6. Brand Soviet Russia as the world aggressor No. 1 and start proceedings for expelling her and her satellites from the United Nations.

These are "musts" if we are to stop the sickening slide into national disaster.

Instead of criticizing Gen. Douglas MacArthur, we should all get on our knees and thank God that we have a MacArthur. He has been the main bulwark against rampaging communism in the Far East. It is our patriotic duty to back up and support MacArthur loyally and vociferously. The time has come when we must quit appeasing and stop being apologetic for America. We need aggressive Americans. With God on our side, right will triumph over might. We have a righteous cause. It is freedom's cause. Our job is to know the end, to find the way and to encompass the strain and resist any temptation to slacken the pull and to make the individual and collective sacrifices that will give us the final victory. In these goals lies the end of bewilderment and of anxious waiting. I give you these as the public relations program for freedom. You men and women of this society have the creative minds and the vision. Take inspiration from our battered but unbowed troops in Korea to have the courage to do what is right, for in this trinity of American virtues lies our only salvation.

For this we fight—for God and country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. JONES of Missouri, for an indefinite period, on account of illness.

To Mr. MILLER of Maryland (at the request of Mr. BEALL), until December 21, on account of official business.

ENROLLED BILLS SIGNED

Mrs. NORTON, 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. 483. An act to extend the time limit within which certain suits in admiralty may be brought against the United States; and

H. R. 2365. An act for the relief of the city of Chester, Ill.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 5 o'clock and 7 minutes p. m.), the House adjourned until tomorrow, Thursday, December 7, 1950, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1770. A letter from the Secretary of Defense, transmitting the fifth semiannual report to the Congress listing the contracts negotiated by the Department of the Army, the Department of the Navy, and the Department of the Air Force, in accordance with the provisions of the Armed Services Procurement Act of 1947, covering the 6-month period from January 1 through June 30, 1950; to the Committee on Armed Services.

1771. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1951 in the amount of $337,500 for the District of Columbia (H. Doc. No. 732); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. LYLE: Committee on Rules. House Resolution 876. Resolution for consideration of H. R. 9763, a bill to amend the Housing and Rent Act of 1947, as amended; without amendment (Rept. No. 3150). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WHITTINGTON:

H. R. 9864. A bill to authorize a program to provide for the construction of Federal buildings outside of but in the vicinity of and accessible to the District of Columbia, and for other purposes; to the Committee on Public Works.

By Mr. HUBER:

H. R. 9865. A bill to prevent newspapers from controlling radio and television stations; to the Committee on Interstate and Foreign Commerce.

By Mr. PRIEST:

H. R. 9866. A bill to authorize the construction, operation, and maintenance of the lower Cumberland Dam and Reservoir on the Cumberland River in Kentucky and Tennessee for navigation, flood control, hydroelectric power, and other purposes; to the Committee on Public Works.

H. R. 9867. A bill to authorize the construction, operation, and maintenance of facilities for generating hydroelectric power at the Cheatham Dam on the Cumberland River in Tennessee; to the Committee on Public Works.

By Mr. RANKIN (by request):

H. R. 9868. A bill to include personnel of the Armed Forces on active military, naval, or air service on or after June 25, 1950, in the term "veteran of any war"; to the Committee on Veterans' Affairs.

By Mr. DELANEY:

H. R. 9869. A bill to amend the Civil Aeronautics Act of June 23, 1938, by providing for compensation for death by wrongful act in air commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGHTON:

H. R. 9870. A bill to amend the Internal Revenue Code in order to allow extensions of time for the filing of returns and the payment of income taxes by certain persons serving in zones of combat between January 1, 1951, and March 15, 1951, and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEN:

H. R. 9871. A bill to promote the rehabilitation of the band of Chippewa Indians in the State of Minnesota located on the Red Lake Indian Reservation, and for other purposes; to the Committee on Public Lands.

By Mr. LANE:

H. R. 9872. A bill relating to the compensation of certain laundry employees at United States naval hospitals; to the Committee on Post Office and Civil Service.

By Mr. EDWIN ARTHUR HALL:

H. R. 9873. A bill to provide free postage for members of the Armed Forces of the United States; to the Committee on Post Office and Civil Service.

By Mr. WERDEL:

H. J. Res. 550. Joint resolution to create a joint congressional committee to study and investigate cloud nucleation; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BOLTON of Maryland:

H. R. 9874. A bill for the relief of Mary Doyen; to the Committee on the Judiciary.

By Mr. BYRNE of New York:

H. R. 9875. A bill for the relief of Samuel David Fried; to the Committee on the Judiciary.

By Mr. DENTON:

H. R. 9876. A bill for the relief of Food Service of Evansville, Inc.; to the Committee on the Judiciary.

By Mr. FERNÓS-ISERN:

H. R. 9877. A bill for the relief of Jorge Carrera Giral; to the Committee on the Judiciary.

By Mr. FORD:

H. R. 9878. A bill authorizing the naturalization of Jesus Juan Llanderal; to the Committee on the Judiciary.

By Mr. KING:

H. R. 9879. A bill for the relief of Wladimir Peter Lewicki, Mrs. Heedwige Lewicki, and George Wladimir Lewicki; 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:

2407. By Mr. LARCADE: Petition of members of Woman's Christian Temperance Union of Eunice, La., asking that any legislation pertaining to further drafting of men for service in the American Armed Forces provide that no alcoholic beverages can be sold or served in camps where these men are trained or any nearer than 10 miles from such camps; to the Committee on Armed Services.

2408. By Mrs. NORTON: Petition of the Forty-sixth Annual Convention of the New Jersey State Building and Construction Trades Council, October 2 and 3, 1950, Atlantic City, N. J., urging rigid control on prices of food, related food commodities, related necessities of life, and rentals; to the Committee on Banking and Currency.

2409. Also, petition of the Forty-sixth Annual Convention of the New Jersey State Building and Construction Trades Council, October 2 and 3, 1950, Atlantic City, N. J., requesting the initiation of legislation forthwith at the next session of Congress to abolish the Labor Management Act of 1947; to the Committee on Education and Labor.

SENATE

THURSDAY, DECEMBER 7, 1950

(Legislative day of Monday, November 27, 1950)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Howard Bryant, of Birmingham, Ala., Southern Baptist missionary to Chile, Antofagasta, Chile, South America, offered the following prayer:

Almighty God, our Heavenly Father, we bow before Thee today recognizing that Thou art the Supreme Ruler of the Universe, the giver of all good things of life, even life itself. Thou hast been so mindful of us all the days of our lives; so often we have failed to own Thee as the author of all that is fine and beautiful in this world; for which we humbly ask forgiveness.

