of automobiles.

In connection with the consideration of construction activities the conferees are in agreement that there should be an improvement in the controls now set up to hold the allocations within appropriations provided by the Congress. The conference committee requests that the Department, with the assistance and supervision of the Bureau of the Budget, work out a system of quarterly reports to the Appropriations Committees which will keep the committees informed as to the status of such funds.

Nos. 64, 65, and 66, relating to salaries and expenses: Appropriates $3,130,000 for this purpose, instead of $3,000,000, as provided by the House, and $3,260,000, as proposed by the Senate; provides for the transfer of not to exceed $7,800,000 for work for the benefit of specific projects, instead of $6,500,000, as proposed by the House, and $9,100,000, as proposed by the Senate; and restricts the use of funds for informational work to $50,000, as proposed by the Senate, instead of $150,000, as proposed by the House.

Nos. 67 and 68: Appropriates $2,000,000 for general investigations, as proposed by the Senate, instead of $125,000, as proposed by the House; and reports amendment No. 68 in disagreement.

Nos. 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, and 80, relating to construction from the reclamation fund: Inserts the language of the Senate with reference to the reimbursability of construction funds; strikes out the provisions of the House proposing to appropriate funds for the Gila project, Arizona, Davis dam project, Arizona-Nevada, Central Valley project, California, Kings River project, California, Colorado-Big Thompson project, Colorado, Hungry Horse project, Montana, and the Columbia Basin project, Washington, as proposed by the Senate, funds for such projects being provided from general fund appropriations; strikes out the Pine River project, Colorado ($175,000), as proposed by the Senate; appropriates $930,750 for the Palisades project, Idaho, as proposed by the Senate, instead of $876,000, as proposed by the House; reports amendment No. 78 in disagreement; and corrects the total of construction appropriations from the reclamation fund.

No. 81: Makes $1,600,000 available from power revenues to operate and maintain the Parker Dam power project, Arizona-California, instead of $700,000, as proposed by the House, and $2,140,000, as proposed by the Senate.

Nos. 82 and 83, relating to the Columbia Basin project, Washington: Authorizes the use of $1,300,000 from power revenues for operation and maintenance, and so forth, as proposed by the House, instead of $1,326,000, as proposed by the Senate; and strikes out the proposal of the Senate providing for payment to school districts for pupils who are dependents of any employee of the United States living in or in the vicinity of Coulee Dam.

No. 84: Corrects the total of appropriations from reclamation fund.

No. 85: Reported in disagreement.

Nos. 86, 87, 88, 89, 90, 91, 92, and 93, relating to construction from the general fund:

Item or project	*Amount approved by conferees*
Gila project, Arizona	$1,400,000
Davis Dam project, Arizona-Nevada	9,700,000
Central Valley project, California	9,141,288
Kings River project, California	100,000
Colorado-Big Thompson project, Colorado	9,500,000
Hungry Horse project, Montana	2,500,000
Columbia Basin project, Washington	17,500,000
Total	49,841,288

Realizing that repayment of construction cost is an essential part of the reclamation policy, and that a major portion of repayment of the cost of the Columbia Basin project must depend upon power revenues, the conferees are agreed that funds provided in the bill should be so allocated as to permit completion and installation of the six generators presently on order for this project at the earliest possible date.

In making certain appropriations in this bill from the general fund for reclamation projects, the conferees do so with the recommendation that new legislation shall be passed at the earliest opportunity providing for the disposal of the interest collected on sums invested in power and municipal water features on reclamation projects, and with the understanding that interest heretofore or hereafter collected on such investment in power or municipal water features of any such reclamation project constructed or operated under the authority of the Reclamation Project Act of 1939 shall not be allocated during the fiscal year 1948.

No. 94: Appropriates $1,500,000 for the Fort Peck project, Montana, instead of $1,250,000, as proposed by the House, and $1,575,058, as proposed by the Senate.

Nos. 95, and 96: Appropriates $17,000,000 for the Missouri River Basin project, instead of $9,786,600, as proposed by the House, and $18,535,000, as proposed by the Senate, of which $1,000,000 is provided for the Medicine Creek unit of the Frenchman-Cambridge project; $520,000 is for the Grand River (Shadehill) unit; $200,000 toward the construction of a transmission line from Bridgeport to Alliance, Nebr.; $150,000 is provided for use in the construction of a transmission line from Cheyenne to Pine Bluffs, Wyo.; and in accepting the amendment of the Senate relating to the reimbursability of the appropriation the conferees have agreed to include reference to the act of December 22, 1944 (Public Law 534).

Nos. 97 and 98 relating to operation and maintenance, Boulder Canyon project: Strikes out the proposal of the Senate to provide funds for the payment of tuition for pupils who are dependents of employees of the United States living in the area, and appropriates $1,500,000 for operation and maintenance of the project, as proposed by the House, instead of $1,533,300, as proposed by the Senate.

Nos. 99 and 100: Appropriates $435,000 for continuation of construction, Boulder Canyon project, instead of $400,000, as proposed by the House, and $475,575, as proposed by the Senate; and changes the name of the dam from "Boulder" Dam, as proposed by the House, to "Hoover" Dam, as proposed by the Senate.

No. 101: Reported in disagreement.

No. 102: Appropriates $500,000, as proposed by the Senate, instead of $250,000, as proposed by the House for investigations, Colorado River system.

No. 103: Appropriates $1,000,000 for operating and maintaining the Colorado River

front work, as proposed by the House, instead of $1,063,300, as proposed by the Senate.

No. 104: Reported in disagreement.

No. 105: Reported in disagreement.

GEOLOGICAL SURVEY

Nos. 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, and 125, relating to the Geological Survey: Authorizes the purchase of "not to exceed" 146 passenger motor vehicles, as proposed by the Senate; in connection with the appropriation for topographic surveys, increases the amount which may be used only for cooperative surveys with States or municipalities from $400,000, as proposed by the House, to $517,000, as proposed by the Senate; appropriates $2,300,000 for geologic surveys, instead of $1,690,000, as proposed by the House, and $2,374,500, as proposed by the Senate, and permits the use of $500,000 of such appropriation for personal services in the District of Columbia, instead of $450,000, as proposed by the House and $580,000, as proposed by the Senate; appropriates $2,625,000 for gaging streams, as proposed by the Senate, instead of $2,578,680, as proposed by the House, of which $265,000 may be expended for personal services in the District of Columbia, as proposed by the Senate, instead of $250,000, as proposed by the House, with the understanding that the restriction on page 30 of Senate Report No. 278 requiring that not less than $740,000 be used for cooperative or noncooperative ground water activities shall not apply in connection with the distribution of the $2,625,000 allowed for this item; provides that $1,586,500 shall be available only for cooperation with States and municipalities, as proposed by the Senate, instead of $1,570,000, as proposed by the House, provides that no part of the appropriation shall be used for payment, directly or indirectly, for the drilling of water wells for the purpose of supplying water for domestic use, instead of prohibiting the use of any funds for cooperative or noncooperative ground water work, as proposed by the House, and prohibiting the use of any funds for the drilling of water wells for the purpose of supplying water for domestic use, as proposed by the Senate; reports in disagreement amendment No. 114; appropriates $245,000 of which not to exceed $56,500 may be expended for personal services in the District of Columbia, as proposed by the Senate, instead of $139,000 and a District of Columbia limitation of $35,000, as proposed by the House; in connection with printing and binding, and so forth, appropriates $120,000, as proposed by the House, instead of $130,000, as proposed by the Senate, for printing and binding, $32,000, as proposed by the House, instead of $36,000, as proposed by the Senate, for preparation of illustrations, $237,000 for geologic and topographic map printing and engraving, as proposed by the House, instead of $313,500, as proposed by the Senate, and corrects the total of such items; appropriates $650,000 for mineral leasing, as proposed by the Senate, of which $78,000 may be expended in the District of Columbia, instead of $434,210, with a limitation on District of Columbia expenditures to $65,000, as proposed by the House; strikes out the proposal of the Senate authorizing the Director to contract for the furnishing of topographic maps; reports in disagreement amendment No. 124; and corrects the total of the items for the Geological Survey.

BUREAU OF MINES

Nos. 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, and 152, relating to various provisions for the Bureau of Mines: Provides $93,000, as proposed by the House, instead of $118,000, as proposed by the Senate for personal services and $65,000, as proposed by the House, instead of $85,000, as proposed by the Senate, for printing and binding, in connection with the item for salaries and expenses; appropriates $400,000 for testing fuel, instead of $302,285, as proposed by the House, and $416,500, as proposed by the Senate, and provides $93,500 for personal services in the District of Columbia, instead of $80,000, as proposed by the House, and $97,600, as proposed by the Senate, with the understanding that the reduction in the Budget estimate shall be distributed proportionately; reports No. 130 in disagreement; provides for the purchase of not to exceed two passenger motor vehicles in connection with synthetic liquid fuels, as proposed by the Senate; appropriates $440,300, as proposed by the Senate, instead of $360,090, as proposed by the House, for mineral mining investigations, and provides $40,000 for personal services in the District of Columbia, as proposed by the Senate, instead of $30,000, as proposed by the House; appropriates $1,060,000 for investigation and development of domestic mineral deposits, except fuels, instead of $800,000, as proposed by the House, and $1,120,000, as proposed by the Senate, of which $39,200 may be used for personal services in the District of Columbia, as proposed by the Senate, instead of $30,000, as proposed by the House; appropriates $75,000 for coal investigations, instead of $57,000, as proposed by the House, and $100,000, as proposed by the Senate, of which $7,500 is made available for personal services in the District of Columbia, instead of $5,000, as proposed by the House and $9,800, as proposed by the Senate, and authorizes the purchase of "not to exceed" one passenger motor vehicle, as proposed by the Senate; appropriates $600,000 for oil and gas investigations, instead of $579,000, as proposed by the House, and $634,550, as proposed by the Senate, authorizes the purchase of "not to exceed" five passenger motor vehicles, as proposed by the Senate, and provides $41,500 for personal services in the District of Columbia, instead of $40,000, as proposed by the House, and $43,300, as proposed by the Senate; appropriates $1,060,000 for mining experiment stations, instead of $1,000,000, as proposed by the House, and $1,120,000, as proposed by the Senate, provides that the reduction in the Budget estimate under this item shall be distributed proportionately and that no stations shall be closed, and authorizes the use of $38,500 for personal services in the District of Columbia, instead of $37,000, as proposed by the House, and $40,000, as proposed by the Senate; appropriates $1,000,000 for metallurgical research and pilot plants, instead of $600,000, as proposed by the House, and $1,120,000, as proposed by the Senate, with the understanding that none of the activities or projects proposed in the 1948 Budget estimates shall be discontinued, and provides $29,000 for personal services in the District of Columbia in connection with such item, instead of $25,000, as proposed by the House, and $31,200, as proposed by the Senate; appropriates $140,000 for buildings and grounds, Pittsburgh, Pennsylvania, as proposed by the Senate, instead of $150,000, as proposed by the House; appropriates $680,000 for economics of mineral industries, instead of $555,000, as proposed by the House, and $755,000, as proposed by the Senate, and authorizes the use of $580,000, for personal services in the District of Columbia, instead of $480,000, as proposed by the House, and $637,500, as proposed by the Senate; authorizes the purchase of "not to exceed" one passenger automobile, as proposed by the Senate; and reports amendments Nos. 151 and 152 in disagreement.

NATIONAL PARK SERVICE

No: 153 Appropriates $3,500,000 for administration and protection, and so forth of national parks, instead of $3,350,000, as proposed by the House, and $3,637,000, as proposed by the Senate.

No. 154: Appropriates $260,400 for recreational areas, as proposed by the Senate, instead of $197,000, as proposed by the House.

No. 155: Appropriates $30,000 for recreational demonstration areas, as proposed by the House, instead of $43,400, as proposed by Senate.

Nos. 156, 157, and 158, relating to appropriations for construction and maintenance of roads and trails, and for the construction and repair of buildings and utilities: Appropriates $2,150,000 for such purposes, as proposed by the Senate, instead of $2,650,000, as proposed by the House; provides that $1,415,000 of such sum shall be available for roads and trails, as proposed by the Senate, instead of $1,750,000, as proposed by the House; provides $735,000 for construction and repair of buildings as proposed by the Senate, instead of $900,000, as proposed by House: and provides that $7,500 shall be used in making necessary archeological surveys at Old Fort Vancouver, Wash.

No. 159: Authorizes the purchase of "not to exceed" 40 passenger motor vehicles, as proposed by the Senate.

FISH AND WILDLIFE SERVICE

Nos. 160, and 161, relating to investigations respecting food fishes: Appropriates $790,040 for such purpose, as proposed by the Senate, instead of $725,000, as proposed by the House, with the understanding that the various stations financed under this appropriation shall be kept in operation, and that funds will be provided for operation of the *Albatross III* as a fishery research vessel. Funds are also provided in the sum of $20,000 to investigate and eradicate the predatory sea lampreys of the Great Lakes as authorized by joint resolution of August 8, 1946, Public Law 672, as proposed by the House.

No. 162: Appropriates $225,000 for commercial fisheries, instead of $200,000, as proposed by the House, and $280,700, as proposed by the Senate.

No. 163: Appropriates $125,000, as proposed by the Senate, instead of $100,000, as proposed by the House, for the fishery market news service.

No. 164: Appropriates $258,450, for biological investigations, instead of $241,000, as proposed by the House, and $280,700, as proposed by the Senate, the increase of $17,450 in the House figure being provided for the establishment of cooperative wildlife research units in Nebraska, Oklahoma, Colorado, and Idaho.

No. 165: Appropriates $900,000, as proposed by the Senate, instead of $750,000, as proposed by the House, for control of predatory animals and rodents.

No. 166. Appropriates $200,000 for river basin studies, instead of $100,000, as proposed by the House, and $245,000, as proposed by the Senate.

Nos. 167 and 168: Corrects totals.

No. 169: Authorizes the expenditure of $1,082,700 for departmental personal services, instead of $1,028,100, as proposed by the House, and $1,098,200, as proposed by the Senate.

No. 170: Authorizes the purchase of "not to exceed" 50 passenger motor vehicles, as proposed by the Senate, instead of 100, as proposed by the House.

No. 171: Reported in disagreement.

No. 172: Inserts the words "not to exceed" in connection with the purchase of two passenger motor vehicles, as proposed by the Senate, in connection with the item for salaries and expenses, government of the Virgin Islands.

Nos. 173, 174 and 175, relating to the availability of funds appropriated to the various bureaus and offices for use in attendance at meetings: Provides $2,000 for the Geological Survey, $2,000 for the Bureau of Mines, and

$1,750 for the Fish and Wildlife Service, as proposed by the House.

No. 176: Reported in disagreement.

No. 177: Reported in disagreement.

No. 178: Inserts the proposal of the Senate making funds available for a health-service program as authorized by the Act of August 8, 1946.

No. 179: Reported in disagreement.

AMENDMENTS REPORTED IN DISAGREEMENT

The following amendments are reported in disagreement:

No. 6, relating to the Oil and Gas Division, Office of the Secretary: The House managers will move to recede and concur with an amendment. Of the $275,000 which the House managers will recommend for this item, $175,000 is for enforcement of the Connally "Hot Oil" Act, and $100,000 is for the coordinating, unifying and other functions of the Oil and Gas Division.

No. 7, relating to the Division of Geography, Office of the Secretary: The House managers will move to recede and concur.

No. 16, relating a contract authorization for the Bonneville Power Administration. The House managers will move to recede and concur with an amendment.

No. 17, relating to force account work, Bonneville Power Administration. The managers on the part of the House will move to recede and concur. In accepting the amendment of the Senate it was agreed by the conferees that the term "routine minor construction" shall include only force account operations substantially completed, and shall otherwise represent only expenditures of minor amounts, and the conference committee will expect a full report upon expenditures under this paragraph, and will look with disfavor upon any excessive use of funds not in strict compliance herewith.

No. 18, relating to the use of funds for informational work, Bonneville Power Administration. The House managers will move to recede and concur with an amendment.

No. 34, relating to suppressing forest and range fires. The House managers will move to recede and concur.

No. 39, relating to the acquisition of lands for Indian tribes. The House managers will move to recede and concur with an amendment.

No. 41, relating to the acquisition of land for Indians in the area of Celilo Falls on the Columbia River, Oreg. The House managers will move to recede and concur.

No. 68, relating to general investigations, Bureau of Reclamation. The House managers will move to recede and concur.

No. 78, relating to the Provo River project, Utah. The House managers will move to recede and concur with an amendment.

No. 85, relating to appropriations, general fund. The House managers will move to recede and concur.

No. 101, relating to the Boulder Canyon project (All-American Canal). The House managers will move to recede and concur.

No. 104, relating to disposition of the Yuma Army air base, Yuma, Ariz. The House managers will move to recede and concur with an amendment.

No. 105, relating to force account work by the Bureau of Reclamation. The House managers will move to recede and concur. In accepting the amendment of the Senate it was agreed by the conferees that the term "routine minor construction" shall include only force account operations substantially completed, and shall otherwise represent only expenditures of minor amounts, and the conference committee will expect a full report upon expenditures under this paragraph, and will look with disfavor upon any excessive use of funds not in strict compliance herewith.

No. 114, relating to gaging streams, Geological Survey. The House managers will move to recede and concur.

No. 124, relating to the transfer of surplus supplies and materials to the Geological Survey. The House managers will move to recede and concur.

No. 130, relating to construction of an anthracite research laboratory, Bureau of Mines. The House managers will move to recede and concur.

No. 151, relating to the transfer of the United States Weather Bureau station at Mount Weather, Va., to the Department of the Interior for use by the Bureau of Mines. The House managers will move to recede and concur.

No. 152, relating to the transfer of surplus equipment, materials and supplies to the Bureau of Mines. The House managers will move to recede and concur.

No. 171, relating to the transfer of surplus equipment, materials, and supplies, including aircraft for replacement purposes, only, to the Fish and Wildlife Service. The House managers will move to recede and concur with an amendment.

No. 176, relating to the use of funds for the establishment of regional, field or other office or committee without approval by the Congress. The House managers will move to recede and concur with an amendment.

No. 177, relating to payment of dues for library membership. The House managers will move to recede and concur with an amendment.

No. 179, relating to the use of funds for persons engaged in personnel work. The House managers will move to recede and concur with an amendment.

ROBERT F. JONES,
BEN F. JENSEN,
IVOR D. FENTON,
LOWELL STOCKMAN,
FRANCIS CASE,
MICHAEL J. KIRWAN,
JOHN J. ROONEY,
ALBERT GORE,
W. F. NORRELL,
Managers on the Part of the House.

Mr. JONES of Ohio. Mr. Speaker, this appropriation bill provides for a cut of $101,547,561 under the budget estimate for the fiscal year 1948, for the Interior Department.

The total amount of the budget estimates was $296,135,420. The amount of the bill as agreed to by the conferees is $194,587,859. The amount of the bill as passed by the Senate was $215,530,353. The difference between the bill as it passed the Senate and the conference report is $20,942,494. In other words, we are $20,942,494 under the Senate bill.

The bill as it passed the House, was $161,413,513. The conference bill is $33,174,346 above the House bill. In percentages, the conference agreement is 34.3 percent below the budget estimates for the fiscal year 1948. In comparison to the 1947 bill it is 24.7 percent below the 1947 bill.

So that you may see this analysis in tabular form, I insert the following table:

Interior Department appropriation bill, 1948

Total amount of budget estimates	$296,135,420
Amount of bill as agreed to by conferees	194,587,859
Reduction under budget estimates	101,547,561

Percentagewise:

Conference agreement is 34.3 percent below budget.

Conference agreement is 24.7 percent below 1947.

Amount of bill as passed by Senate	$215,530,353
(Senate bill is a reduction of 27 percent below budget and 17 percent below 1947.)	
Amount of bill as agreed to by conferees	194,587,859
Reduction in bill as passed by Senate	20,942,494
Amount of bill as agreed to by conferees	194,587,859
Amount of bill as passed by House	161,413,513
(House bill is a reduction of 45 percent below budget and 38 percent below 1947.)	
Increase in bill as originally passed by House	33,174,346

Personally, I think this bill carries too much money. I think as it passed the House the bill was ample and adequate to take care of all the needs of the Interior Department, but a conference is a conference, and you must have a meeting of the minds. While I personally would not report a bill of the size that has been reported, I am going to support the conference report because I believe it is the best bill that any conferees could bring out under the circumstances of the differences of opinion between the House and the Senate on the needs of the Department.

Certainly, nobody worked harder than the House conferees on the majority side particularly to cut down the amounts that were appropriated.

When the Interior bill was before the House there was a feeling apparent that the Republican Party and the House generally were not providing enough money for the Reclamation Bureau, that it would be ruined if the House figures prevailed. You will remember that the House figures were based upon the expenditure during the fiscal year 1947 of $130,000,000 which was the amount of the President's freeze order. At this hour I now have a detailed account of the expenditures of the Bureau of Reclamation for the fiscal year ending June 30, 1947. Their expenditures to that date amounted to $118,913,000 for the over-all expenditure for all purposes of the Bureau of Reclamation. There is a carry-over of previously appropriated money of $111,878,000.

The House had appropriated $67,892,000 for all purposes for the Bureau of Reclamation, and when you add to that the previous year appropriated funds of $111,878,000 you get over-all funds available for the 1948 Reclamation program of $179,770,000. That is more money by far than has been expended in any year by the Bureau of Reclamation. They had $230,791,000 available for all purposes in the fiscal year 1947 and were able to spend only $118,913,000. In my opinion it is absolutely not necessary to add the $25,475,038 that the conferees added to the House figure making a total new money available of $89,528,038 to be added to the $111,878,000 previous year appropriated funds, to arrive at a total of $201,406,038 available for the Bureau of Reclamation to spend in the fiscal

year 1948. This is 69 percent more than they were able to spend in the fiscal year 1947. I insert a table at this point in the RECORD to show exactly the financial situation of the Bureau of Reclamation:

Preliminary statement (based on as yet incomplete fiscal year 1947 reports) of cash available and expenditures, fiscal year 1947, and estimated cash available, fiscal year 1948 (without consideration of obligations already incurred for payment in fiscal year 1948)

BASED ON CONFERENCE REPORT ON INTERIOR BILL FOR 1948

	Available, 1947 (cash)	Expended, 1947 [1]	Carry-over (including obligations), 1947 to 1948	New funds for 1948	Total available, 1948
Salaries and expenses	$4,724,000	$3,980,000	$744,000	$3,130,000	$3,874,000
General investigations	8,470,000	6,900,000	1,570,000	2,000,000	3,570,000
Construction:					
Reclamation fund	53,861,000	17,345,000	36,516,000	11,876,750	48,392,750
General fund	120,294,000	69,699,000	50,595,000	49,841,288	100,436,288
Colorado River funds	13,450,000	8,167,000	5,283,000	4,180,000	9,463,000
Missouri Basin	28,048,000	12,630,000	15,418,000	17,000,000	32,418,000
Fort Peck	1,944,000	192,000	1,752,000	1,500,000	3,252,000
Total	230,791,000	118,913,000	111,878,000	89,528,038	201,406,038

[1] Based on incomplete reports from field offices, subject to adjustment on final figures.

Let it not be said again that the House figures did not provide enough money to keep reclamation projects going. Let it never be said that the House of Representatives did not provide enough money to develop reclamation on a sound basis, in the arid and semiarid territory in the 17 Western States. As a matter of fact, in the 1948 budget of the President, there is only $70,292,812 of new money requested for irrigation and joint facilities. With the $111,878,000 carry-over of 1947 and prior year appropriations they will have $201,406,038 to develop the program of the Bureau of Reclamation in the fical year 1948.

Mr. CURTIS. Mr. Speaker, will the gentleman yield for a question?

Mr. JONES of Ohio. I yield.

Mr. CURTIS. I wish to ask the gentleman a question with reference to the Missouri River Basin. The House appropriated $9,786,600, and the Senate $18,535,000. The conferees have agreed on a figure of $17,000,000. I wish to ask the chairman if this makes any special reference to Madison Creek Dam near Cambridge, Nebr.

Mr. JONES of Ohio. We earmarked $1,000,000 for the project and $528,000 for the Grand River unit thereof.

Two very important items in the appropriation measure are those for Indian education and the Indian health services. We believe that these items are adequately taken care of in the bill, and that it will be possible to maintain Indian hospitals and Indian schools at an adequate level of efficiency. It is only through education that our Indian citizens may prepare themselves to take their places as free and equal members of our society.

There has been some reduction in the amount requested for administration of the Indian Office. With careful and prudent management, the amount appropriated should be sufficient to cover the essential and worth-while services of the Bureau. We feel that important economies can be made in the district offices of the Indian Service, for which very large sums were asked in the budget. With cuts made necessary at the district office level, every effort should be made to maintain adequate administrative services at all of the agencies. It would be most unfortunate to abandon many of the agencies if by so doing the Indian population of a reservation were forced to travel long distances to carry on business with the Indian Office. Restrictions and regulations established by the Indian Service on the day-to-day affairs of ward Indians make it desirable to have representatives of the Service readily available at each reservation.

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

Mr. JONES of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. KIRWAN].

Mr. KIRWAN. Mr. Speaker, I would like to state on consideration of this conference report that in my estimation it is more desirable that there should be more money in this bill to be spent on America, especially when we look at the needs of the West. Remember, this is a bill that is strictly for this country.

But we had our day in the House and the boys from California, Oregon, and the Midwestern States all voted for this bill that cut the heart out of it, and it is therefore their responsibility and it is going to be their job when they go back home to their constituents to explain their stand. I repeat, as we look at the $900,000,000 damage today in the Missouri Valley and then at the inadequate provisions of this bill, the comparison is pathetic. Remember, this is money to take care of America. When we are shooting money all over the world at the rate we are, what will they say when they get back home? Yes; they have got a great responsibility to go home and tell the people of their communities that they did a good job. Well, the responsibility is theirs, and theirs, too, the task of trying to convince their home folks that they did a good job by reclamation especially in the 17 Western States.

Mr. JONES of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I notice that in this report there is provided $1,500,000 for the Central Valley water project, California, which is to be used for the construction of a 230-kilovolt line from Shasta Dam to the Shasta substation. I want to compliment the committee for getting at least that much for us. We should have had three or four million dollars for that purpose.

As I understand it, this line goes from Shasta Dam to the Shasta substation, which is the Pacific Gas & Electric's substation; is that correct?

Mr. JONES of Ohio. As I understand it, we built that substation some time ago. That appropriation was passed some time back.

Mr. JOHNSON of California. It is a publicly owned substation?

Mr. JONES of Ohio. That is right.

Mr. JOHNSON of California. My information is that the Shasta substation is owned by the P. G. & E. We hope this is only the beginning of the steps to be taken in the extension of this line down the west side of the valley to the booster pumps at Tracy, so that we may have an integrated system of power in connection with the Shasta Dam project. May I remind you that five governors of California, a number of legislatures of California, the people of California, and as far as I know every Member of the House from California and both of our United States Senators, irrespective of party, have come out in the past and now are in favor of the development of an integrated system of power in the Central Valley project. That is what we are looking forward to and I hope this is only the beginning of that particular project that some day will be completed and serve not only central California but the entire northern part of California. That was in the original plan and unless we carry out the original plan as devised by Colonel Marshall and others we will not get the full benefit of this project.

Mr. Speaker, I do not favor and have not favored distribution of this power by the local utility in that area because they are really a competitor of ours. If we put ourselves in the position of having them as our customer, we will not get the benefit that our people, our governors, and our legislators anticipated out of this project. We will then be in a position where we can deal with not only the present public utility but also other public utilities as well as public bodies in the sale of our power. For instance, the Sacramento utility district as well as cities and reclamation districts may be customers of ours. In other words, we will not be at the mercy of only one customer and thus the maximum benefits of reduced electric rates to our people will be possible. Naturally, the P. G. & E. would be glad to be our only customer, so they can distribute the electricity to this public power development. They would not need to build any dams or other works to get the juice. They being a monopoly could pay any price, as under the utility laws of California they would be able to charge off the cost and still get enough more to make a reasonable profit. The more they paid us the more profit they would make and the more the people would pay for their electricity. If this is only the beginning of what we may expect in the way of money to build adequate electric facilities in connection with the CVP, then the people can expect to get some

real benefit out of the project, the water users can get cheap water, and the project will soon liquidate itself.

I again say that I hope this is only the beginning of what we may expect to properly build our electric system, as an adjunct to the Shasta development in order that the dream and the hope of our governors, legislators, and the people who ratified this project may expect in the way of public benefits and cheap electricity.

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

Mr. JONES of Ohio. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I do not want to let go unchallenged the statement of the gentleman from California, which of course he has the perfect right to make, and I do not want to leave unchallenged the legislative intent of this act with reference to the transmission line from Shasta Dam to the Shasta substation. As a matter of fact, for the sale of 1½ billion kilowatts of power we get about $100,000 less than we do from the Columbia River Basin project selling 3½ billion kilowatts of power through its governmental agency, the Bonneville Power Administration. The committee, therefore, can see no reason to extend a governmental power network in the Central Valley project when this amount of money is being earned by Shasta and Keswick Dams, compared to the Government agency, Bonneville Power Administration, disposing of 3½ billion kilowatts of Columbia Basin project power for only $100,000 more money.

As a matter of fact, I hold no brief for the Pacific Gas & Electric Co. Power generated in their own plants costs them an average of 5.2 mills a kilowatt-hour, with taxes included, which they must pay as a private corporation. Without taxes their average cost is 3.7 mills per kilowatt-hour. The Bureau of Reclamation sells prime power and secondary power to them on an average of 2.5 mills a kilowatt-hour. I think it is a crime and a shame, with the tremendous amount of development that is ahead of us in developing the arid and semiarid West, that the Pacific Gas & Electric does not pay something very near the cheapest price for which they can generate power in their own plants. Likewise, I consider it a shame that the Bonneville Power Administration does not provide more revenue to the reclamation fund for the development of the arid and semiarid regions in the 17 Western States. I might say in passing that I frown upon and condemn the public sale of power to private utilities in the Arizona territory where it is reported to me from 200 percent to 400 percent profit is made on public power. I believe that these contracts for reclamation power are made lower to the private utilities—lower than they can generate power in their own plants—in order to work up a demand for Federal grid system. It would be much better to get a reasonable price for the power in order to build up the reclamation fund to develop the West faster.

Congress needs, certainly, consulting engineers rather than accountants to advise committees of Congress to act as board of directors on the public power projects so that the public is given the benefit of the public power generated. Private power has abused its rights and privileges on the one hand and public power is likewise abusing its position. Both at times are preying upon the public. Somewhere in between is the truth and somewhere in between is a sound power policy. We should not appropriate further money for public power until consulting engineers advising Congress help us write a sound power policy. For a meager $50,000 a year, millions of the taxpayers' money could be saved. I have despaired of private utilities clamoring for appropriations for power lines where they have preferential contracts and trying to beat down appropriations where they are not in such a profitable position. We have marked this bill up and we have dealt in conference on the best information we can to deal fairly with the public's investments in these power projects without fear or favor to any pressure group in the private utility field or in the public power field. But Congress has waited too long for the technical engineering advice that a mere $50,000 annually would give them to put reclamation, flood control, and all governmental power projects on a sound basis for the wise development of the resources of the United States.

Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Speaker, with reference to nearly everything in the conference report as nearly as I can find out the conferees did a good job. I have heard very little complaint, and I have talked to a number of Members.

However, a strange thing happened with respect to items for the State of Oregon in connection with the Bonneville administration appropriation. The Members of the House may recall that the House, when it passed the Interior appropriation bill, appropriated a total of $1,021,000 for transmission lines in the State of Oregon. The Senate when it passed the bill provided $1,213,900 for lines in the State of Oregon. But the conference eliminated all of those lines except one small one amounting to $29,600. Meanwhile the conference increased the total amount of cash appropriations in the bill from the House figure of $6,907,000 to $8,596,000, but none of it except $29,000 goes into the State of Oregon.

The Columbia River is the source of the power for the Bonneville project and the Columbia River is the boundary line between the States of Oregon, Washington, and Idaho, and yet in the conference report as reported to the House of Representatives no funds for the building of Bonneville transmission lines and facilities are allowed by the conference report for lines in the States of Oregon and Idaho. I had in mind questioning the right of the conferees to ignore the passage of these appropriations by both the House and the Senate, but in going over the rules of the House and the precedents, I found that the conferees were within their rights. These appropriations are made in what I would consider a peculiar way; in other words, these allocations that I speak of for transmission lines are set up in the report of the committee and are not set forth in detail in the bill as passed by the House.

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

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

Mr. ROONEY. Does the gentleman complain about the amount of money allowed for Bonneville Power administration in this conference report?

Mr. ELLSWORTH. No; I do not.

Mr. ROONEY. The gentleman feels that the conferees have given sufficient money to Bonneville Power Administration in this conference report?

Mr. ELLSWORTH. There is a difference in your questions. I do not feel that the conferees allowed what I would call sufficient money. The gentleman asked me if I complained about the report. I do not complain.

Mr. ROONEY. The gentleman feels that the conferees did not allow sufficient money?

Mr. ELLSWORTH. The Bonneville project is a continuing project until it is completed, and when it is completed it will pay back every cent of the money expended.

Mr. ROONEY. I thoroughly agree with the gentleman, but I was wondering how it was that when this bill was before this House on the 25th of April last, the gentleman from Oregon voted against the minority contention and voted a substantial decrease in funds for Bonneville Power Administration and, as a further matter of fact, voted against the motion to recommit which would have increased the fund for Bonneville Power Administration to about $20,000,000.

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

Mr. JONES of Ohio. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. ELLSWORTH. I considered the motion to recommit was a request for more money for several other sections of the bill than could be reasonably justified. Had the motion to recommit been on Bonneville alone I would certainly have voted for it.

When the report is adopted and the amendments in disagreement are being considered by the House, I shall offer a preferential motion to recede and concur in amendment No. 16, which is the amendment providing for contract authorization for the Bonneville project. May I explain this. The conferees agreed to offer an amendment to recede and concur in the Senate amendment with an amendment calling for a total of approximately $5,000,000, in other words, $4,935,000. It is my intention to offer an amendment to recede and concur in the Senate amendment which calls for $6,000,000. Now, here is the important thing about this. It is right and justice that something be done in this bill to continue the work on transmission lines in the State of Oregon. That is only simple justice. My intention is to offer this motion for the sole purpose of correcting

what I believe was an error on the part of the conferees in the consideration of this bill. My motion will not result in the appropriation of a single cent in addition to that appropriated in the bill. My motion will only provide for contract authorizations for the purchase of equipment in the future.

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

Mr. JONES of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, I address myself to the statement just made by the gentleman from Oregon [Mr. ELLSWORTH]. The conferees on this Interior Department appropriation bill on the part of the House have worked hard and long. It was after many weeks that we arrived at a solution which was satisfactory to every member of the House and Senate conference committee. We now find the gentleman from Oregon with an additional plan which was never brought to the attention of the conferees or to me, and I was present at every single conference meeting, until about 10 minutes before we finally agreed on the entire bill.

To agree to the proposition offered by the gentleman from Oregon at this time would be most unfair to any number of other Members of the House who also have pet projects in their districts. When we get to the point where we vote on the preferential motion offered by the gentleman from Oregon, I am going to ask that the Members of the House go along with the judgment of the conferees, who have been unanimous on this proposition.

Mr. JONES of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Speaker, I am of course disappointed with the report of the conferees with reference to the funds that were allowed to the Bonneville Administration, as follows: $8,596,400 cash and $4,935,000 in contractual authority; Senate previously voted $16,222,400 cash and $6,000,000 in contract authority; House approved $6,907,800 in cash, no contract authority. The Bonneville Administration as you know is very close to my heart. It is in my district. In the 9 years I have been here it has been one of the problems with which I have had to deal to get adequate appropriations to carry on that great activity. It has been a very successful operation, not alone for the benefit of the people of the northwestern area but for the Federal Government as well, because it is paying its way; it is retiring the obligations it took on to build the project, and the reports which are just recently released show that it has increased the sale of power $1,500,000 in the last year over the preceding year. We were fearful that after the war ended these great hydroelectric plants which were put in by the Government during the war period, some of them going back before the war period, as did Bonneville, would find themselves with an excess of power, but that is not the case. There is a dearth of power throughout the United States everywhere, in the Northwest particularly.

It was by reason of Bonneville and Grand Coulee that we were able to have the hydoelectric power necessary to build the planes and to take care of the atomic-bomb plant in that area, which was a very decided factor in helping us win the war. We feel that a project of this sort, even though we are economy-minded, as I am, with you, should be provided adequate appropriations to carry on its normal activities. The Bonneville project is fully completed. All that is necessary is to have additional equipment and transmission facilities to continue to market the power that is being developed at Government-owned projects in the control of the Bonneville Administration and to transmit the power to the load centers.

Operations of the Bonneville Power Administration during the fiscal year ended June 30 resulted in a surplus of $6,255,230 after deduction of all charges on Bonneville and Grand Coulee Dams and the transmission system, Administrator Paul J. Raver, reports.

This net return to the Government, he said, compares with $4,754,895 for the fiscal year 1946 and was higher than had been anticipated at the beginning of the year.

Preliminary financial statements as of the close of business for the past fiscal year show revenues from power sales to be $21,860,970 compared with $19,884,285 for the previous 12-month period.

The year's power sales brought total revenues of the Administration since the first sale of power from the Grand Coulee and Bonneville plants in 1939 to $105,322,497. Total accumulated net surplus after all charges for operation and maintenance, depreciation and interest on investment is $22,582,177.

All revenues are turned over to the Treasury and are not used by the Administration since Congress appropriates amounts required for operation, maintenance, and construction each year.

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

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

Mr. ROONEY. I wish to compliment the gentleman from Oregon on his statement and to commend him on the fact that from the time this bill was first considered he was firm in his convictions with regard to these reclamation projects and Bonneville Power Administration. The position he takes today, unlike many others, is the same position he took right from the beginning.

Mr. ANGELL. I thank the gentleman. That is true. I was compelled to vote against the bill when it went through the House and to vote to recommit it because I felt that we were not providing in the bill the minimum appropriations necessary to carry on the work of the Bonneville Administration.

When this bill went through the House it carried $1,021,000 for transmission facilities, taking this power down into Oregon. Every single dollar of that was approved by the Senate as it was approved by the House. Of course, we had cut very, very deep in the House already until the blood rushed out, but the House approved it. It went to the Senate, and the Senate approved it with substantial additions. Then in conference all transmission facilities for Oregon which had been approved by the House and Senate were struck out with the exception of one item, the North Bonneville-Troutdale line, which comes down into my particular territory. I am very grateful to the conferees for doing that.

Mr. ROONEY. Of course the gentleman understands that it was a House-Senate conference, and that we were faced with the proposition of having to work out some sort of a solution to get the bill finished. While the minority did not concur insofar as the activities in connection with reclamation projects were concerned, there was nothing we could do but sign the report in order to get the bill on its way.

Mr. ANGELL. I thank the gentleman. I realize that in the conference committee it was a question of give and take. But I do feel in justice to my people in the Northwest I should point out these inconsistencies which to my mind show that there should have been a little better distribution of the funds so that this great power project would be able to develop and deliver its product down into southern Oregon and along the coast of Oregon where there are no lines at all. All of these transmission lines are cut out in the conference report, and they are the lines which will enable us to transmit that power to be delivered to the people of Oregon.

The power is there, but we need the transmission facilities to deliver the power to the people. Those lines have been cut out. I do hope that in the further consideration of this matter when it comes before us again we will take a broadminded view of it.

It is not a question of Government ownership. It is not a question of public power. It is only a question of delivering the power which is owned by the Federal Government which comes from the streams owned by the Federal Government, into the development of which your money and mine has gone to develop this power to the consuming public. The power is there. The demand is there. The territory is waiting for the power. We do not have the transmission facilities to deliver the power.

The private utility companies will not furnish these transmission lines and unless the Federal Government steps in to build these backbone lines into this great portion of Oregon—to the load centers—which is south of my district, Oregon will suffer a great loss. My district is on the northern boundary of this section and is closer to this power than any other. I am very well treated and perhaps I should keep my mouth shut and say nothing. But I am looking at it from the broad viewpoint and taking a long-range view of it. I tell my colleagues today that if we take a narrow view of this question of the development of power on these great streams and the development of these multiple-purpose projects for reclamation and irrigation and hydro power, if we attempt to throttle the right of the people to get this power, we are

making a great mistake. I do hope that my party will not join in that sort of procedure.

Mr. JONES of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from Oregon [Mr. NORBLAD].

Mr. NORBLAD. Mr. Speaker, may I compliment my colleagues, the gentlemen from Oregon, who have just spoken? I certainly agree with their views.

Over a period of years the Congress has spent huge hums in the developments at Grand Coulee and Bonneville, and we are continuing to spend money, particularly at the former place, in the erection of more generators. As this public power comes into being we should have transmission lines in Oregon to carry it to our people. Failure to provide these distribution facilities is like building a fleet of automobiles and then failing to provide highways on which they can run. I sincerely hope that the amendment of the gentleman from Oregon [Mr. ELLSWORTH] will prevail.

Mr. JONES of Ohio. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, when we come back next year the gentleman who has been serving as chairman of the Subcommittee on Appropriations for the Department of the Interior, the gentleman from Ohio [Mr. JONES] will be occupying another position with the Government. As you know he will serve as a member of the Federal Communications Commission. At this time I compliment him for the diligence and ability he has shown during the time that he has served in Congress and on the Committee on Appropriations. He has had sympathy for the needs of my people and tried to help them. I am not, however, going to condemn him for the fact that sufficient funds are not provided in this bill, but I do want to call your attention to the reason why these funds are not provided for all the necessary work that must be done.

If you remember, just a little while ago my colleague the gentleman from California [Mr. JOHNSON] was complaining. He was one of the Members who voted to cut $6,000,000,000 from the President's budget. At that time I stood in the well of the House and pointed out to the Membership that I feared that the cuts being made would reflect on reclamation, irrigation, and flood-control projects, and upon agriculture generally. I think time has shown that that was a correct statement.

I would like to see more money in this bill for the completion of the canals in the Central Valley project in California. That project cannot serve all the arid lands originally contemplated to be served until the project is carried forward to completion with about $2,400,000 added for power and about $487,000 for water. There is no shortage of power in California but there is a shortage of water in the San Joaquin Valley. The farmers in that valley need water very badly at the present time. The people in my congressional district are unable to secure equipment fast enough to take care of their present crops.

I hope that next year we can get enough money and get the Department of the Interior to remain on the job and work long enough and hard enough to complete the water features, as well as the power features, of this project at an early date.

The SPEAKER. The time of the gentleman from California [Mr. ELLIOTT] has expired.

Mr. JONES of Ohio. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS of California. Mr. Speaker, I rise to commend the conferees on the work they have done, and on the report they now bring to this floor, and I ask unanimous consent to revise and extend my remarks at this point.

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

There was no objection.

Mr. PHILLIPS of California. I want to say further, Mr. Speaker, that this was not an easy job for any committee, and the members of the subcommittee deserve great credit for bringing back a conference report which comes so very near to meeting every problem in a way that will please all of us, no matter what part of the country we represent.

Several times before, I have taken the floor to speak about this bill and its provisions. As you will recall, Mr. Speaker, I have seldom challenged the actions of the subcommittee, on the amount of money involved in the several appropriations. I have felt confident that these could be worked out. I have called attention to matters of policy, or questions of wording, or the indirect effects of various provisions. It pleases me now to say that these have been worked out, to thank the conferees for their consideration, and to say that the support of this bill by those of us who represent the far Western States will be generally unanimous. The gentleman from Oregon [Mr. ELLSWORTH] has one question he wants to raise and I know he will receive sympathetic consideration from the House. The other details which have been questioned by those of us who come from the West have either been settled, or are of such a nature that further experience will be required before we know just what the solution can be, or how much money is actually needed for a fiscal year's construction. We are well satisfied.

Mr. Speaker, I want to add my own personal congratulations to the gentleman from Ohio [Mr. JONES] for the job he has done as chairman of the subcommittee. He leaves the House on a high note of achievement, and he takes with him the regards and good wishes of all Members, particularly those of us who have worked, and sometimes pleaded or argued, with him during the weeks this appropriation bill has been in committee, on the floor, or in conference.

Mr. JONES of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, I want to reecho what was said by my colleague the gentleman from California [Mr. JOHNSON] when he said he was disappointed that this conference report did not contain funds to carry the transmission lines of the Central Valley project to a point beyond the Shasta substation. The sale of this power to the people of California at the cheapest rates commensurate with its production is one of the objectives of the Central Valley project. I take issue with the policy enunciated by the chairman of the subcommittee the gentleman from Ohio [Mr. JONES] when he says that the Federal Government is receiving more money for a like block for this power by its sale to the Pacific Gas & Electric Co. than they are receiving for power generated by the Bonneville Power Authority. I wish to call his attention to the higher rates paid by the people and industries in the northern California economic area as compared with those in the Pacific Northwest. The people are the ones that are paying through higher rates. That is the great test—whether the people benefit through cheaper rates.

The SPEAKER. The time of the gentleman from California [Mr. MILLER] has expired.

Mr. JONES of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Speaker, I trust that before this session ends, at least a few Representatives from the Western States will come to the floor of the House and just say, "Thank you," to the people of the United States, for making available all these hundreds of millions of dollars for reclamation, irrigation, and hydroelectric power facilities, etc., that we of the West may share the blessings of America with the rest of the people. If you are thankful, and I am sure you are, you need not thank the committee, we are not used to it, the shock might be too great.

The Interior Department Appropriation Subcommittee has been criticized year after year for not appropriating more money for these purposes, in face of the fact that there is each year at least a $75,000,000 carry-over. Every year we take the same criticism. I have not heard more than one or two gentlemen take the floor and say that the Committee has been fair on appropriating these millions upon millions of dollars out of the pockets of the people of America to bring into production that semi-arid and arid section of the West, which the Committee has done its best to accomplish and will continue to do so I am sure.

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

Mr. JENSEN. I will, if the gentleman wants to thank the American people.

Mr. MILLER of California. I want to call attention to the fact that all of this money is repayable, and the Federal Government and this country is gaining a great amount of wealth, untold wealth, from the West. And that the West has fed this country. My own State of California is one of the greatest payers of

income taxes in this country. Part of that is the result of this development that has come here. We are grateful for the credit of the Federal Government.

Mr. JENSEN. While the gentleman is on his feet does he not wish to thank the American people?

Mr. MILLER of California. I thank the American people for the loan of their credit.

Mr. MURDOCK rose.