In these days of so much confusion and chaos, when our finite minds do not know which way to turn, we come to Thee and ask that Thou wilt bring quiet and peace to our souls and minds, that Thou wilt help us this day to walk according to Thy divine will.

Bless this, our Nation, O God, as it assumes the place of leadership Thou hast entrusted to it among the nations of this world to bring permanent peace.

Unite our hearts and strengthen our spirits for the tasks of this day, forgive us our every transgression and lead us in the path of righteousness. We ask all this reverently in the name of Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. MAYBANK, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, December 6, 1950, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

EXTENSION OF RENT CONTROL

The Senate resumed the consideration of the joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended.

The VICE PRESIDENT. Under the unanimous-consent agreement entered into, the time between now and 2 o'clock will be divided equally between the proponents and opponents of the joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended, to be controlled by the Senator from South Carolina [Mr. MAYBANK] and the Senator from Ohio [Mr. BRICKER]. It is understood that no vote is to be taken before 2 o'clock.

CALL OF THE ROLL

Mr. MAYBANK. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll. The time consumed in the calling of the roll will be divided equally between the proponents and the opponents of the joint resolution (S. J. Res. 207).

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

Aiken	Gurney	McClellan
Anderson	Hayden	McFarland
Brewster	Hendrickson	McKellar
Bricker	Hickenlooper	McMahon
Bridges	Hill	Magnuson
Butler	Hoey	Malone
Byrd	Holland	Martin
Cain	Hunt	Maybank
Capehart	Ives	Millikin
Chapman	Johnson, Tex.	Morse
Chavez	Johnston, S. C.	Mundt
Clements	Kefauver	Murray
Connally	Kem	Myers
Cordon	Kerr	Neely
Donnell	Kilgore	Nixon
Douglas	Knowland	O'Conor
Dworshak	Langer	O'Mahoney
Ecton	Leahy	Pepper
Ellender	Lehman	Robertson
Flanders	Lodge	Russell
Frear	Long	Saltonstall
Fulbright	Lucas	Schoeppel
George	McCarran	Smith, Maine
Gillette	McCarthy	Smith, N. J.
Smith, N. C.	Thomas, Utah	Wiley
Stennis	Thye	Williams
Taft	Tydings	Young
Taylor	Watkins	
Thomas, Okla.	Wherry	

Mr. MYERS. I announce that the Senator from Connecticut [Mr. BENTON] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is absent by leave of the Senate on official business, having been appointed a delegate from the Senate to attend the meeting of the Commonwealth Parliamentary Association in Australia.

The Senator from Minnesota [Mr. HUMPHREY] is absent because of illness.

The Senator from Colorado [Mr. JOHNSON] is absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

Mr. SALTONSTALL. I announce that the Senator from Kansas [Mr. CARLSON] is absent by leave of the Senate on official business.

The Senator from Michigan [Mr. FERGUSON] is absent by leave of the Senate on official business, having been appointed as a delegate from the Senate to attend the meeting of the Commonwealth Parliamentary Association in Australia.

The Senator from Indiana [Mr. JENNER] is unavoidably detained.

The Senator from New Hampshire [Mr. TOBEY] is absent by leave of the Senate on official business of the Committee on Small Business.

The Senator from Michigan [Mr. VANDENBERG] is absent by leave of the Senate.

The VICE PRESIDENT. A quorum is present.

Mr. McCLELLAN. Mr. President——

The VICE PRESIDENT. The time is divided from now until 2 o'clock, to be controlled by the Senator from South Carolina [Mr. MAYBANK] and the Senator from Ohio [Mr. BRICKER].

Mr. WHERRY. Mr. President——

The VICE PRESIDENT. The Chair will not be able to recognize any Senator during that time unless he is yielded to by one or the other of the two Senators named.

TRANSACTION OF ROUTINE BUSINESS

Mr. WHERRY. Mr. President, will the Senator from Ohio yield to me for just a moment?

Mr. BRICKER. I yield to the Senator from Nebraska.

Mr. WHERRY. I wonder if the managers of the time might agree to permit insertions of routine matters in the RECORD. It would take only a few minutes, and the time can be charged to both sides.

Mr. BRICKER. I agree to that suggestion.

The VICE PRESIDENT. Is there objection to a sort of informal morning hour, the time to be charged equally to both sides? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Mr. President——

Mr. BRICKER. I yield to the Senator from California.

The VICE PRESIDENT. During this so-called morning hour it is not necessary to yield because the time consumed will be charged equally to both sides.

CREDENTIALS

Mr. McCLELLAN presented the credentials of J. W. FULBRIGHT, duly chosen by the qualified electors of the State of Arkansas, a Senator from that State, for the term beginning January 3, 1951, which were read and ordered to be filed, as follows:

STATE OF ARKANSAS,
DEPARTMENT OF STATE,
Little Rock.

To the PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 7th day of November 1950, J. W. FULBRIGHT was duly chosen by the qualified electors of the State of Arkansas a Senator from said State to represent said State in the Senate of the United States for the term of 6 years, beginning on the 3d day of January 1951.

Witness: His Excellency, our Governor, Sid McMath, and our seal hereto affixed at Little Rock, this 1st day of December, in the year of our Lord 1950.

SID McMATH,
Governor.

By the Governor:
[SEAL]

C. G. HALL,
Secretary of State.

MEETING OF COMMITTEE DURING SENATE SESSION

Mr. KEFAUVER. Mr. President, I ask unanimous consent that the subcommittee of the Armed Services Committee of the Senate considering civil defense may sit this afternoon and tomorrow afternoon, even though the Senate may be in session.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. KEFAUVER. Mr. President, in that connection I wish to say that we expect to conclude our hearings some time next week. I know that several Members of the Senate wish to submit views to our subcommittee or to testify. We will welcome their appearance at any time it is convenient to them.

BILLS INTRODUCED

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

(Mr. THOMAS of Utah (for himself, Mr. MURRAY, Mr. PEPPER, Mr. HILL, Mr. NEELY, Mr. DOUGLAS, Mr. HUMPHREY, Mr. LEHMAN, Mr. TAFT, Mr. AIKEN, Mr. SMITH of New Jersey, Mr. MORSE, Mr. DONNELL, and Mr. IVES), introduced Senate bill 4229, to extend to certain persons who served in the military, naval, or air service on or after June 25, 1950, the benefits of Public Law No. 16, Seventy-eighth Congress, as amended, which was referred to the Committee on Labor and Public Welfare, and appears under a separate heading.)

By Mr. BREWSTER:

S. 4230. A bill authorizing the President of the United States of America to proclaim the first Monday in February of each year as National Children's Dental Health Day; to the Committee on the Judiciary.

By Mr. LODGE:

S. 4231. A bill for the relief of Mary Apostolou and her minor son, Paul Apostolou; to the Committee on the Judiciary.

By Mr. CHAVEZ (by request):

S. 4232. A bill to authorize a program to provide for the construction of Federal buildings outside of but in the vicinity of and accessible to the District of Columbia, and for other purposes; to the Committee on Public Works.

By Mr. WHERRY:

S. 4233. A bill for the relief of Col. Harry F. Cunningham; to the Committee on the Judiciary.

(Mr. CONNALLY, from the Committee on Foreign Relations, reported an original bill (S. 4234) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing emergency relief assistance to Yugoslavia, which was ordered to be placed on the calendar, and appears under a separate heading.)

By Mr. AIKEN (for himself and Mr. FLANDERS):

S. 4235. A bill to authorize the transfer to the Vermont Agricultural College of certain lands in Addison County, Vt., for agricultural purposes; to the Committee on Agriculture and Forestry.

RENEWAL OF PROGRAM OF VOCATIONAL REHABILITATION FOR DISABLED VETERANS

Mr. THOMAS of Utah. Mr. President, on Monday of this week, the President of the United States sent a communication to Congress requesting the early enactment of legislation extending the program of vocational rehabilitation for disabled veterans to the disabled veterans of the present Korean campaign.

This program of vocational rehabilitation, originally authorized by Public Law 16 of the Seventy-eighth Congress, has proved to be a program of utmost benefit to the disabled veterans of World War II, and the President is on sound ground in recommending its extension to those veterans who have become disabled while serving their country in the current campaign.

A number of my colleagues on both sides of the aisle have joined me in sponsoring a bill to carry out the objectives set forth in the President's communication. Therefore, on behalf of myself, the Senator from Montana [Mr. MURRAY], the Senator from Florida [Mr. PEPPER], the Senator from Alabama [Mr. HILL], the Senator from West Virginia [Mr. NEELY], the Senator from Illinois [Mr. DOUGLAS], the Senator from Minnesota [Mr. HUMPHREY], the junior Senator from New York [Mr. LEHMAN], the Senator from Ohio [Mr. TAFT], the Senator from Vermont [Mr. AIKEN], the Senator from New Jersey [Mr. SMITH], the Senator from Oregon [Mr. MORSE], the Senator from Missouri [Mr. DONNELL], and the senior Senator from New York [Mr. IVES], I introduce for appropriate reference a bill, and hope it will be speedily approved during this session of Congress.

I ask unanimous consent that the bill, together with the President's communication be printed at this point in the RECORD as a part of my remarks.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the communication from the President and the bill will be printed in the RECORD. The Chair hears no objection.

The communication from the President is as follows:

THE WHITE HOUSE,
Washington, December 4, 1950.

Hon. ALBEN W. BARKLEY,
Vice President of the United States,
Washington, D. C.

DEAR MR. VICE PRESIDENT: I wish to recommend action in the present session to renew the program of vocational rehabilitation for disabled veterans, which was in effect during and after World War II. Since the Armed Forces are now beginning to discharge men disabled in the current hostilities, renewal of these benefits has become a matter of urgency, warranting action before the present Congress adjourns.

During the last war, as at the present time, the first men to be released by the Armed Forces were those who had been wounded or otherwise disabled and were no longer able to serve on active duty. These men were—and are—entitled under permanent law to full medical treatment and to monthly compensation varying with the degree of disability. In addition, disabled veterans of World War II were given help by the Government in gaining the qualifications needed for civilian employment. In some cases, this meant completion of professional training interrupted by the war. In other cases, old skills had to be brushed up, or new skills acquired.

This program was authorized by Public Law 16 of the Seventy-eighth Congress. Under this law, every disabled veteran who needed vocational rehabilitation in overcoming the handicap of his disability, was enabled to undertake any type of education or training for which he had aptitude and interest. The colleges and universities and the trade and vocational schools all cooperated in the program, and many special courses were established. Arrangements were also made in many cases for training on the farm and on the job.

While the disabled veterans were in training, their tuition was paid by the Government, and the Government financed their subsistence and school supplies.

In this way, thousands of disabled veterans were reequipped for jobs in civil life. In a great many cases, these men were able fully to overcome the loss of earning power which had resulted from their disability. In all, more than 550,000 disabled veterans have participated in the rehabilitation program authorized by Public Law 16.

However, the benefits of Public Law 16 are not available to men who began their military service after July 25, 1947. This means that most of the men disabled during the current campaign in Korea will not receive the kind of rehabilitation benefits which were extended to the disabled veterans of the last war unless new legislation is enacted. I hope that such legislation will receive favorable action by the Congress before the close of this session.

Disabled veterans will need rehabilitation assistance first of all. Later they may also need other kinds of help in readjusting to civilian status. The next Congress will have an opportunity to give full consideration to their longer-range needs and to those of the able-bodied men, now in service, who will eventually be returned to civil life. In planning to meet these needs it will, of course, be essential to relate any new benefits to the readjustment problems which will actually face our future veterans. It will be necessary to review with care the experience gained in the veterans' readjustment programs after World War II. This will take time.

Meanwhile, however, there is no reason for delay in meeting the immediate needs of the disabled servicemen who are now being released by the Armed Forces.

Very sincerely yours,

HARRY S. TRUMAN.

The bill (S. 4229) to extend to certain persons who served in the military, naval, or air service on or after June 25, 1950, the benefits of Public Law No. 16, Seventy-eighth Congress, as amended, introduced by Mr. THOMAS of Utah (for himself and other Senators), was read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That service in the active military, naval, or air service of the United States on or after June 25, 1950, and prior to such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress, shall afford basic entitlement to vocational rehabilitation under Public Law No. 16, Seventy-eighth Congress, as amended, needed to overcome the handicap of a disability incurred in or aggravated by such service for which compensation is payable under the provisions of subparagraph I (c), part II, Veterans Regulation No. 1 (a), as amended (or would be but for receipt of retirement pay), subject to the applicable provisions, conditions, and limitations of Public Law No. 16, Seventy-eighth Congress, as amended, except as follows:

(1) Vocational rehabilitation based on service as prescribed in this act may be afforded within 9 years after the aforesaid termination of the period beginning June 25, 1950.

(2) Notwithstanding the fact that vocational rehabilitation may have been previously afforded under Public Law No. 16, as amended, or that education or training may have been afforded under title II of the Servicemen's Readjustment Act of 1944, as amended, additional vocational rehabilitation may be provided hereunder to the extent necessary by reason of a handicap due to disability incurred in or aggravated by service, as provided herein.

(3) Any person eligible for vocational rehabilitation under this act who, at the time of such service, was not a citizen of the United States, shall be afforded such benefit only while a resident of the United States.