Mr. JENSEN. I know my friend the gentleman from Arizona wants to thank the American people.

Mr. MURDOCK. I certainly will and be glad to do it. May I make a further comment?

Mr. JENSEN. Is the gentlewoman from California [Mrs. DOUGLAS] standing to also thank the American people for their generosity?

Mrs. DOUGLAS. I am always happy to thank the American people for everything. Will the gentleman yield?

Mr. JENSEN. I am pleased to yield to the gentlewoman.

Mrs. DOUGLAS. I am not going to make a speech, but it seems to me there was a slight, implied criticism of waste.

Mr. JENSEN. Oh, not at all.

Mrs. DOUGLAS. Just a moment. Will the gentleman point out to the House that the Eastern States benefit from the rivers and harbors programs and flood control, but never pay back to the Government any part of the cost of that which is done for them?

Mr. JENSEN. How about the appropriations for rivers and harbors all over the United States from which her State and most every other State gets its fair share?

Mrs. DOUGLAS. That is right.

Mr. JENSEN. I live in the great State of Iowa which is in the Middle West.

Mrs. DOUGLAS. But wait a minute. Look at the work done on the Ohio River, for instance.

Mr. JENSEN. That is Mr. KIRWAN's State, the ranking minority member of this committee, a fine gentleman from a great State in the center of the United States of America.

Mrs. DOUGLAS. All right; and these other great middle States. None of these States in the middle and eastern part of the country have paid back a cent of that money. We are paying back and we are just happy that we can pay back and just want the opportunity to be able to continue to pay back. I thank you.

Mr. JENSEN. Simply because our States have not borrowed money from the taxpayers for such purposes.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield for just an observation?

Mr. JENSEN. I yield.

Mr. MURDOCK. This country of ours has grown from 13 to 48 States and we have grown with it. I am thankful to the American people and especially thankful to the founders of the Republic who wrote a wise colonial development policy into our Constitution; and I thank the committee for carrying it out.

Mr. JENSEN. Will not the gentleman please go just a little further and say that he thinks the committee has done a good job? If he will we will feel our labors have been appreciated a little at least.

Mr. MURDOCK. On the whole it is a good job.

Mr. JENSEN. Thank you, that is mighty kind of my good friend.

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

Mr. JONES of Ohio. Mr. Speaker, I yield two additional minutes to the gentleman from Iowa.

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

Mr. JENSEN. I yield.

Mr. McDONOUGH. We hope that a year from today we shall be able to be as thankful for the committee's activities as we are today for the gentleman from Iowa will become chairman of the subcommittee, will have jurisdiction of the bill in the House. We are looking forward to the gentleman's generosity a year from today to thank the gentleman as we now thank the gentleman from Ohio [Mr. JONES].

Mr. JENSEN. Now, I want to thank the gentleman from Ohio [Mr. JONES] and compliment him for a job well done, not only on this bill, but for being an able, patriotic United States Representative all during his services in this House.

Mr. McDONOUGH. And I thank the gentleman of the subcommittee for his generosity and for his consideration of this bill.

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

Mr. JENSEN. So many are on their feet asking me to yield I would like to yield to all of you but time will not permit. I must conclude if I may.

Before I leave the floor, Mr. Speaker, I want to say a few more words in behalf of one of the finest men I have ever known, and in my honest opinion, one of the most able and noble gentlemen that God ever sent this way, and that gentleman is the Honorable ROBERT JONES of Ohio, who will soon resign his seat in Congress to become a member of the Federal Communications Commission.

I have worked with BOB JONES on this committee for the past five sessions of Congress, and I must say I have never worked with a more congenial gentleman nor a finer fellow than my good friend BOB JONES. He has done a grand job for the American people. We know Bob will do the same kind of a job in his new assignment, and all of us wish you good luck, Bob, but sorry to see you leave Congress.

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

Mr. JENSEN. I yield.

Mr. ROONEY. In behalf of the minority members of this subcommittee I wish to take this opportunity to completely subscribe to the statements just made by the gentleman from Iowa in regard to our chairman, BOB JONES.

It is the feeling of every member of this subcommittee that BOB JONES is one of the most able Members of this Congress. We think it is a shame that we are going to lose him. He is a fine gentleman and a great American; and when we say this, we say it with all the sincerity at our command.

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

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

Mr. RANKIN. Of course, I want to join in everything said about the gentleman from Ohio [Mr. JONES], he knows that, but I also want to say that this great development in the West is one that the people do not have to come and bow and scrape for because it will pay for itself. Not only will it pay for itself in the sale of power and redemption of the land of that area but it will more than pay for itself in an increase in the national wealth. This great Columbia River project, like the Tennessee River project, will more than pay for itself as the years go by.

Mr. JENSEN. I do not expect nor do I want anybody to bow and scrape to any Congressman for spending the people's money for this or anything else. Spending the people's money is, after all, a mighty easy thing to do, and the disease seems to be catching.

Mr. RANKIN. They will not owe the American people anything because it will pay for itself.

Mr. JENSEN. I hope the gentleman is right.

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

Mr. JONES of Ohio. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 6: Page 3, strike out lines 2 to 8, inclusive, and insert the following:

"Oil and Gas Division: For expenses necessary for coordinating and unifying policies and administration of Federal activities relative to oil, gas, and synthetic fuels, including cooperation with the petroleum industry and State authorities in the production, processing, and utilization of petroleum and petroleum products, natural gas, and synthetic fuels and the compilation of technical reports thereon, for administering and enforcing the provisions of the act of February 22, 1935, as amended (15 U. S. C., ch. 15A); and for the liquidation of the Petroleum Administration for War; including personal services in the District of Columbia; not to exceed $10,000 for employment of a director without regard to the civil-service and classification laws; contract stenographic reporting services; and printing and binding; $324,730."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 6 and agree to the same with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate amendment numbered 6, and agree to the same with an amendment as follows: In line 15, at the end of the matter inserted by said amendment, strike out "$324,730" and insert "$275,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 7: Page 4, at the top of the page insert the following:

"DIVISION OF GEOGRAPHY

"Salaries and expenses: For necessary expenses in performing the duties imposed upon the Secretary by Executive Order 6680, dated April 17, 1934, relating to uniform usage in regard to geographic nomenclature and orthography throughout the Federal Government, including personal services in the District of Columbia, stationery and office supplies, and printing and binding, $12,956."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede and concur in Senate amendment numbered 7.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16: Page 7, line 12, after the word "Columbia" insert a colon and the following: ": *Provided*, That in addition to this appropriation the Administrator is authorized to contract in the fiscal year 1948 for materials and equipment for power transmission facilities in an amount not in excess of $6,000,000."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 16 and agree to the same with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and agree to the same with an amendment, as follows: At the end of the matter inserted by said amendment, strike out the figure "$6,000,000" and insert "$4,935,500."

Mr. ELLSWORTH. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. ELLSWORTH moves that in amendment numbered 16 in disagreement in the Interior appropriation bill that the House recede and concur in the Senate amendment.

Mr. JONES of Ohio. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Speaker, this motion is not, as some might think, simply a gesture on my part. This is a very serious motion. It is offered in the hope that the House shall consider the reason and justice behind the motion and vote in its favor. A moment ago I explained to the House that the transmission line items passed by the House in the Interior appropriation bill for Bonneville lines in the State of Oregon and the appropriations passed by the Senate for the same lines in the State of Oregon were stricken out by the conferees. Now, I am making no move whatever, since no motion is possible, regarding the cash appropriations with respect to the Bonneville lines in the Northwest. This motion that I have offered, if it is adopted by the House, will not increase the appropriation in this bill one penny. The cash appropriations have been set by the conferees. My motion is solely for the purpose of agreeing to the Senate amendment which calls for a contract authorization of $6,000,000 rather than to adopt the committee's amendment which calls for a contract authorization of approximately $5,000,000.

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

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

Mr. GORE. There is no real difference in contract authorization and appropriation insofar as ultimate expenditure is concerned.

Mr. ELLSWORTH. That is correct. It is correct, insofar as ultimate expenditure is concerned, but the contract authorization involves no money in this fiscal year. If it were the assumption of the Members of this House that the Bonneville project were ended at this point, then the gentleman would have a point, but the fact is that this great project which, as I said a moment ago, is to be paid for out of earnings and paid back entirely, every cent paid by the Government will be returned when completed—cannot be completed until further appropriations are allowed, and there would be no construction in the fiscal year 1949 unless there were proper contract authorizations allowed in this bill.

One point further regarding the State of Oregon. The State of Oregon in this bill for the Bonneville Power Administration is not having a cent appropriated other than $29,000 for a line from the dam down to Portland. That $29,000 is less than a decimal point in the whole bill, whereas down in the southern part of the State, where the lines I speak of in the State of Oregon would be placed if the House will continue to go along with such appropriations, the people down there do not have adequate power at this time, and they cannot have any power in the coastal region of Oregon in the future unless the Bonneville power lines go down there. The reason for that is simple. The expansion of Government-owned power in the Northwest, with the great Grand Coulee Dam and the great Bonneville power dam so dominate the power situation and so control the entire generation and distribution of power in the Northwest that a private company cannot duplicate what would be done by this appropriation.

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

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

Mr. JOHNSON of California. In the development of this great project, which has to be completed as soon as possible, the gentleman believes that his amendment will carry that out, does he not?

Mr. ELLSWORTH. That is correct. My motion will not mean any additional cost to the Government. In the long run it will mean a saving to the Government.

Mr. JOHNSON of California. I know the gentleman has been intimately connected with the project, having lived with it for 25 years.

Mr. ELLSWORTH. Indeed, I have.

Mr. JOHNSON of California. I want to compliment the gentleman on his fine argument, and I hope the motion passes.

Mr. ELLSWORTH. One final word regarding this motion. I am merely asking the House of Representatives at this time to do simple justice to the great State of Oregon. As I said a moment ago, the Bonneville project serves several States in the northwestern part of the country—Idaho, Washington, Oregon, and Montana to some extent. The entire facilities appropriations and contract authorizations in this bill go into the State of Washington. I have no objection to the State of Washington receiving a lot of money, but I do think that the passage of this motion, which would increase contract authorizations, with less money than the House itself appropriated in the beginning, is in order, and I urge that the House adopt my motion.

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

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

Mr. RANKIN. This power is already being generated at the Bonneville Dam?

Mr. ELLSWORTH. That is right.

Mr. RANKIN. The gentleman is merely asking for the authorization of funds for transmission lines to carry this power to the various areas where it is needed.

Mr. ELLSWORTH. That is correct. I may say to the gentleman that the contract authorizations I am asking for merely would serve to further complete the plan for distribution which has long since been adopted by this Congress.

Mr. RANKIN. And every dollar invested will come back to the Public Treasury with interest.

Mr. ELLSWORTH. That is correct.

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

Mr. JONES of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. ROONEY].

Mr. ROONEY. Mr. Speaker, I am somewhat amazed that at this late hour in the deliberations on this Interior Department appropriation bill the gentleman from Oregon [Mr. ELLSWORTH] offers the preferential motion that he does, because the RECORD shows that when there was a motion pending before this House on April 25 last to recommit this bill and to give to the Bonneville Power Administration the proper amount of funds, there were only four Members of the majority party across the aisle who supported that motion to recommit the bill for such purpose.

They were the gentlemen from California [Messrs. WELCH, POULSON, and JOHNSON] and the gentleman from Oregon [Mr. ANGELL]. Upon final passage we found with us only two Members of the majority from the Coast States of Washington, Oregon, and California voting against the bill, and they were the gentleman from California [Mr. WELCH] and the gentleman from Oregon [Mr. ANGELL].

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

Mr. ROONEY. I yield to the gentleman from Oregon.

Mr. ELLSWORTH. I want to correct what the gentleman was saying to this extent. The gentleman is giving the

House the impression that only the Bonneville item was in the motion to recommit. There were a number of other items in the motion to recommit.

Mr. ROONEY. Those items were all reclamation items, all similar in character to the one now under discussion.

Mr. ELLSWORTH. There were many more items than the item on Bonneville, I may say.

Mr. JONES of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, I do hope the House in justice will favorably consider and agree to the motion offered by the gentleman from Oregon, for the simple reason that his motion includes the program that will enable us to get this power out to our REA lines. The farmers in my district and throughout the Columbia River drainage area are entitled to this service. It is an expanding program. I hope the motion is agreed to.

Mr. JONES of Ohio. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, the way the bill passed the House we provided for $6,907,800. In that bill we had counted on an unexpended balance of some $12,000,000 to provide for the heavy grid of the Bonneville Power Administration. Then we provided new money of $6,907,000, less $2,500,000 for administration, operation, and maintenance of the existing plant, which leaves $4,407,000 for new construction. In the $4,407,000 new money was the line which the gentleman from Oregon [Mr. ELLSWORTH] hopes to get by his motion to recede and concur in the Senate amendment, providing for the full $6,000,000 contract authorizations.

That was the situation when the bill went to the Senate. They made a cash appropriation of $16,000,000 and $6,000,000 additional in contract authorizations. The point we made in dealing with the Senate in conference was that unexpended balances of prior years' appropriations would provide for adequate expansion of the grid and that they should take the House figure, $6,907,000, which I was willing to raise $2,500,000 to provide the necessary substations. The last proposal was made by the gentleman from Iowa [Mr. JENSEN], to go $3,400,000 above the House figure to take care of every line the House provided for. However, as the turn of things came, as it does among a body of men sitting around a conference table representing the two Chambers of the last great deliberative body in the world, the consensus of opinion was that the old funds, the 1947 funds, which would be spent in the 1948 fiscal year, were not sufficient to provide for the grid; that is, the loop between the two dams and between the major load centers.

Instead of taking the Senate figure as they had written it or the House figure as we had written it, thus considering two different programs, it was decided by the conference that we would work along the line of establishing and expanding the grid to take care of the new generators as they were installed in Grand Coulee. So that is the way the conferees settled it. We think we settled it on a scientific basis. If the old money, the 1947 money, was not enough to take care of the expansion of the generation of power in Grand Coulee, then we would invest new money in it. That is the proposal that the Senator from Oregon made. That is the way the matter stands in the conference report today.

We have applied the great bulk of the new money to the expansion of the grid.

We have provided $8,596,400 in cash and $4,935,500 in contract authorizations, making a total of some $13,000,000 to add to the $12,000,000 of unexpended 1947 and prior years appropriation balance. The gentleman's motion proposes to add more money to that. Bear in mind that Bonneville Power Administration was only able to spend $11,310,000 in all the fiscal year 1947. We have already provided some $13,000,000 plus the $12,000,000, making a total of $25,000,000 available for expenditure in the fiscal year 1948. We have provided liberally for the expansion of the Bonneville Power Administration. We have provided for the backbone transmission lines.

Of course, the gentleman from Oregon would like to have lines in his district. Some other Member would like to have lines in his district. The gentleman from Oregon [Mr. STOCKMAN], an able member of the subcommittee, is urging a line in the eastern part of Oregon. If we gave the State of Oregon every foot of transmission line that they want for customer facilities, then we would have to go over to Idaho and give a line to Senator DWORSHAK who is on the Senate Committee on Appropriations and on the Subcommittee on Interior Appropriations.

Therefore, your committee decided to throw all personalities out of the window and do this on a scientific basis and provide amply for the grid.

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

Mr. JONES of Ohio. I yield.

Mr. ELLSWORTH. I would like to point out, however, that the money mentioned in my motion is not an appropriation to be spent this year. Therefore, the gentleman's comments regarding their ability to spend this money this year do not apply. My motion is to provide for the continuance of the project in 1949, appropriations for which will be made at this time next year. Furthermore, I would like to point out to the gentleman and to the House that the House did approve lines in the State of Oregon, and the other body did approve lines in our State, but those lines are not included in the conference report. The only way there can be any salvage out of this for the State of Oregon in this whole program is to adopt my motion.

Mr. JONES of Ohio. I do not agree with that, because anything that helps the grid and the backbone transmission lines helps the entire territory.

Mr. Speaker, I ask for a division of the question.

The SPEAKER. The question is, Will the House recede from its disagreement to the amendment of the Senate?

Mr. ELLSWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ELLSWORTH. There seems to be a difference of opinion on this side of the House as to my motion. My motion was that the House recede and concur in the Senate amendment. I insist that the question is on my motion to recede and concur in the Senate amendment No. 16.

Mr. TABER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TABER. As I understand it, the question is whether or not the House will recede. After that the question of whether we would concur would come up, and a motion to recede and concur with an amendment would then be preferential.

The SPEAKER. A motion to concur with an amendment would be preferential.

The question is, Will the House recede?

The question was taken, and the motion was agreed to.

Mr. JONES of Ohio. Mr. Speaker, I offer a motion to concur with an amendment.

The Clerk read as follows:

Mr. Jones of Ohio moves to concur in the Senate amendment No. 16, with an amendment, as follows: At the end of the matter inserted by said amendment No. 16, strike out the figure "$6,000,000" and insert "$4,935,000."

Mr. ELLSWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ELLSWORTH. Is an amendment to that motion in order or a substitute for that motion?

The SPEAKER. Not unless the gentleman from Ohio yields for that purpose.

Mr. JONES of Ohio. I do not yield for that purpose.

Mr. ELLSWORTH. Is an amendment to that motion in order?

The SPEAKER. Only if the gentleman from Ohio would yield.

Mr. JONES of Ohio. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Ohio to concur in the Senate amendment with an amendment.

Mr. ELLSWORTH. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ELLSWORTH. I still insist from my reading of the rules that a motion to recede and concur takes precedence over a motion to recede or a motion to recede and concur with an amendment.

The SPEAKER. The gentleman's contention is true except that the House has voted to recede. That makes in order the motion of the gentleman from Ohio [Mr. JONES] to concur with an amendment.

Mr. ELLSWORTH. Was the House in order in voting on a motion to recede when my motion was pending?

The SPEAKER. The question was divided and the House receded.

Mr. ELLSWORTH. When was the question divided?

The SPEAKER. On the request of the gentleman from Ohio.

Mr. ELLSWORTH. A motion to divide was never put in the form of a motion to the House?

The SPEAKER. The gentleman from Ohio has a right to ask for a division of the question, as indeed would any Member of the House.

Mr. JOHNSON of California. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JOHNSON of California. Is there any way the gentleman from Oregon [Mr. ELLSWORTH] can get an affirmative vote on his amendment?

The SPEAKER. The only way the gentleman can get a vote on his motion now is to vote down the motion offered by the gentleman from Ohio [Mr. JONES].

Mr. McCORMACK. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. McCORMACK. Whether or not the real way for them to get a vote on the motion was to have voted down the previous question; but the previous question has been ordered.

The SPEAKER. The previous question has been ordered.

The question is on the motion of the gentleman from Ohio [Mr. JONES], to concur in the Senate amendment with an amendment.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 17: Page 7, line 16, strike out "*Provided*, That no part of this appropriation shall be available for work performed on a force account basis:" and insert "*Provided further*, That no part of any construction appropriations for the Bonneville Power Administration contained in this act shall be available for construction work by force account, or on a hired labor basis, except for management and operation, maintenance and repairs, engineering and supervision, routine minor construction work, or in case of emergencies, local in character, so declared by the Bonneville Power Administrator."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 18: Page 7, line 25, insert: ": *Provided further*, That not exceeding $21,500 of funds available for expenditure under this appropriation shall be used for salaries and expenses in connection with informational work."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate No. 18, and agree to the same with an amendment, as follows: At the end of the matter inserted by said amendment, insert the following: " : *Provided further*, That interest heretofore collected by Bonneville Power Administration from sales of electric energy generated at Grand Coulee Dam on the unamortized balance of investment allocated to power in Grand Coulee Dam shall be covered into the reclamation fund forthwith: *Provided further*, That said interest shall not be allocated during the fiscal year 1948."

Mr. JONES of Ohio. Mr. Speaker, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: Page 17, line 14, after "$12,000", insert "which amount shall be available also for meeting obligations of the preceding fiscal year."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 39: Page 18, line 16, after the word "reservation", insert "except that so much of the sum herein appropriated as may be required may be used for the acquisition of land for the Alamo Band of the Puertocito Indians in the State of New Mexico."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "except for the Alamo Band of the Puertocito Indians in the State of New Mexico and for the Rapid City Band of Sioux Indians in the State of South Dakota."

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, this reference to the Rapid City Band of Sioux Indians in the amendment which the chairman has offered, is to establish the authority of the use of a small portion of these funds as may be necessary to provide a tract of land suitable for housing and camping facilities for Sioux Indians in the vicinity of Rapid City, S. Dak. I have discussed the Rapid City situation with the Commissioner of Indian Affairs and members of his staff many times and they are familiar with the need. There are some lands which were formerly assigned to the use of the Indian school which seem to belong to the United States itself and not to the Indians. They may or may not be suitable for the purpose. Other tracts are available in the vicinity. What is needed is some place where the Sioux people who now are said to number more than 1,000 in the community may have shelter and sanitary facilities while they seek to establish themselves with steady jobs and permanent homes. Some surplus buildings have been made available to them but they need a place to locate the buildings and they need some ground where they can pitch their tents and park their belongings until they find a place to settle or return to homes elsewhere. I am very happy that the conferees recognized the merit of meeting this situation.

The SPEAKER. The question is on the motion of the gentleman from Ohio.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 41.: Page 18, line 24, after the word "reservation" insert "except such sum as may be necessary to purchase in the name of the United States in trust 34½ acres of land at Celilo Falls, Oreg., for the use of the Yakima Indian Tribes, the Umatilla Indian Tribes, the Confederated Tribes of the Warm Springs Reservation, and other Columbia River Indians affiliated with the afore-mentioned tribes and entitled to enjoy fishing rights at their old and accustomed fishing sites at or in the vicinity of Celilo Falls on the Columbia River."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 68: Page 37, line 11, after the word "costs", insert: ": *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 percent of the estimated cost of such investigations."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. CHENOWETH. Mr. Speaker, will the gentleman yield to explain the situation.

This is the provision that I had stricken out of the bill on a point of order.

Mr. JONES of Ohio. The situation is that the amendment has to be reported back in technical disagreement for the reason that it was stricken out of the House bill on the point of order that it was legislation in an appropriation bill. It is returned in technical disagreement for the same reason. It will be inserted in the language providing for "general investigation" of reclamation projects if the House adopts the amendment.

Mr. CHENOWETH. I wish to state to the gentleman from Ohio that I am not going to object to its being inserted in the bill. I am not fully satisfied as to all the implications of this language, but I have talked to the Commissioner of the Bureau of Reclamation and to others who are interested and I am willing to let it stay in the bill this year. I am not going to interpose an objection to the request of the gentleman.

Mr. Speaker, when this Interior appropriation bill was first considered by the House, I supported an amendment raising the funds for investigation work by the Bureau of Reclamation from $125,000 to $2,500,000. I felt at that time that it was very important to give the Bureau sufficient money to carry on surveys and investigations now being made, and also to investigate new projects that might be proposed. I believe this is a good place to practice economy, and we can perhaps save a great deal later on by spending a little more at this time to

determine what projects are desirable and feasible.

For this reason I take great pleasure in commending the chairman of the subcommittee, the gentleman from Ohio [Mr. JONES], and every member of his committee, for bringing in this conference report containing the sum of $2,000,000 for investigation work. I have discussed this matter on several occasions with Mr. Straus, Commissioner of the Bureau of Reclamation, and he has indicated this amount will enable him to continue the surveys now in progress. He did not get all of the money he requested, but the sum contained in this bill should permit him to carry on investigations of projects now under consideration.

One of these projects is in my district and is known as the Gunnison-Arkansas transmountain diversion project. This is a large project and contemplates the bringing of excess water from the Colorado River on the western slope of Colorado to the Arkansas Valley on the eastern slope. The Bureau has been working on these studies for many years. There is widespread interest in this project. I am anxious to see the survey completed and the report made at the earliest possible moment. The appropriation contained in this bill will provide the Bureau with the necessary funds for this important work.

I feel the committee has done an excellent job in bringing in this conference report. There seems to be general satisfaction with the same. The report before us belies the charge that there is any intention on the part of Congress to curtail reclamation development in the West. I want the committee to know I appreciate their efforts in behalf of reclamation.

While I am on my feet I wish to join other gentlemen who have complimented the gentleman and I wish to call particular attention to the item of $2,000,000 for general investigation work which the committee has included in this bill. I commend the gentleman for bringing in this amount which will enable the Bureau of Reclamation to engage in some needed studies for proposed reclamation projects in the West.

The SPEAKER. The question is on the motion offered by the gentleman from Ohio [Mr. JONES].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 78: Page 39, line 3, after "$1,000,000", insert "and in addition to this appropriation the Commissioner of Reclamation is authorized to enter into contracts in an amount not in excess of $430,000."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate No. 78, and agree to the same with an amendment, as follows: At the end of the matter inserted by said amendment, strike out the figure "$430,000" and insert "$215,000."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 85: Page 43, line 12, insert the following:

"GENERAL FUND, CONSTRUCTION

"For continuation of construction of the following projects in not to exceed the following amounts to be immediately available, to remain available until expended for carrying out projects (including the construction of transmission lines) previously or herein authorized by Congress, and to be reimbursable under the reclamation law, except as provided in the act of August 14, 1946 (Public Law 732), Seventy-ninth Congress."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 85 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 101: Page 46, strike out lines 23, 24, and 25, and page 47, strike out lines 1 and 2 and insert: "main canal (and appurtenant structures) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California, and distribution and drainage systems."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 101 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 104: Page 18, after line 11, insert the following:

"For the purpose of effecting settlement of war veterans on public land reclamation projects and to provide facilities for veteran employment in construction and operation of reclamation projects, the property, buildings, equipment, material, and acquired lands heretofore or hereafter declared surplus at the Yuma Army air base, Yuma, Ariz., shall be transferred to the Bureau of Reclamation by any Federal agency having custody or ownership, without exchange of funds, and to be available for the same purpose and to be disposed of in the same manner as the war relocation centers and the prisoner-of-war camp transferred to the Bureau of Reclamation in the Interior Department Appropriation Act of 1946, act of July 1, 1946, Public Law 478."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 104 and agree to the same with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate No. 104 and agree to the same with an amendment, as follows: In line 12 of said amendment, after the words "Reclamation in the", strike the remainder of the line and all of line 13, and insert in lieu thereof the following: "Interior Department Appropriation Act, 1947."

The motion was agreed to.

Mr. MURDOCK. Mr. Speaker, in this report on the Interior Department appropriation bill by the conferees, I notice that amendment No. 104 relates to the disposition of the Yuma Army Air Base, at Yuma, Ariz. The chairman has moved to recede and concur with an amendment. In the confusion I was unable to hear the precise language of the amendment. I think it was probably satisfactory, if it did not apply too restrictively to the Yuma Army Air Base. It appeals to my judgment that veterans should be given first preference on most of the buildings and other movable material. However, I do know that the city of Yuma has need of and would like to have a part of that great air base for a municipal airport, and I do hope that the language of the amendment will make such acquisition possible. Yuma needs a part of the field.

I am informed by the Bureau of Reclamation that within a few weeks some good land in the Gila project will be divided into family-sized farm units and disposed of to veterans. It is a matter of special pride to me that I sponsored the legislation last year which gave veterans preference on that very land. I only regret that there is not more of the land thus to be divided and offered to veterans. Naturally, I think in addition to affording them good land with water rights in this region of perpetual sunshine, the veterans ought to have preference in obtaining materials for building and the like from this huge air base adjoining the lands they will occupy. This should be the intent of the amendment.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 105: Page 48, strike out line 25, and on page 49, strike out lines 1 and 2 and insert the following:

"No part of any construction appropriation for the Bureau of Reclamation contained in this act shall be available for construction work by force account, or on a hired-labor basis, except for management and operation, maintenance and repairs, engineering and supervision, routine minor construction work, or in case of emergencies, local in character, so declared by the Commissioner of the Bureau of Reclamation."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 114: Page 51, line 22, after the word "tributaries" insert: ": *Provided further*, That, notwithstanding the provisions of any other law to the contrary, the President is authorized to appoint a retired officer of the Army as such representative without prejudice to his status as a retired Army officer who shall receive such compensation and expenses in addition to his retired pay."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 124: Page 54, line 10, insert:

"The Geological Survey is hereby authorized to acquire by transfer without exchange of funds, for 2 years beginning July 1, 1947, from the War Department, the Navy Department, or the War Assets Administration, equipment, materials, and supplies of all kinds, with an appraised value of not to exceed $500,000 from the surplus stores of these agencies: *Provided*, That the authorization in this paragraph shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 130: Page 57, line 11, insert:

"Anthracite Research Laboratory: For the construction and equipment of an anthracite research laboratory at Schuylkill Haven, Pa., including not to exceed $25,000 for employment by contract, or otherwise, at such rates of compensation as the Secretary may determine, of engineers, architects, or firms or corporations thereof necessary to design and construct said laboratory; and the purchase, maintenance, and operation of not to exceed one passenger automobile, $450,000."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 151: Page 65, line 19, insert:

"The Department of Commerce is authorized to transfer to the Department of the Interior for the use of the Bureau of Mines, without compensation therefor, full jurisdiction, possession, and control of the United States Weather Bureau Station at Mount Weather, in the counties of Loudoun and Clarke, State of Virginia, together with all buildings, improvements, furniture, and fixtures now in or upon the land."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 152: Page 66, line 1, insert:

"The Bureau of Mines is hereby authorized to acquire by transfer without exchange of funds, for 3 years, beginning July 1, 1947, from the War Department, the Navy Department, or the War Assets Administration, buildings, equipment, materials, and supplies of all kinds with an appraised value of not to exceed $3,000,000 from the surplus stores of these agencies, for use in performing its functions by the Bureau of Mines or by any office of the Bureau in the United States and Alaska: *Provided*, That the authorization in this paragraph for transfer of surplus property to the Bureau of Mines shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 171: Page 80, line 22, insert:

"The War and Navy Departments, the Civil Aeronautics Administration, and the War Assets Administration are authorized to transfer to the Fish and wildlife Service aircraft for replacement purposes only (but not necessarily of the same size or type or at the same locations), and such other equipment, materiels, and supplies, surplus to the needs of such agencies, as may be required by said Service, such transfers to be without charge therefor; and in addition the Navy Department, the Coast Guard, and the Maritime Commission are authorized to transfer without charge therefor vessels for replacement purposes only (but not necessarily of the same size or type or at the same locations) marine engines, parts and accessories surplus to the needs of such agencies."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate No. 171 and concur in the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"The War and Navy Departments, the Civil Aeronautics Administration, and the War Assets Administration are authorized to transfer to the Fish and Wildlife Service aircraft for replacement purposes only (but not necessarily of the same size or type or at the same locations), and such other equipment, materials, and supplies (with an appraised value of not to exceed $500,000), surplus to the needs of such agencies, as may be required by said Service, such transfers to be without charge therefor; and in addition the Navy Department, the Coast Guard, and the Maritime Commission are authorized to transfer without charge therefor vessels for replacement purposes only (but not necessarily of the same size or type or at the same locations) marine engines, parts, and accessories surplus to the needs of such agencies: *Provided*, That the authorization in this paragraph shall not be construed to deny to veterans the priority accorded to them in obtaining surplus property under Public Law 375, approved May 3, 1946."