DAISY ADENA SMITH AND HOMER S. SMITH

Mr. CONNALLY submitted the following resolution (S. Res. 372), which was referred to the Committee on Rules and Administration:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Daisy Adena Smith and Homer S. Smith, parents of Isabel M. Smith, late an employee of the Senate, a sum equal to 6 months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

TRENDS IN GOVERNMENT—ADDRESS BY SENATOR McCLELLAN

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD a letter from Judge Thomas F. Butt, of Fayetteville, Ark., and an address by himself before the Bar Association of Arkansas, which appear in the Appendix.]

THE KOREAN CATASTROPHE AND THE WAY AHEAD—ADDRESS BY SENATOR DOUGLAS

[Mr. STENNIS asked and obtained leave to have printed in the RECORD an address delivered by Senator DOUGLAS at the annual dinner of the American Municipal Congress in Washington, D. C., on December 5, 1950, which appears in the Appendix.]

UNITED STATES FOREIGN POLICY—RADIO INTERVIEW WITH SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio interview with him by Leif Eid, broadcast on December 1, 1950, which appears in the Appendix.]

THE LAWYER IN UNIFORM—ADDRESS BY REAR ADM. G. L. RUSSELL

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD a portion of an address on the subject The Lawyer in Uniform, delivered by Rear Adm. G. L. Russell, at the Vanderbilt Law School, Nashville, Tenn., November 16, 1950, which appears in the Appendix.]

SONG FOR AL JOLSON

[Mr. KEFAUVER asked and obtained leave to have printed in the RECORD a eulogy of Al Jolson by Walter Winchell, published in the Washington Post on October 25, 1950, which appears in the Appendix.]

BRITAIN BECOMES A CREDITOR POWER—ARTICLE BY RICHARD DENMAN

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an article entitled "Britain Becomes a Creditor Power," written by Richard Denman, and published in the Paris edition of the London Daily Mail of November 23, 1950, which appears in the Appendix.]

THE NEED FOR DECISION IN THE WAR IN KOREA—ARTICLE FROM THE WASHINGTON EVENING STAR

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article setting forth the necessity for a decision in the war in Korea, published in the Washington Evening Star of November 29, 1950, which appears in the Appendix.]

THE FOLLY OF OUR BIPARTISAN FOREIGN POLICY—PAPER BY CHARLES J. FARRINGTON, JR.

[Mr. WATKINS asked and obtained leave to have printed in the RECORD a paper entitled "The Folly of Our Bipartisan Foreign Policy," written by Charles J. Farrington, Jr., of Tucson, Ariz., which appears in the Appendix.]

TOUGH TURKEY—MIDDLE-EAST WATCH DOG—EDITORIAL FROM THE WASHINGTON EVENING STAR

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article entitled "Tough Turkey—Middle-East Watch Dog," written by L. Edgar Prina, and published in the Washington Evening Star of December 7, 1950, which appears in the Appendix.]

SEEDBEDS OF SOCIALISM: NO. 3—ARTICLE BY JUNIUS B. WOOD

[Mr. WILLIAMS asked and obtained leave to have printed in the RECORD an article entitled "Seedbeds of Socialism: No. 3," by Junius B. Wood, published in Nation's Business for December 1950, which appears in the Appendix.]

CHRISTIAN PATRIOTISM—SERMON BY CHAPLAIN LUTHER D. MILLER, MAJOR GENERAL, UNITED STATES ARMY, RETIRED

[Mr. KEM asked and obtained leave to have printed in the RECORD a sermon on Christian Patriotism, delivered at Bethlehem Chapel, Washington Cathedral, November 12, by Luther D. Miller, chaplain (major general, U. S. Army, retired), canon of Washington Cathedral, which appears in the Appendix.]

THE WORLD'S LAST HOPE AND LAST CHANCE—EDITORIAL BY E. J. MELTON

[Mr. KEM asked and obtained leave to have printed in the RECORD an editorial entitled "The World's Last Hope and Last Chance," published in the Cooper County Record, of Boonville, Mo., November 30, 1950, which appears in the Appendix.]

USE OF ADDITIONAL SOUTH KOREANS TO RESIST AGGRESSION IN KOREA

Mr. KNOWLAND. Mr. President, I have before me two brief communications. I think the Senate should have the information contained therein.

The first is addressed to me:

NEW YORK CITY, *December 6, 1950.*

Senator WILLIAM KNOWLAND,
United States Senate,
Washington, D. C.

DEAR SENATOR KNOWLAND: I have the honor to enclose herewith a cablegram I have received today from the president of the Republic of Korea. It is self-explanatory.

The urgent problem in Korea today is how to meet the challenge posed by the great manpower which the Chinese Communists have put on the battlefield. With all the superiority of the United Nations fire power, an increase in manpower of the Allied forces will definitely turn the tide now for victory. This, however, to be effective, must be actuated immediately.

Among the 20,000,000 people living in South Korea, there are several million people that could be had between the ages of 17 and 45. Of these, over 2,000,000 young people had military training in their schools and colleges during the last 2 years. Undoubtedly many of these are already in the armed forces in Korea, but many others are not yet in arms. These, together with the others in the age bracket of 17 and 45, will constitute a formidable number of soldiers to stand against the invader. This definitely can be done. When promptly armed, these people will be able to save all of us from the present difficulties.

The fighting qualities and abilities of the Korean people have been already well proved on the battlefield. They have deep faith and trust in the integrity and will of the United Nations in this crisis. They hate communism. They are determined to defend their soil to the last. There cannot be any better material with which to turn the present crisis into a firm victory.

I shall be glad to hear from you at your earliest convenience, and personally discuss this matter with you.

With highest esteem.

Yours sincerely,

B. C. LIMB,
Minister of Foreign Affairs,
Republic of Korea.

Attached to that letter was a cable from President Syngman Rhee to Mr. Limb, in which he said:

B. C. LIMB,
Minister of Foreign Affairs,
Republic of Korea,
New York City:

Your suggestion equip, arm million Koreans is earnest desire of our people. They want to fight Chinese hordes invading our land. Arms and ammunition needed. Can be ready in short time. Manpower without weapons is helpless. Immediate supply adequate weapons alone will safeguard peninsula. Let American Government know arming Koreans will save many American lives.

President SYNGMAN RHEE.

The VICE PRESIDENT. Are there any further routine matters to be presented in connection with the transaction of routine business? Apparently there are none.

EXTENSION OF RENT CONTROL

The Senate resumed the consideration of the joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended.

Mr. MAYBANK. Mr. President, I yield 5 minutes of the time under my control to the Senator from New Jersey [Mr. SMITH].

The VICE PRESIDENT. There are 92 minutes left. That time is equally divided between the proponents and opponents of the measure. The Senator from New Jersey is recognized for 5 minutes.

Mr. SMITH of New Jersey. Mr. President, on the pending legislation, the Senate joint resolution to extend the rent control law, I wish to say that I am one of those who have had a great deal of difficulty in arriving at a conclusion, but having arrived at the conclusion to support the rent control extension measure, I wish for the RECORD and for the benefit of my colleagues to present a statement which I have prepared.

Mr. President, on June 12 of this year, just 13 days before the invasion of South Korea, I voted against S. 3181, providing for a 6 months' extension of Federal rent controls to December 31, 1950. I said at that time that "in my judgment, the scope of the rent-control problem has now been clearly reduced to the point where it can and should be handled exclusively by the States and local communities." I still feel that the position I took at that time was a sound one, although the majority of the Senators voting did not agree with me, and S. 3181 was passed by this body.

I do not think I need to dwell on the fact that conditions have radically changed since June 12, 1950. Certainly we are facing one of the gravest crises in our history and it is clear that we must mobilize our production and our Armed Forces with the greatest possible speed. We do not yet know the full extent of the controls over our economy that will be necessary to do the job that needs to be done. But we do know that a substantial proportion of our productive strength will have to be diverted to the mobilization program, and that stringent measures will have to be taken to prevent ruinous inflation.

I believe, Mr. President, that we should have an entirely new approach to the rent-control problem designed specifically to meet the present emergency. There has obviously been insufficient time fully to consider such an approach in the past few weeks, and we cannot realistically expect a practical solution to meet this problem until early next year.

Meanwhile there is at least a strong possibility that there will be a considerable shifting of war workers and Armed Forces personnel during the next few months, with inevitable concentrations in areas where rental housing will be insufficient to meet the expanded demand. This applies particularly to my own State of New Jersey.

We have a number of camps where Armed Forces will be congregating, and we have production areas, too, where the same thing will happen.

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

Mr. SMITH of New Jersey. I yield.

Mr. BRICKER. I should like to ask the Senator if any of those communities at the present time are under rent control.

Mr. SMITH of New Jersey. I cannot answer the question because they are in different parts of the State, and it has not yet been anticipated what load will be put on them. That is what is troubling me in connection with this problem.

Mr. BRICKER. Does the Senator know whether any of those communities that might presently be under rent control have refused or have failed to ask for the six months' extension provided under the present law?

Mr. SMITH of New Jersey. I do not know; and I do not know how the issue will be faced in view of the influx of people into the areas. That is what is troubling me.

Mr. BRICKER. The Senator does not know just what effect the two months' extension will have upon the local communities in his State?

Mr. SMITH of New Jersey. The statement I am now in course of making indicates my feeling upon that point; because recent State legislation is involved in the problem, and I am now going to discuss that briefly.

Mr. BRICKER. I thank the Senator.

Mr. SMITH of New Jersey. Mr. President, in cases where the local areas have not passed resolutions requesting continued control—perhaps because they could not foresee the influx of new residents subsequent to December 31—the upward pressure on rents would be strong and might well impede the war production and mobilization program.

At this point, Mr. President, I should like to correct a statement I made during the debate on this question yesterday. At that time I stated to the junior Senator from Washington [Mr. CAIN] that it was my understanding that the standby rent-control law in New Jersey would become operative on January 1, 1951, if the Federal rent-control law expired on December 31 of this year. Upon further investigation I find that this standby law in New Jersey will not become operative until July 1, 1951, regardless of the results of the pending measure, since this law provides that State controls shall take effect only upon the complete expiration of all Federal controls and since a number of communities in the State have passed resolutions requesting continued Federal controls until June 30, 1951.

The VICE PRESIDENT. The time of the Senator from New Jersey has expired.

Mr. MAYBANK. Mr. President, I am glad to yield further time to the Senator from New Jersey.

At this time I should like to make a statement, and ask that it be made in my own time.

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from South Carolina for that purpose?

Mr. SMITH of New Jersey. I am glad to yield to the Senator from South Carolina.

Mr. MAYBANK. The Senator from New Jersey asked me this morning what would be done about the so-called Cain amendment. I told the Senator that the United States Conference of Mayors has taken up that matter with me. I told the Senator further that unless it was necessary to make some changes in the amendment, I, as chairman of the Committee on Banking and Currency and on behalf of the proponents of the legislation, would accept the amendment. I wish to tell the Senator that the committee staff have studied the amendment, and state that it is in keeping with the letter received from the conference of mayors. Therefore, so far as I am concerned, as chairman of the committee, it is my intention to accept the Cain amendment.

Mr. SMITH of New Jersey. I am glad to have that statement from the Senator from South Carolina. I had understood that the amendment proposed by the Senator from Washington was going to be accepted. I think it is a most important clarifying amendment.

Mr. MAYBANK. I wish the Senator to know my position at this time.

Mr. SMITH of New Jersey. I thank the Senator from South Carolina.

Let me emphasize, Mr. President, that I am impressed with many of the arguments of my colleagues who are opposing the extension of Federal controls. I believe they have correctly pointed out serious inequities in our present rent-control program. I agree with them that we must have a completely redesigned approach to fit the emergency conditions that are facing us and to coordinate rent controls with whatever controls may be found to be necessary over wages and prices.

Until such a new approach can be developed, however, I do not think we can afford to take the risk of leaving rents uncontrolled in many areas—and that is the case in my State—where a sudden influx of war workers or Armed Forces personnel may cause rents to rise sharply. For this reason I believe it is in the public interest to extend Federal rent controls for 2 months as provided for in Senate Joint Resolution 207, and I shall support this measure.

I have just been advised—and this may be helpful to the Senator from Ohio [Mr. BRICKER], who asked me a question a moment ago—that the situation in New Jersey is as follows: 113 municipalities have voted to extend Federal control; 366 municipalities have taken no action, and therefore would be without controls if the Federal law expires; 164 of these have populations of 1,000 or more; 88 municipalities have definitely been decontrolled; 567 is the total number of municipalities in New Jersey. We may note, therefore, that 65 percent of the New Jersey municipalities have thus far taken no action; and if they take no action by December 31, they will be without rent controls after that date. Many of those municipalities have no way of knowing when the emergency may hit them.

The VICE PRESIDENT. The time of the Senator from New Jersey has expired.

Mr. MAYBANK. Mr. President, I yield 2 minutes to the distinguished Senator from Minnesota [Mr. THYE].

The VICE PRESIDENT. The Senator from Minnesota is recognized for 2 minutes.

Mr. THYE. Mr. President, before the present critical international situation developed, with the probable need of emergency economic controls, my conviction was that the Federal decontrol of rents as provided in the existing law adequately met the situation, especially since it permits local governments to act for continuation of Federal rent control, in areas where needed, for 6 months of next year.