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 176: On page 89, line 10, strike out lines 10 to 14, inclusive.

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate No. 176, and agree to the same with an amendment, as follows: In lieu of the matter stricken out by said amendment, insert:

"SEC. 8. Notwithstanding the provisions of Reorganization Plan No. 3 of 1946, no part of any appropriation contained in this act shall be used, transferred, or allocated for the expenses or salaries of any regional, field, or other office or committee to perform any function of the Bureau of Land Management, or for the transfer or removal of any functions or duties of the said Bureau out of the District of Columbia, unless specific approval therefor has been given by the Congress prior to the establishment of such office or committee or prior to such transfer or removal."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 177: On page 89, line 15, insert the following:

"SEC. 8. Appropriations herein made shall be available for payment of dues, when authorized by the Secretary, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate No. 177, and agree to the same with an amendment, as follows: In line 1 of the matter inserted by said amendment, strike out the figure "8" and insert in lieu thereof the figure "9."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 179: On page 89, line 23, insert the following:

"SEC. 10. Not to exceed a total of $1,000,000 of the appropriations contained in this act shall be available for expenditure for the compensation of employees engaged in personnel work."

Mr. JONES of Ohio. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. JONES of Ohio moves that the House recede from its disagreement to the amendment of the Senate numbered 179, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"SEC. 11. Not to exceed a total of $1,000,000 of the appropriation contained in this act shall be available for expenditure for the compensation of employees engaged in personnel work: *Provided*, That for purposes of this section employees will be considered as engaged in personnel work if they spend half time or more on personnel administration consisting of recruitment and appointments, placement, position classification, training and employee relations."

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

EXTENSION OF REMARKS

Mr. JONES of Ohio asked and was given permission to include in his remarks on the conference report on the Department of the Interior appropriation bill certain tables and extraneous matter.

COMMITTEE ON HOUSE ADMINISTRATION

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent that the Committee on House Administration and subcommittees thereof may sit while the House is in session for the remainder of the week.

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

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members who spoke on the so-called Patterson bill may extend their remarks at that point, as well as on other bills that were on the calendar.

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

There was no objection.

EXTENSION OF REMARKS

Mr. DEVITT asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow morning.

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

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and subcommittees thereof may sit during general debate on tomorrow.

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

There was no objection.

AMVETS HOUSE OF REPRESENTATIVES POST WILL PRESENT SPEAKER MARTIN WITH HONORARY LIFE MEMBERSHIP FRIDAY EVENING, JULY 25, 1947

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

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

There was no objection.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, AMVETS—the only veterans' organization of World War II to be chartered by an act of Congress—is making arrangements to present Hon. JOSEPH W. MARTIN, JR., Speaker of the House of Representatives, with an honorary life membership.

The presentation will be made under the auspices of the House of Representatives Post, recently organized.

Elaborate arrangements are in the making for this ceremony.

Permission is being requested for the use of the beautiful Ways and Means room in the New House Office Building.

The testimonial will take place on Friday evening, July 25, 1947. The exact time will depend upon the adjournment of the House.

All Members of the House are cordially invited to be present. Special invitations will be issued to Hon. CHARLES A. HALLECK, majority leader of the House; Hon. SAM RAYBURN, minority leader of the House; Hon. LESLIE C. ARENDS, majority whip; Hon. EDITH NOURSE ROGERS, chairman of the House Veterans' Committee; Hon. JOHN W. MCCORMACK, minority whip. Rev. Bernard Braskamp, Assistant Chaplain of the House, will open the meeting with a prayer.

A radio hook-up is being arranged to carry the speeches over the air waves. In addition the news reels and photographers have been notified.

The assistance and support of every Member of Congress is being requested to help make this event a memorable one in the life of our beloved Speaker.

The arrangements committee will be Richard G. Jefford, Assistant Sergeant at Arms of the House; Allan M. Ames, Assistant Doorkeeper of the House; Lucian O. Hunter, Jr., legislative aide in the Speaker's Lobby; J. H. Leib, publicity chairman.

EXTENSION OF REMARKS

Mrs. BOLTON asked and was given permission to extend her remarks in the RECORD in two instances and include extraneous matter.

Mr. MILLER of California asked and was given permission to extend his remarks in the RECORD and include an article.

SPECIAL ORDER GRANTED

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that on tomorrow after the disposition of business on the Speaker's desk and at the conclusion of special orders heretofore entered, I may address the House for 30 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include an address he made yesterday.

SPECIAL ORDER GRANTED

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that on Wednesday after the disposition of business on the Speaker's desk and at the conclusion of special orders heretofore granted, I may address the House for 20 minutes.

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

There was no objection.

COMMITTEE ON PUBLIC WORKS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent that the Committee on Public Works and subcommittees thereof may sit during the session of the House tomorrow.

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

There was no objection.

EXTENSION OF REMARKS

Mr. HINSHAW asked and was given permission to extend his remarks in the RECORD and include an address he made at Bakersfield, Calif.

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address by Mr. C. I. Smith on the same occasion. The address by Mr. Smith exceeds 2 pages and I am advised by the Public Printer that it will cost $186.34, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Notwithstanding the cost and without objection, the extension may be made.

There was no objection.

PERMISSION TO FILE CONFERENCE REPORT

Mr. WOLVERTON. Mr. Speaker, I ask unanimous consent that the conferees may have until midnight tonight to file a conference report and statement on the bill (S. 526) to promote the progress of science; to advance the national health, prosperity, and welfare; to secure the national defense; and for other purposes.

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

There was no objection.

TERMINATING CERTAIN TAX PROVISIONS

Mr. KNUTSON. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 4069) to terminate certain tax provisions before the end of World War II.

The Clerk read as follows:

Be it enacted, etc.—

SECTION 1. Suspension of Tariff Duties on Scrap Iron, etc.

The act of March 13, 1942 (Public Law 497, 77th Cong.; 56 Stat. 171), entitled "An act to suspend the effectiveness during the existing national emergency of tariff duties on scrap iron, scrap steel, and nonferrous metal scrap" is hereby amended by striking out "termination of the unlimited national emergency proclaimed by the President on May 27, 1941" and inserting in lieu thereof "close of June 30, 1948."

SEC. 2. Free Importation to Members of Armed Forces of Other United Nations

Section 5 of the joint resolution of June 27, 1942 (Public Law 635, 77th Cong.; 56 Stat. 462), entitled "Joint resolution to accord privileges of free importation to members of the armed forces of other United Nations, to enemy prisoners of war and civilian internees and detainees, and for other purposes," is hereby amended by striking out "the expiration of 6 months after the termination of the unlimited national emergency proclaimed by the President on May 27, 1941" and inserting in lieu thereof "July 1, 1948."

SEC. 3. Free Entry of Gifts From Members of Armed Forces

(a) Section 1 of the act of December 5, 1942 (Public Law 790, 77th Cong.; 56 Stat. 1041), entitled "An act to accord free entry to bona fide gifts from members of the armed forces of the United States on duty abroad" is hereby amended by inserting after the word "claimed" the words "were purchased in or through authorized agencies of the armed

forces of the United States or in accordance with regulations prescribed by the major geographical commands of the United States armed forces, and."

(b) The amendment made by subsection (a) shall be applicable in the case of articles entered for consumption or withdrawn from warehouse for consumption on and after September 1, 1947.

(c) Section 2 of such act is hereby amended, effective as of June 30, 1947, by striking out "the expiration of 6 months after the termination of hostilities as determined by proclamation of the President, or by concurrent resolution of the Congress" and inserting in lieu thereof "July 1, 1949."

SEC. 4. Suspension of Tariff Duty on Coconuts

The act of December 20, 1944 (Public Law 504, 78th Cong.; 58 Stat. 817), entitled "An act to suspend the effectiveness during the existing national emergency of the tariff duty on coconuts," shall not be applicable with respect to articles entered for consumption or withdrawn from warehouse for consumption on or after the 30th day following the date of the enactment of this act.

SEC. 5. Merchant Marine Construction Reserve Fund

For the purposes of the proviso of subsection (h) of section 511 of the Merchant Marine Act, 1936, as amended, added to such subsection by the act of June 17, 1943 (57 Stat. 158), the present war shall be considered as having terminated on the 15th day after the date of the enactment of this act.

SEC. 6. Tax Deferments of Service Personnel

Section 13 (c) (2) of the Missing Persons Act (Public Law 490, 77th Cong.; 56 Stat. 146) is hereby amended to read as follows: "(2) December 31, 1947; or."

SEC. 7. Additional Allowance for Military and Naval Personnel

Section 22 (b) (13) of the Internal Revenue Code is hereby amended to read as follows:

"(13) Additional allowance for military and naval personnel:

"(A) In the case of compensation received prior to January 1, 1948, during any taxable year, for active service as a commissioned officer (or a commissioned warrant officer) in the military or naval forces of the United States during the present war, or, in the case of a citizen or resident of the United States, as a member of the military or naval forces of any of the other United Nations during such war, so much of such compensation as does not exceed $1,500.

"(B) Compensation received prior to January 1, 1948, during any taxable year, for active service as a member below the grade of commissioned officer (or commissioned warrant officer) in the military or naval forces of the United States during the present war."

SEC. 8. Involuntary Liquidation and Replacement of Inventory

Section 22 (d) (6) (A) of the Internal Revenue Code is hereby amended by striking out "prior to the termination of the present war as proclaimed by the President" and inserting in lieu thereof "prior to August 1, 1947", and by striking out "not more than 3 years after the termination of the present war as proclaimed by the President" and inserting in lieu thereof "prior to August 1, 1950".

SEC. 9. Abatement of Tax for Members of Armed Forces Upon Death

Section 421 of the Internal Revenue Code is hereby amended by striking out "the termination of the present war as proclaimed by the President" and inserting in lieu thereof "January 1, 1948".

SEC. 10. Collection of Income Tax at Source on Wages

(a) Section 1621 (a) of the Internal Revenue Code is hereby amended by striking out paragraph (1), by striking out the sentence following paragraph (9), and by amending paragraph (8) to read as follows:

"(8) (A) for services for an employer (other than the United States or any agency thereof) performed by a citizen of the United States, if it is reasonable to believe that during the entire calendar year the employee will be a bona fide resident of a foreign country or countries, or

"(B) for services for an employer performed within a possession of the United States by a citizen of the United States, if it is reasonable to believe that at least 80 percent of the remuneration to be paid to the employee by such employer during the calendar year will be for such services, or".

(b) The amendments made by this section shall be applicable with respect to wages paid on or after January 1, 1948.

SEC. 11. Tax on Admissions

(a) Section 1700 (a) (1) of the Internal Revenue Code is hereby amended by striking out "(except bona fide employees, municipal officers on official business, children under 12 years of age, members of the military or naval forces of the United States when in uniform, members of the military or naval forces of any of the United Nations, when in uniform, and members of the Civilian Conservation Corps when in uniform)", and inserting in lieu thereof: "(except bona fide employees, municipal officers on official business, and children under 12 years of age)", and by striking out the last sentence.

(b) The amendments made by subsection (a), insofar as applicable with respect to amounts paid for admission, shall be applicable to amounts paid after December 31, 1947, and, insofar as applicable to free admissions, shall be applicable with respect to such admissions after December 31, 1947.

SEC. 12. Transportation Tax Exemption of Military and Naval Personnel

Section 3469 (f) (2) of the Internal Revenue Code shall not be applicable to amounts paid after December 31, 1947.

SEC. 13. Time for Performing Certain Acts Postponed by Reason of War

Section 3804 (c) of the Internal Revenue Code is hereby amended to read as follows:

"(c) Limitation on time to be disregarded: The period of time disregarded under this section shall not extend beyond the date specified in clause (1) or clause (2) of this subsection, whichever is the earlier:

"(1) December 31, 1947, or such date later than December 31, 1947, as the Commissioner may fix in any case in which he makes a determination under subsection (b) if such determination is made after the date this subsection as amended takes effect and is based on the existence prior to January 1, 1948, of one or more of the circumstances specified in paragraphs (1), (2), or (3) of subsection (b); or

"(2) in the case of an individual with respect to whom a period of time is disregarded under this section, the 15th day of the third month following the month in which an executor, administrator, or a conservator of the estate of such individual qualifies."

SEC. 14. China Trade Act Corporations

Section 3805 of the Internal Revenue Code is hereby amended by striking out "the 15th day of the sixth month following the month in which the present war with Germany, Italy, and Japan is terminated, as proclaimed by the President" and inserting in lieu thereof: "December 31, 1947."

SEC. 15. Percentage Depletion

(a) Section 124 (e) of the Revenue Act of 1943 (relating to termination of percentage depletion for certain minerals) is repealed as of the date of its enactment.

(b) So much of section 114 (b) (4) of the Internal Revenue Code (relating to percentage depletion for certain minerals) as precedes the second sentence thereof, is amended to read as follows:

"(4) Percentage depletion for coal, fluorspar, flake graphite, vermiculite, beryl, Feldspar, mica, talc, lepidolite, spodumene, barite, ball, sagger, and china clay, rock asphalt, bentonite, gilsonite, thenardite, and metal mines, potash, and sulfur:

"(A) In general: The allowance for depletion under section 23 (m) shall be, in the case of coal mines, 5 percent, in the case of metal mines, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc, lepidolite, spodumene, barite, ball, sagger, and china clay, rock asphalt mines, bentonite, gilsonite, thenardite (from brines or mixtures of brine), and potash mines or deposits, 15 percent, and in the case of sulfur mines or deposits, 23 percent, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property."

(c) The first sentence of section 114 (b) (2) of the Internal Revenue Code (relating to discovery value) is amended to read as follows: "In the case of mines (other than metal, coal, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc, lepidolite, spodumene, barite, potash, ball, sagger, and china clay, rock asphalt, bentonite, gilsonite, thenardite, or sulfur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within 30 days thereafter, if such mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost."

(d) The amendments made by subsections (b) and (c) of this section shall be applicable with respect to taxable years beginning after December 31, 1946.

The SPEAKER. Is a second demanded?

Mr. DOUGHTON. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. DOUGHTON. I am not opposed to the bill.

Mr. EBERHARTER. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from Pennsylvania [Mr. EBERHARTER] opposed to the bill?

Mr. EBERHARTER. I am opposed to the bill, Mr. Speaker.

The SPEAKER. The gentleman who is opposed to the bill is entitled to demand a second. The gentleman from Pennsylvania [Mr. EBERHARTER] qualifies.

Mr. KNUTSON. 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 Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, the hour is getting late and I hope that we can conclude on our side in the time allotted to us.

Mr. Speaker, this is an omnibus measure which is required by the fact that certain temporary revenue and customs laws enacted for the duration of the war or national emergency have no specific termination dates. The purpose of the bill is to provide for the definite termination of such laws. The bill also makes appropriate amendments to the Internal

Revenue Code in connection with the termination of certain of the statutes affected by the bill.

The bill contains 15 sections and amends existing law as follows:

First. It continues the existing suspension of tariff duties on scrap iron and other metal scrap until June 30, 1948, and on coconuts until 30 days following enactment of the bill.

Second. For members of the armed forces, it continues until July 1, 1949, the privilege of free entry for bona fide gifts purchased abroad, and until January 1, 1948, it will continue existing exemptions from income tax of their active-service pay and the tax abatement provided for them upon death in active service. Expiration of the existing exemption of service personnel from payment of the admissions and transportation taxes is fixed with respect to amounts paid after December 31, 1947.

Third. Terminates 15 days following its enactment all periods of extension which the Maritime Commission may have granted to shipowners within which certain tax-free deposits were permitted to be made in special construction reserve funds.