The national situation has changed to such an extent, however, that I believe it would be wiser at this time to continue the present Federal rent-control provisions for 60 days, to allow for a further survey of the problem.

Mr. MAYBANK. Mr. President, will the Senator yield to me, in my time?

Mr. THYE. I am glad to yield.

Mr. MAYBANK. I wish to commend the Senator's advocacy of a further study. The reason why the 60-day extension proposal is before us is that I do not believe that at this short session of Congress we could write a new rent-control bill. I agree with Senators on both sides that there should be a new rent-control bill, based on the defense situation and the needs of war workers. However, I do not think that at this short session we have time to write such a bill.

Mr. THYE. Mr. President, may I say to the able chairman of the committee that is the one reason why I recognize the need for the enactment of this measure, namely, to permit us to hold on to what we have, and during that time to take another look at the question.

We must consider the effect of the diversion into defense needs of materials which would otherwise go for home building, and the relationship of rent control to other legislation intended to curb inflation and provide for the economic strengthening of the country in the present crisis. Leaving the rent-control law unchanged until we have given these matters further consideration would also be reassuring to the young family men called back into the service and to the fighting men at the front who would worry about the status of their families living in rented quarters.

If Congress decides that further rent-control legislation is necessary beyond the 60-day extension period, Congress must then fairly recognize the increased cost of maintenance of property and other problems of those owning rental property, and provide deserved adjustments to which property owners are entitled.

Mr. BRICKER. Mr. President, I yield 10 minutes to my colleague, the senior Senator from Ohio [Mr. TAFT].

Mr. TAFT. Mr. President, what puzzles me is the calm assumption that we have any right to regulate rents. Rents are the affair of the local communities and the States. There is no authority on the part of the Federal

Government to regulate rents simply because we think someone is overcharging someone else in a community. That situation does not give the Federal Government the right to fix the rents in that community.

There is only one justification for Federal control of rents, and that is war. It is only under the war power of the Constitution that the Federal Government has any right whatever to regulate rents.

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

Mr. TAFT. I yield to the Senator from South Carolina.

Mr. MAYBANK. However, let me say that I believe that we are at war; I believe we are in war today. That is why I voted to report the joint resolution from the committee.

I may be mistaken, but I thoroughly agree with the Senator from Ohio that the control of rents is a local matter. The extension here proposed would simply let it remain for an additional 2 months as a local matter.

I think what the Senator said the other day about writing a new bill is eminently correct. But I do not think we have time to do so at this short session.

Mr. TAFT. Mr. President, upon what war is this rent-control measure based? It is based on the last war, which began 9 years ago, not on this war.

Last year the Congress decided that war was over and that therefore the rent-control law should expire. However, now it is proposed that we say, "No; we must continue this law in various communities, even though the governing authorities in those communities have decided that they do not want to continue this particular rent control."

In other words, Mr. President, we are not only assuming Federal jurisdiction, but we are saying that we do not care what the local communities want. We are saying that, regardless of what they want, we are going to impose rent controls on communities whose governing authorities have shown clearly that they do not want rent controls.

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

Mr. TAFT. I yield.

Mr. MAYBANK. I should like to call the attention of the distinguished Senator to the fact that, under this measure, any community which wishes to decontrol during the 2 months' period can do so. This is a municipal-control measure. We accept the amendment submitted by the Senator from Washington [Mr. CAIN]. I am hopeful that communities into which families do not move because of the present war situation or emergency situation will decontrol.

The Senator from Ohio says this measure is a Second World War measure. I admit that, and I admit that we should write a new law, because in the next few months the shifting of families and populations because of the present war will be far greater than that which occurred in the United States during the last war. We should write a new law.

Mr. TAFT. Mr. President, not only is this measure a Second World War measure but it is shot through with exceptions.

The main purpose of the former law was to control inflation; but this measure is no longer an anti-inflation measure. More than half the dwelling units in the United States are decontrolled today. This measure is shot through with exceptions of so many different kinds that it has become purely a discriminatory measure against a limited number of property owners who are still having to base their rents primarily on conditions which existed 8, 9, or 10 years ago.

As a measure of the last war, the joint resolution should be entirely out. As a measure of the new war the joint resolution does not even purport to be such a thing. It does not provide for a continuation of any general controls. It simply provides for continuing a few of the controls of the last war in the case of a limited number of dwellings as a means of holding on to the power to control rents. Mr. Woods and his administration have not wanted to give up that power at any time. Last year they fought against discontinuing it.

After thorough consideration, we in the Senate decided that the Second World War rent controls should come to an end. The condition existing at the time when we made that decision exists just as surely today, and the decision we reached at that time is just as sound today as it was when we passed the bill only a few months ago under the able leadership of the Senator from South Carolina.

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

Mr. TAFT. I yield.

Mr. MAYBANK. I appreciate what the Senator from Ohio has said about me, and I wish to say that I really intended and hoped the last bill would be the end of rent control. However, 2 days after the President signed that bill, what was called the police action in Korea began. I never have called it a police action; I have called it a war, and today we are in a war.

Mr. TAFT. Mr. President, the fact is that we have passed a bill authorizing the President to say that the new war has reached a point where inflation is a danger and that controls should be imposed. However, the President has not seen fit to do so; in his opinion, we have not reached the point where price controls and wage controls are necessary. If they are not necessary, then rent controls are not necessary, because they are a part of the entire control picture.

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

Mr. TAFT. I yield.

Mr. MAYBANK. I thoroughly agree with the distinguished Senator from Ohio that in this country we have reached the point where a national emergency should be declared and where something more than rent control should be provided. Inasmuch as the Senate has confirmed the nomination of the Price Administrator, as it did last night, and has confirmed the nomination of Mr. Valentine, the Economic Stabilizer, as it did the day before, I am hopeful that something will be done.

Mr. TAFT. Mr. President, the way to approach rent control at this time is to wipe out what we have done, wipe out the inequities that have developed for years in this entire picture, until it has become simply a case of discrimination; and then let us begin from the beginning.

After all, we are writing an excess-profits-tax bill now, and that is just as complicated as any rent-control measure could be.

If Senators wish to have a second rent-control bill drawn up, there are many changes which should be made, in my opinion.

I see no advantage whatever in continuing on the last war basis, for 2 months more, and against the wishes of local communities, rent controls on a limited number of dwellings, about one-fifth of the total number of dwellings in the United States.

If we write a new rent-control bill, we should write a bill which will be as equitable and as much in accord with the situation as is possible. That is what we should do if we are going to have rent controls.

Mr. President, I yield the floor.

Mr. MAYBANK. Mr. President, I thoroughly agree with the Senator from Ohio that the time is growing near when a new rent-control bill, based on the defense situation in this country, should be drawn up. However, I do not think we can do that now, in the limited number of days available to us during this short session, because such a bill would have to be passed by both Houses of Congress, and then go to conference.

All during the last war I served on the Banking and Currency Committee with the distinguished Senator from Ohio. I honestly believe that, as a stop-gap measure, what we should do is to pass the pending measure providing for a 60-day extension.

The Senator says we are going to force cities to continue rent control. Mr. President, any city can decontrol itself if it wishes to do so. I am going to accept the amendment of the Senator from Washington [Mr. CAIN], and I am hopeful that the cities that are not involved in the war effort and do not need rent control will decontrol themselves. No one wants controls where they are unnecessary. But thousands and thousands of people who are engaged in war work and thousands and thousands of families, in my judgment, are going to move before we can pass a new rent-control measure. I want the record to show this, because I thoroughly agreed with the thoughts expressed by the Senator from Ohio some months ago. But let us remember that our reason for not including rent control in the over-all control bill of 1950 was that we had a rent-control law on the statute books, and we did not want to clutter up the production-control bill with other legislation.

Mr. BRICKER. Mr. President, if no other Senator desires me to yield for a speech on the pending measure, I yield 3

minutes to the Senator from Missouri [Mr. KEM].

The VICE PRESIDENT. The Senator from Missouri is recognized for 3 minutes.

CONFERENCES BETWEEN THE PRESIDENT AND PRIME MINISTER ATTLEE

Mr. KEM. Mr. President, I ask unanimous consent that the resolution (S. Res. 371) requesting the President to make a full report to the Senate of his discussions with the Prime Minister of Great Britain be referred to the Senate Committee on Foreign Relations, and that the committee be requested to report the resolution back not later than next Tuesday.

The VICE PRESIDENT. Is there objection?

Mr. CONNALLY. Mr. President, reserving the right to object, I have no objection to a reference of the resolution to the Committee on Foreign Relations. But I shall object, if there is coupled with the request the idea that the Senate is directing the committee to report at some particular time. I think it is a reflection upon the committee. It is a denial of proper consideration. It is a proposal to refer something to the committee, and then to take action on it before the committee has ever considered it. Therefore, if the request is conditioned upon its being reported back on next Tuesday, I shall object, and I do object.

Mr. KEM. Mr. President, will the Senator from Texas withhold his objection for a moment?

The VICE PRESIDENT. Does the Senator from Texas withhold his objection temporarily?

Mr. CONNALLY. I withhold it temporarily.

Mr. KEM. I should like to say it seems to me, in view of the time element involved in the resolution, that the resolution should be reported promptly to the Senate. I anticipate that no hearings will be necessary. It involves merely a question of judgment as to whether the President should be requested to make the report, and whether he should make any agreements with a foreign nation except in the form of a treaty which will be subject to confirmation by the Senate. I refer to important agreements affecting the course of action of the Nation.

It seems to me it is incumbent upon the Senate Committee on Foreign Relations to report the resolution promptly, either favorably or unfavorably. There is, I take it, nothing unusual in that request or direction, if you please. I recall that a few days ago the Special Senate Committee To Investigate Organized Crime in Interstate Commerce offered a resolution, which was referred to the Judiciary Committee with a request that it be reported within a certain time. The same question, the same element of time which was involved there is involved here, and I hope the Senator from Texas will not insist upon the objection.

Mr. CONNALLY. Mr. President, I assume that the Senate Committee on Foreign Relations knows what it ought to do as well as does the Senator from Missouri. The Senator from Missouri says he feels that the committee ought to do so and so. I submit that is a matter for the decision of the committee. The Senator will have recourse to whatever action he may wish to take, in any event, at any time.

The Senator from Missouri is a lawyer, and a distinguished one. He knows that Mr. Attlee and the President can make no agreements which are binding upon this country unless they are ratified in the form of a treaty. I may say further that already, through the press and otherwise, every detail of the conference between the President and the Prime Minister has been given to the public. A great many Senators on the other side of the aisle have been present at some of the conferences. I shall have to object to the request.

The VICE PRESIDENT. Objection is heard.

Mr. KEM. Mr. President, in reply to the distinguished Senator from Texas, may I say that the purpose of the resolution is to prevent another Yalta or Potsdam agreement.

Mr. CONNALLY. Mr. President, I object. I call for the regular order. If we are going to have a Yalta speech or a Potsdam speech and a Missouri speech, I object.

The VICE PRESIDENT. Objection is heard to the request; and, inasmuch as the request is in the form of a single request, the objection presumably lies to the entire request, which included a request that the resolution be referred to the Committee on Foreign Relations; where it would appropriately go.

Mr. KEM. Mr. President, I see nothing to be gained whatever by referring the resolution to the Senate Foreign Relations Committee, if there is not some understanding as to what is going to be done with it when it gets to the committee. I think the attitude of the chairman of the committee on the matter is apparent, and I do not care about making the request. Under the circumstances, I ask that the resolution lie on the table.

Mr. CONNALLY. Mr. President, the resolution is before the Senate; some disposition must be made of it, and I desire to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state the inquiry.

Mr. CONNALLY. Will the resolution not go automatically to the Foreign Relations Committee?

The VICE PRESIDENT. Not so long as it lies on the table. It would be in order to move, at an appropriate time, that it be referred to the committee. It does not require unanimous consent to send a resolution or a bill to a committee. The Chair can refer a resolution or a bill to an appropriate committee, but in this case the resolution was offered and was ordered to lie on the table, where it will lie until taken from the table. In the absence of a unanimous-consent agreement, that would have to be done by motion.

Mr. CONNALLY. Mr. President, the action and attitude of the Senator from Missouri are most unusual and disturbing to me. The Senator says it would be of no use to send the resolution to the Foreign Relations Committee, unless he has assurance as to what the Foreign Relations Committee will do with it. If such a rule were in effect, there would be no use in having committees and no use in having committees consider measures.

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

Mr. CONNALLY. I yield.

The VICE PRESIDENT. The Chair would advise Senators that this is all out of order. The Senator from Missouri was yielded 3 minutes, which time has expired.

Mr. CONNALLY. What is the situation now?

The VICE PRESIDENT. The resolution is on the table.

EXTENSION OF RENT CONTROL

The Senate resumed the consideration of the joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended.

Mr. BRICKER. Mr. President, I yield 10 minutes to the Senator from Vermont.

The VICE PRESIDENT. The Senator from Vermont is recognized for 3 minutes.

Mr. BRICKER. Mr. President, I yielded 10 minutes to the Senator from Vermont.

The VICE PRESIDENT. The Senator from Vermont is recognized for 10 minutes.