Fourth. Terminates on August 1, 1947, the period within which certain taxpayers may adjust inventory losses caused by involuntary liquidations due to the war.

Fifth. Provides that wages paid to service personnel shall be subject to the withholding provisions of the Code and clarifies withholding requirements as to American civilians employed abroad.

Sixth. Terminates on January 1, 1948, the period of time that may be disregarded in determining compliance with various requirements of the code, such as filing of returns, application for refunds, and performance of similar administrative acts, both as to individual taxpayers and as to the so-called China Trade Act corporations.

Seventh. Makes permanent the benefits of percentage depletion allowance extended for the war period to miners of various mineral ores.

The Committee on Ways and Means has given careful consideration to this legislation, and there was no opposition in the committee to its general purpose, although the gentleman from Pennsylvania [Mr. EBERHARTER] was in disagreement with two of its provisions and filed his individual views along with the committee report. He is opposed to the provision terminating the present exemption for service personnel on January 1, 1948, and to a permanent percentage depletion allowance in the case of some nonmetallic minerals but agrees, by implication at least, that the allowance should be permanent on such other extracted materials as oil, gas, sulfur, potash, and coal. These two provisions are of much greater general interest and perhaps greater importance than the other provisions of the bill.

For all practical purposes, the war ended 2 years ago. The exemptions of service personnel from the payment of income taxes, admission taxes, and transportation taxes, therefore, has already been carried 2 years beyond their intended termination. They were enacted as temporary expedients, in recognition of the personal and financial sacrifices arbitrarily imposed upon the vast majority of servicemen who were drafted into the service.

Our present Military Establishment is now on a strictly volunteer basis. Members of the armed forces are not now exposed to the hazards of bombs, battles, and bloodshed. True, they are rendering valuable service to their country, and we need that service, but they also receive benefits and privileges in return, which are not enjoyed by the average civilian. It is only fair to point out the nontaxable items in the income of service personnel which will continue as before to be granted to them under our revenue laws: Cash in lieu of subsistence and quarters; commutation of quarters; family allowances, meal allowances, naval attaché's expense money used in official duties, subsistence, uniform allowance, money allowance upon discharge paid in lieu of clothing allowances; mustering-out pay, amounts received in reimbursements for losses sustained due to appreciation of foreign currencies in relation to the American dollar.

Now, Mr. Speaker, the committee simply does not see the wisdom of permitting, beyond the war, the privilege of service personnel of escaping entirely their financial responsibilities toward the support of the Government they serve and which is serving them. The Army and the Navy offer outstanding opportunities of education, medical care, retirement benefits and a host of other inducements to young America. These advantages cannot be equaled by private industry at anything approaching the low cost of such services to the man in uniform. To continue them further will simply encourage a subsidized peacetime army of professional fighters, Mr. Speaker, and no one wants that.

On the question of percentage depletion allowances, the committee considered this subject in detail. Public hearings were held, at which both sides of the question had full opportunity to present their views.

The percentage depletion allowance, Mr. Speaker, is simply a method of allowing the mine owner an additional compensatory allowance for the risk undertaken in exploration.

The allowance is authorized under section 23 (m) of the Internal Revenue Code upon the basis of certain prescribed percentages set forth in section 114 of the Code. It is a reduction from gross income derived from the property involved amounting, in the case of coal, for example, to 5 percent, metal mines, fluorspar, flake graphite, mica, talc and similar materials, 15 percent and in the case of sulfur, 23 percent. The maximum allowance in any case is 50 percent of the taxpayers net income. It is given to compensate, partially at least, those taxpayers engaged in such mining operations, for the cost of discovering new sources of these products and thus encouraging their production.

Each of these products, including those added to the list by H. R. 4069 is an essential raw material badly needed in times of peace as well as in time of war. The products added by H. R. 4069 are ball and sagger clay, china clay, or Kaolin, bentonite, gilsonite and thenardite, or sodium sulphate.

These products were added because the mining problems involved are similar and in some cases identical with the problems faced by producers of petroleum, coal, and minerals. The deposits of the new products added by the bill are known in some cases, but unknown in others. Yet the producers must constantly explore new fields to determine their commercial value or the existence of new deposits. The depletion allowance encourages this explorative work. It is an expensive process, Mr. Speaker, and one that cannot be avoided. Unless we make a proper tax adjustment in the case of these mining operations we will discourage, if not prevent, discovery of new sources. Obviously, we cannot afford to do that.

This bill removes all the termination uncertainties now found in the laws to which it relates. Most of them, including the income-tax exemptions of service personnel, terminate with the end of the war. No one knows, Mr. Speaker, when the war will end. We are still technically, but only technically, at war. Actually, of course, the fighting has stopped and for all practical purposes the war is over. There is no need, therefore, for continuing the special exemptions indefinitely while we wait for a peace treaty to be signed. The one exception is the percentage depletion allowance which we have learned is essential to full utilization of our resources both in peacetime as well as in war.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. CASE of South Dakota. I want to say that I attended the hearings on depletion allowance. The Chairman was very fair in the consideration given the witnesses and I am pleased to hear him indicate that consideration was given to the evidence presented at that time on percentage depletion allowance.

Mr. KNUTSON. I thank my good friend from South Dakota.

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

Mr. KNUTSON. I yield to the gentleman from Nebraska.

Mr. CURTIS. While this bill contains a number of sections some of which are not entirely to my liking, there are many important things in it and I shall support the bill. I would like to call attention to a matter that was not presented to the Ways and Means Committee and that has to do with the contributions of corporations to charitable funds that are spent outside the United States. That was a wartime provision which has expired but it was not presented to the committee in time to be incorporated in this bill. Many corporations wish to contribute to the Friends Society and others in foreign relief work. Under the procedure that this bill is presented to the House here in the closing days of the Congress, it is not possible to offer an amendment, so I cannot offer one; but I would like to have the favorable consideration of the Chairman should the Senate Finance Committee find it possible to look into this feature of it.

Section 23 (q) (2) of the Internal Revenue Code allows corporations to deduct, for income-tax purposes, contributions to corporations, community chests, funds, or foundations, formed in this country or its possessions, which are operated for religious, charitable, and other such purposes, to an amount which does not exceed 5 percent of the taxpayer's net income. However, in the case of unincorporated trusts, chests, funds, or foundations, the contributions are deductible only if used within the United States or its possessions. No such limitation attaches to contributions to incorporated organizations or to contributions to any such organization, incorporated or unincorporated, where made by individuals.

This section of the code was amended in 1942 to allow corporations to deduct contributions to unincorporated organizations even though such contributions were used outside the United States or its possessions, if the contributions were made in taxable years beginning prior to the cessation of hostilities in the present war, as proclaimed by the President. The President proclaimed the cessation of hostilities on December 31, 1946, and, accordingly, charitable contributions by corporations for taxable years since that date to be used outside the United States or its possessions are deductible only if the recipient is incorporated. The legislative history of the section, which first appeared in the law in 1935, indicates no reason for this limitation. In its present form, of course, the section discourages contributions to, and to that extent hampers the activities of, unincorporated organizations carrying on foreign relief work. The suspension of the limitation for the period of hostilities was designed to encourage contributions to unincorporated organizations engaged in relief and other activities abroad. This limitation should be eliminated or suspended for a further period in the case of unincorporated domestic organizations and funds doing work abroad.

It is very important that action be taken in reference to these contributions. I suggest that we add section 16, to read as follows:

Amend section 23, subdivision (q), of the Internal Revenue Code by striking out the words "the date of the cessation of hostilities of the present war as proclaimed by the President" and inserting in lieu thereof "the taxable year beginning after the 31st of December 1948."

Mr. KNUTSON. The gentleman from Nebraska may rest assured we will give very careful consideration to such an amendment if it is added by the Senate and goes to conference.

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

Mr. KNUTSON. I yield to the gentleman from Arkansas.

Mr. MILLS. Is it not a fact that 14 of the 15 subjects covered by the bill were requested by the President? We were requested to legislate upon 14 of the 15 subjects covered by the bill?

Mr. KNUTSON. The gentleman is right. The bill contains 15 sections and of the 15 sections the President has requested 14 of them.

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

Mr. KNUTSON. I yield to the gentleman from Arizona.

Mr. MURDOCK. What was the depletion allowance for copper, lead, and zinc?

Mr. KNUTSON. I do not recall.

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

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

Mr. COOPER. They are provided for in permanent legislation. They are not dealt with in this bill.

Mr. KNUTSON. I understood that, but I thought he wanted to know what the allowance was. I had forgotten. They are permanently taken care of.

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

Mr. KNUTSON. I yield to the gentleman from Wyoming.

Mr. BARRETT. I want to congratulate the gentleman for bringing in this bill and may I say to him that I think the percentage depletions allowed in this bill are very fair and will be quite helpful in the development of these minerals in the West. I want to say to the gentleman, however, that we have a new development in our State, the mining of trona. It is quite similar to thenardite in this bill. The company presently operating has spent in excess of a million dollars in the development of this mine, building a shaft, and so forth. They must go deep into the ground in order to take out this mineral. It is an entirely new industry in our State. It is used for the same purpose as thenardite. It will be developed mainly on the public domain and bring income to the Treasury of the United States by reason of the royalties paid. I am hopeful that it too could be accorded the same percentage depletion as is granted to these other minerals in this bill.

Mr. KNUTSON. The gentleman from Wyoming has made a statement that convinces the House of the wisdom of allowing depletion allowances.

Undoubtedly the people who went in and developed this property were encouraged to do so with the knowledge that if they found anything of commercial value they would be given a depletion allowance, and that is precisely the purpose of the provision.

Mr. BARRETT. The chairman is entirely correct, and it will provide new employment for the people of our State, and bring in new money, and bring in money to the Treasury.

Mr. KNUTSON. Certainly. Nobody knows how many undiscovered minerals and veins, and so forth, we have in this country. I am one of those optimistic Americans who believes that we have merely scratched the surface.

Mr. BARRETT. I might say to the gentleman I am very happy that bentonite is added to these minerals. About 35 percent of all the bentonite is mined in the State of Wyoming, and this legislation will be very helpful in the development of that industry.

Mr. KNUTSON. Depletion allowance is going to be very helpful to all the so-called Western States. All of them, with the exception of Nebraska, have valuable deposits that need to be developed.

Mr. EBERHARTER. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, the previous speaker has called attention to the fact that the White House requested this legislation, but when the matter was before the committee, representatives of the Army and representatives of the Navy appeared and testified very strongly against section 7 of the bill. So, I do not want the Membership to come to the conclusion that the Administration wants this legislation. The agencies most interested in it are the Army and the Navy, and they are definitely and strongly opposed to it.

Mr. Speaker, this is, in fact, a tax bill. It will raise additional revenue for the Government of the United States of approximately $200,000,000. We have just passed a tax reduction bill over the veto of the President of the United States here in the House, and now a few days late the Committee on Ways and Means comes in here with a bill raising taxes. Upon whom are they raising the taxes? They are going to collect $200,000,000 from the personnel of the armed services, reaching away down to the private in the Army and to the ordinary seaman in the Navy.

Mr. KNUTSON. Mr. Speaker, if the gentleman will yield, will the gentleman point out where it increases taxes? Here is a copy of the bill.

Mr. EBERHARTER. Section 7, Mr. Speaker, removes exemptions from the payment of taxes which have been enjoyed by the enlisted men in the Army and the Navy and the Marine Corps. By removing that exemption, you force every unmarried enlisted man to pay, or have taken from his pay, every month from $4.70 to $5.10; in other words, the paymaster will withhold this tax at the time of paying the enlisted man.

Now, Mr. Speaker, in the case of a second lieutenant, the deduction from pay will be $21.40 and so on up. The noncommissioned officers will have more than $5 a month deducted from their pay. Do you want to vote to reduce the pay of the Army and the Navy when it is so very, very difficult to get recruits to man the armed services? From an editorial in the New York Times of last Saturday, which appears in the Appendix of the CONGRESSIONAL RECORD, at page A3656, we find the following:

In the first 6 months of the calendar year, enlistments were 70,000 below the minimum requirements. In May totals for the Army were only 14,907, and they are supposed to get in at least 30,000 a month.

That is not the worst feature of the measure insofar as this proposition of taxing the men in uniform is concerned. When these boys enlisted in the Army and the Navy, they were told by the recruiting officers—and it is one of the main items in the sales talk to get young men to enlist in the Army and Navy—that they would be exempt from taxation. Under this bill the paymaster must withhold $5 a month from a poor private or from a poor ordinary seaman. These boys cannot quit their jobs, they have to stay in there, once they have enlisted. I ask you, is that keeping faith with these boys who enlisted for a period of 2, 3, 4, or 5 years, or with the second

lieutenants whose pay is $180 a month and from whose pay will be withheld $21 every month? In fact, it amounts to a wage cut for enlisted men of 6 percent. I say it might wreck the recruiting program. We probably will break the morale of the Army and Navy by breaking the promises that were made to them. It will possibly wreck the recruiting program, and we then would have to go back to the basis of compulsory selective service, because the services are not getting their quota from enlistments now. The total in June was only 24,830, and that is generally supposed to be the best month for enlistments. They expected 50,000. So if Congress passes an act like this, I do not know what is going to happen to the recruiting program.

Mr. Speaker, I think on that one basis alone we ought to defeat the whole bill, but there is another section which I do not believe should be enacted, and that is section 15. Section 15, in effect, gives a subsidy in the way of a percentage depletion allowance which would permit companies mining certain types of minerals to take an annual deduction for depletion up to 15 percent of gross income. In other words, 15 percent of the gross receipts is allowed to be deducted before they become subject to the payment of corporation income taxes.

This is unfair in two ways, in my opinion. In the first place, it picks out certain specified mining materials and ignores many others, perhaps 50, 75, or 100. No showing has been made to the committee, in my opinion, of the necessity for this special percentage depletion allowance. The Treasury Department did not testify on this measure, and there is no evidence to justify giving percentage depletion to some nonmetallic minerals, but not to others.

In the second place, percentage depletion discriminates against other taxpayers who are allowed to recover through tax deductions no more than 100 percent of the amount invested in plant, machinery, and equipment. Under this bill, owners of mineral properties may deduct 15 percent of gross income year after year, long after recovery of their full investment.

Now, Mr. Speaker, this is too important a matter to pass over lightly and quickly, at a time like this. With the vital effect it is going to have on our armed services. I just could not let this matter go by without trying to give the House my thoughts on it and what should be done.

As to the percentage depletion allowance, Mr. Randolph Paul, who was formerly with the Treasury Department, in a book he recently published had this to say:

> Few groups of taxpayers are so favored as those who can take depletion deductions. These deductions frequently turn out to be sheer gifts from the United States to individual taxpayers and corporations and their stockholders.

But they are inexcusable where they serve no public purpose and indiscriminately, as this bill does, favor industries which are in an established financial position, who are not in need of special Government help, for the effect is to shift part of the tax burdens to the shoulders of others who are less able to bear that burden. A sound tax system will not permit one section of the Nation to ride roughshod over others. It will treat all alike who are in a similar situation.

I yield to the gentleman from Rhode Island.

Mr. FORAND. The gentleman covered the points that I was seeking to have covered. I thank the gentleman very much.

Mr. EBERHARTER. I yield to the gentleman from Arkansas, Mr. Mills.

Mr. MILLS. Will not the gentleman from Pennsylvania admit that the section relating to the $1,500 exemption for soldiers and those in the service is included in the bill because of the request of the President that the Congress legislate on that phase of the matter?

Mr. EBERHARTER. I did not see any communication. I assume there is a communication from the President on that. The Navy sent a representative up here to testify against the passage of this bill and against that section in its present form. The Army sent a representative up and told us in effect that it would wreck the recruiting program and would be breaking faith with those boys who enlisted on the promise that they would get so much pay and so much exemption allowance.

Mr. MILLS. It is true that representatives of the Army and Navy were in attendance before our committee on this particular subject. But the gentleman will recall, will he not, that representatives of the Navy said that they would be entirely satisfied to permit this termination to occur on January 1, 1949.

Mr. EBERHARTER. They said that they would be satisfied if we would postpone until January 1, 1949, the operation of this section as it appears in the bill because, as they said, in the meantime, "We hope to get through a pay raise for these enlisted men and for the officers, and we do not want that exemption taken away now because they are underpaid as it is at the present time."

That is what they said. They said, "We hope to get a special committee of the Membership of the House and Senate to make a study and make a report as to the general overhauling of the pay rates in the Army and Navy." Their conclusion was, "if you do this, you are going to hurt the Army and Navy tremendously," and Under Secretary Sullivan from the Navy told me while some other Members were talking, "This will absolutely wreck the recruiting program of the Army." That is what the Navy man said to me.

Mr. MILLS. Is not the argument over this question whether or not this provision shall expire on January 1, 1948, or January 1, 1949? Is not that the entire argument?

Mr. EBERHARTER. To me, it comes down to this. When these boys enlisted voluntarily and were promised a certain tax exemption and promised so much pay, they have a right to expect those promises to be kept. Under this bill, on the first of next year the paymaster will begin giving them $5 a month less and I do not thing that is the right thing to do.

I hope the membership will agree with me on this. I think this bill should have been brought out under a rule, and that we should have the opportunity to amend it. The way it is brought up under suspension of the rules we can not amend the bill. I would rather see the whole bill defeated than have the provision go in. As I said, if we had an hour's debate on it, and then could offer amendments to some of these sections which are really very objectionable, that would seem to me to be a more satisfactory way of proceeding——

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

Mr. EBERHARTER. I yield.

Mr. COOPER. Is it not accurate to state that the real difference of opinion here is with respect to the 1 year additional time for the $1,500 exemption for income tax purposes for members of the armed forces? The gentleman from Pennsylvania will remember that I voted as he did in the committee for the additional year, but I did not feel after the committee voted for 1 year less than we had favored, that I should oppose the entire bill because of that fact.

The War and Navy Departments requested that this $1,500 exemption for income tax purposes, for personnel of the armed forces, be extended to January 1, 1949.

Mr. EBERHARTER. Yes.

Mr. COOPER. And you and I voted for that in committee.

Mr. EBERHARTER. Yes. And I might say the vote was very, very close. It could not have been any closer.

Mr. COOPER. But the majority decided to make it January 1, 1948. Now the War and Navy Departments both strongly opposed making it permanent, but they did want one additional year, within which time to work out a new pay schedule for the armed forces, and they thought it would assist them in their recruiting program. That is the only difference of opinion. Is that not true?

Mr. EBERHARTER. I would say not only to assist them, but they do not want their recruiting program absolutely wrecked, and they do not want to break faith with the Army officers who, as I said before, will have $21 a month deducted from their pay suddenly, and they do not want to require the enlisted men to have a deduction taken from their pay.

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

Mr. EBERHARTER. I yield.

Mr. FOGARTY. As I understand it, the Army is about 100,000 short of their volunteer enlistments at this particular date.

Mr. EBERHARTER. That is approximately correct.

Mr. FOGARTY. And by the 1st of January they will be 140,000 short, or 40 percent below their anticipated volunteers.

Mr. EBERHARTER. That is correct.

Mr. FOGARTY. The Navy and Marines, who have found it fairly easy up to date to get volunteers, are finding a slump taking place at the present time. If this bill is passed it is going to be tougher than ever to get enlistments

either in the Army, the Navy, or the Marine Corps, because it will be a reduction in pay for those who volunteer.

Mr. EBERHARTER. The gentleman is absolutely right. It may be just the one thing that will force us to accept selective service and training.

Mr. MILLS. Mr. Speaker, will the gentleman yield further?

Mr. EBERHARTER. I yield.

Mr. MILLS. Will the gentleman not admit that the provision to which we are referring under the present law expires when the termination of the present war is proclaimed by the President, and no one knows when that proclamation will be made.

Mr. EBERHARTER. That is true, but that does not overcome the objection that you are cutting $200,000,000 in the pay of the armed-services personnel. If you are going to raise taxes by this bill to the extent of $200,000,000 and take it out of the private and the seamen and the personnel of the Army and Navy, I want you to know what you are doing.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield to me?

Mr. EBERHARTER. I yield.

Mr. KNUTSON. The enlisted personnel gets $75 a month, do they not?

Mr. EBERHARTER. Yes; and they have to pay taxes. If he is a single man, he will have to pay $4.50 or $5 a month.

Mr. KNUTSON. It may be that the $1,500 would make a first or second lieutenant, and from there on up, pay a little more, but the gentleman has been confining himself to the enlisted personnel. I very much doubt that whatever action we take this afternoon will affect the enlisted personnel materially one way or the other. And the gentleman has not told the House that the committee has taken the same position as the Treasury.

Mr. EBERHARTER. The gentleman did that in his own time.

Mr. KNUTSON. No. The gentleman is mistaken, which is not so unusual; but the Treasury Department wants this terminated January 1, 1948. The gentleman knows that.

Mr. EBERHARTER. I do not always agree with the Treasury. In this instance I do not think there is any question but that the Army and Navy are right.

Mr. FOGARTY. Will the gentleman yield further?

Mr. EBERHARTER. I yield.

Mr. FOGARTY. The gentleman from Minnesota [Mr. KNUTSON] has not been interested in the past 6 or 8 months in what the Treasury did, as far as taxes is concerned, but this is just another way of trying to place the blame on the Treasury because he seeks in this bill to cut the pay of the enlisted personnel in the Army and the Navy.

Mr. EBERHARTER. That is exactly the result of it.

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

Mr. EBERHARTER. I yield.

Mr. CRAWFORD. The gentleman does not mean to infer that the enactment of this bill will make it unnecessary for us to deal with the compulsory military training, does he?

Mr. EBERHARTER. No; I did not say that. We may have to come to Selective Service if we cannot get the recruits needed to maintain the regular Army and Navy; and this is just one more reason why the Army and Navy may not be able to get the recruits they require.

Mr. CRAWFORD. We are not getting recruits enough now, are we?

Mr. EBERHARTER. The gentleman is correct.

Mr. CRAWFORD. That is the point I wanted to bring out, yet we are making international commitments and agreements further involving us in need for a bigger Army and a bigger Navy.

Mr. EBERHARTER. The gentleman is correct.

Mr. CRAWFORD. So we may inevitably have to come to universal military training in peacetime, although this bill now before us does not deal with that in any way.

Mr. EBERHARTER. Mr. Speaker, I yield back the balance of my time.

Mr. KNUTSON. Mr. Speaker, I move the previous question

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Minnesota that the rules be suspended and that the bill be passed.

The question was taken, and on a division, demanded by Mr. EBERHARTER, 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.

PERMISSION TO FILE CONFERENCE REPORT

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that the Committee on Interstate and Foreign Commerce may have until midnight tonight to file a conference report and statement.

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

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GROSS for Tuesday, July 22, 1947, on account of attending a funeral.

BILLS LAID ON THE TABLE

The SPEAKER. Without objection, House Resolution 280, providing for the consideration of H. R. 1113, and House Resolution 290, providing for the consideration of H. R. 3043, will be laid on the table, the bills made in order by these resolutions having been disposed of earlier in the day.

There was no objection.

EXTENSION OF REMARKS

Mr. OWENS asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a resolution passed by the North Shore Post of the American Legion of Chicago, Ill.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a letter that the chairman of the Subcommittee on Insurance and I wrote to General Bradley regarding the insurance department of the Veterans' Administration. The insurance department badly needs to be reorganized.

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

There was no objection.

Mr. POULSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD on two different subjects, one of which may exceed the limit fixed by the Joint Committee on Printing. Notwithstanding the excess I ask unanimous consent that the extension may be made.

The SPEAKER. Without objection, notwithstanding the excess, the extension may be made.

There was no objection.

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

PERMISSION TO ADDRESS THE HOUSE

Mr. McDONOUGH. 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. McDONOUGH addressed the House. His remarks appear in the Appendix.]

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. 885. An act to provide that the Canadian-built dredge *Ajax* and certain other dredging equipment owned by a United States corporation be documented under the laws of the United States: To the Committee on Merchant Marine and Fisheries.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3961. An act to provide increases in the rates of pension payable to Spanish-American War and Civil War veterans and their dependents; and

H. R. 4017. An act to amend the Armed Forces Leave Act of 1946 to provide that bonds issued under such act shall be redeemable at any time after September 1, 1947, to permit settlement and compensation under such act to be made in cash, and for other purposes.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1508. An act to amend the act entitled "An act to express the intent of the Congress with reference to the regulation of the business of insurance", approved March 9, 1945 (59 Stat. 33).

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to

the President, for his approval, bills of the House of the following titles:

H. R. 3513. An act to transfer the Panama Railroad pension fund to the civil-service retirement and disability fund; and

H. R. 3767. An act to provide for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, and for other purposes.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 39 minutes p. m.) the House, pursuant to its previous order, adjourned until tomorrow, Tuesday, July 22, 1947, at 10 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:

955. A letter from the Administrator, Office of Temporary Controls, Office of Price Administration, transmitting a report of the Office of Price Administration covering the 2-month period ended May 31, 1947 (H. Doc. No. 410); to the Committee on Banking and Currency and ordered to be printed.

956. A letter from the Archivist of the United States, transmitting report on records proposed for disposal by various Government agencies; to the Committee on House Administration.

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. ALLEN of Illinois: Committee on Rules. House Resolution 293. Resolution to authorize the Committee on Ways and Means to continue its investigation and study of internal-revenue laws; without amendment (Rept. No. 1014). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 298. Resolution authorizing the Committee on Agriculture to make studies and investigations into matters relating to agriculture; without amendment (Rept. No. 1015). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 318. Resolution providing for the consideration of H. R. 1341, a bill to authorize the Secretary of the Navy to construct a postgraduate school at Monterey, Calif.; without amendment (Rept. No. 1016). Referred to the House Calendar.

Mr. BRADLEY: Committee on Merchant Marine and Fisheries. House Joint Resolution 245. Joint resolution to authorize employment of aliens on American ships; without amendment (Rept. No. 1017). Referred to the Committee of the Whole House on the State of the Union.

Mr. WEICHEL: Committee on Merchant Marine and Fisheries. H. R. 4042. A bill to control the export to foreign countries of gasoline and petroleum products from the United States; with an amendment (Rept. No. 1018). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. S. 1361. An act to amend the United States Housing Act of 1937 so as to permit loans, capital grants, or annual contributions for low-rent-housing and slum-clearance projects where construction costs exceed present cost limitations upon condition that local housing agencies pay the difference between cost limitations and the actual construction costs; with amendments (Rept. No. 1019). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 4242. A bill to amend the income limitation governing the granting of pension to veterans and death-pension benefits to widows and children of veterans, and for other purposes; with amendments (Rept. No. 1021). 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. AUCHINCLOSS:

H. R. 4301. A bill to amend the act of August 13, 1946, entitled "An act authorizing Federal participation in the cost of protecting the shores of publicly owned property"; to the Committee on Public Works.

By Mr. FERNÓS-ISERN:

H. R. 4302. A bill to compensate certain Puerto Rican citizens of the United States for services rendered the United States in World War I; to the Committee on Veterans' Affairs.

By Mr. DINGELL:

H. R. 4303. A bill to provide for a national program of retirement, survivors, and extended disability insurance; to the Committee on Ways and Means.

By Mr. LEWIS:

H. R. 4304. A bill providing for the extension of the time limitations under which patents were issued in the case of persons who served in the military or naval forces of the United States during World War II; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 4305. A bill to increase the pay of post-office employees in the unincorporated territory of Puerto Rice; to the Committee on Post Office and Civil Service.

H. R. 4306. A bill amending the Social Security Act in order to extend to Puerto Rico titles I, IV, and X; to the Committee on Ways and Means.

By Mr. MADDEN:

H. R. 4307. A bill to bring seamen within the provisions of the Fair Labor Standards Act of 1938; to the Committee on Education and Labor.

By Mr. ANDREWS of New York:

H. R. 4308. A bill to amend section 1 of the act of July 20, 1942 (56 Stat. 662), as amended, relating to the acceptance of decorations, orders, medals, and emblems by officers and enlisted men of the armed forces of the United States tendered them by governments of cobelligerent nations, neutral nations, or other American Republics; to the Committee on Armed Services.

By Mr. CUNNINGHAM:

H. R. 4309. A bill to amend title III of the Servicemen's Readjustment Act of 1944 (GI bill of rights), pertaining to loans for the purchase or construction of homes, farms, and business property, so as to provide more adequate and effective farm-loan benefits; to the Committee on Veterans' Affairs.

H. R. 4310. A bill to provide that moneys derived from rental or operation of certain temporary housing shall be available for certain expenses, and for other purposes; to the Committee on Banking and Currency.

By Mr. LEMKE:

H. J. Res. 248. Joint resolution reenacting section 75 (title 11, ch. 8, U. S. Code, 1940, as amended), the farmer-debtor provisions of the Bankruptcy Act of 1898, as amended; to the Committee on the Judiciary.

By Mr. TWYMAN:

H. J. Res. 249. Joint resolution to reduce the rate of interest on postal savings by 1 percent per annum; to the Committee on Post Office and Civil Service.

By Mr. KNUTSON:

H. Con. Res. 107. Concurrent resolution authorizing the Committee on Ways and Means to have printed for its use additional copies of the digest of testimony, index to hearings, and each part of the hearings held during the current session relative to tax revision, 1947–48; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. AUGUST H. ANDRESEN

H. R. 4311. A bill for the relief of Gold Star Fur Ranch, Inc., of Owatonna, Minn.; to the Committee on the Judiciary.

By Mr. ANDREWS of New York:

H. R. 4312. A bill to authorize the promotion of James Y. Parker, Army serial No. O20712, as major, Army of the United States, as of March 1, 1942, under the act of February 16, 1942 (56 Stat. 94), and for other purposes; to the Committee on Armed Services.

By Mr. AUCHINCLOSS:

H. R. 4313. A bill to continue in full force and effect patent No. 1,605,697; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 4314. A bill for the relief of the guardian of Porfirio Velazquez; to the Committee on the Judiciary.

H. R. 4315. A bill for the relief of the estate of the late Anastacio Acosta; to the Committee on the Judiciary.

H. R. 4316. A bill for the relief of Gloria Esther Diaz; to the Committee on the Judiciary.

H. R. 4317. A bill for the relief of the estate of Rafael Rebollo; to the Committee on the Judiciary.

H. R. 4318. A bill for the relief of Lilly Velez; to the Committee on the Judiciary.

H. R. 4319. A bill for the relief of the estate of Avelino Rivera; to the Committee on the Judiciary.

By Mr. McMILLAN of South Carolina:

H. R. 4320. A bill for the relief of James R. Turner; to the Committee on the Judiciary.

By Mr. TEAGUE:

H. R. 4321. A bill for the relief of Dr. H. R. Allmon; to the Committee on the Judiciary.

PETITIONS, ETC.

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

761. By Mr. SMITH of Wisconsin: Petition of citizens of Racine, Wis., in the interest of H. R. 2910; to the Committee on the Judiciary.

762. By the SPEAKER: Petition of A. M. Keller and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

763. Also, petition of Mrs. Leona Nelson and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

SENATE

TUESDAY, JULY 22, 1947

(Legislative day of Wednesday, July 16, 1947)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Albert Joseph McCartney, D. D., minister emeritus, Covenant-First Pres-