Mr. FLANDERS. I shall compromise, Mr. President, and make it 7½ minutes. I wish to register my objections to the extension of rent control. In the first place, the Congress, last June, intended that rent control should end at the time specified, namely, December 31, 1950, unless and except as it might be continued in response to the desires of States, municipalities, or other local government units. Nothing has happened since that time, in my judgment, which warrants a further extension. The conditions which we face or may face are new, and it is extremely important that they be studied as new conditions, to the end that really new legislation may be drafted to meet the new conditions.

Every Senator receives, or should receive the publication, The Economic Indicators, a copy of which I hold in my hand, which is prepared for the Joint Committee on the Economic Report by the Council of Economic Advisers. It is sent to each one of us. On page 3 of this report, of which I have in my hand the November issue, that being the latest issue, there appears the regular graph of consumer prices, issued by the Bureau of Labor Statistics of the Department of Labor. The graph indicates an astonishing situation. It shows what has happened to one of the prime elements in the cost of living, an element which the Government has maintained and extended and accentuated and inflated. I refer to the item of food. Another element in the cost of living, namely, rent, the Government has restrained, has sat upon, has stepped upon, and has controlled adversely. One cannot but wonder as to the grounds upon which this is done. Can it be that the landlords, large and small—and by

far the most of them are small—are unpatriotic, rapacious, avaricious, and present every undesirable aspect which a human being can show? It would seem to me as though it is possibly only on that basis to have held down for so long and so severely this one element in the cost of living, while the Government at the same time has deliberately and successfully increased the cost of living in respect to the element of food.

There seems to me to be no justice in the situation, and, if the injustice which I feel exists is to be extended into a period when rent control may again become necessary, to an extent which does not seem now to be indicated, it will then be almost impossible to relegislate in respect to the subject in a way which will not continue the old injustices.

I have prepared an amendment, lettered A, dated December 6, 1950, which I shall present after 2 o'clock, and on which I shall at that time speak briefly. The amendment proposes that if the joint resolution is to be passed, and if rent control is to be continued for a temporary period, a new basis must be set up, recognizing comparable housing accommodations not presently under control in the areas for which the control of rents is continued. Only by starting out again can we establish any justice, equity, or proper relation of this cost to the other costs which make up the cost of living.

As I say, Mr. President, at the proper time, after 2 o'clock, I shall present the amendment and speak in favor of it. I hope it may be accepted. If it is not accepted, I shall vote against the joint resolution as a deliberate extension of Government-generated injustices which are completely inexcusable.

Mr. MAYBANK. Mr. President, I do not know of any Senator on our side who wishes to speak at this time.

Mr. BRICKER. Mr. President, there will be another speaker in a little while. In the meantime I yield myself 5 minutes.

The VICE PRESIDENT. The Senator from Ohio is recognized for 5 minutes.

Mr. BRICKER. Mr. President, so that the record may be complete and the facts brought to the attention of the Senate, I wish to refer to a few pertinent matters. The Senator from Vermont [Mr. FLANDERS] has very clearly demonstrated that the pending measure would perpetuate very patent inequities upon a large segment of American communities which do not desire a continuance of Federal rent control.

Let me say first of all that the pending measure would extend only for 2 months the present termination date of the law which was enacted some 6 months ago. During the past 6 months local communities have had an opportunity to survey the situation, to anticipate their needs, and to express their desires.

The distinguished Senator from New Jersey [Mr. SMITH] stated a moment ago that many communities in his State could not know what the situation would be in 6 months. That is possibly true, but it is their responsibility to determine such facts. I believe in local self-government. I believe in cities doing those things which they can do better than States can do them. I believe in States doing those things which they can do better than the Federal Government can do them. Rent control is one field in which local governing bodies know more about local conditions than can be known by the Federal Government in Washington.

Mr. President, I have tried to understand the actuating force and the reason for the proposed extension of rent control, because an extension of rent control would amount to an imposition of Federal power on local communities. It would amount to Congress saying to such communities which have not expressed a desire to continue rent control, "You are going to continue it anyway, regardless of whether your city council wants to continue it, and we will impose it on you."

I hold in my hand a copy of Capital Comment, dated December 2, 1950. It is circulated by Mr. William M. Boyle, Jr., the chairman of the Democratic National Committee. With some of the statements contained in this document I thoroughly agree. With other statements I do not agree, because there are many misstatements of fact contained in the document. I assume the document was sent to members of the majority party because it is addressed, "Dear Fellow Democrat."

In this issue of Capital Comment, Mr. Boyle quotes President Truman as saying:

> We must look into the situation around reactivated military camps and installations so that servicemen and their families can be given necessary protection against rent gouging.

Mr. President, I agree thoroughly with that statement. However, the proposed measure would not do anything of the kind. It would perpetuate Federal power over local problems without relation to military camps or war industries.

He quotes further:

> We must consider the relation of rent control to the price and wage aspects of our stabilization program.

With that statement I agree. The distinguished Senator from Vermont [Mr. FLANDERS] has clearly shown that at the present time no consideration is being given to that relationship. Instead we have a distortion of the relationship, and it would be complicated, accentuated, and made more desperate by the continuance of the present rent-control law for another 2 months.

Taking 100 as a base, in the period from 1921 to 1938 wages have gone up 239.6 percent; household furnishings, 181.4 percent; food, 172.5 percent; clothing, 166.5 percent; rents, including the period before Federal control, went up 96.9 percent.

Therefore, rent control has held down a segment of our society which is composed of people who own property. It is composed of people who have tried to take care of their old age, and who have tried to provide their own social security. They do not desire to become wards of their Government. They want to take care of themselves. As a result, we have seen a loss of 2,000,000 rental units during the life of the rent-control law.

I wish to emphasize also that the rent-control law does not bear too heavily or adversely upon the owners of large apartment houses. The large owner has accountants and lawyers, and he has contacts and ways and means by which he can get his rents increased. A great proportion of the increases have been granted to such commercial rental units. The fact is that the percentage of rental housing in our country in single-family houses is 47.6 percent.

The PRESIDENT pro tempore. The time of the Senator from Ohio has expired.

Mr. BRICKER. I yield myself an additional 5 minutes.

The PRESIDENT pro tempore. The Senator from Ohio is recognized for an additional 5 minutes.

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

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Nevada?

Mr. BRICKER. I am glad to yield to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I should like to insert in the RECORD, as particularly apropos of the subject being discussed by the very able Senator from Ohio [Mr. BRICKER], an article entitled "Federal Bureau Overrides City Council," written by Morris D. Ervin, and published in a recent issue of the Los Angeles Times-Star.

The article begins with:

> What happens to local self-government when it finds itself in the toils of a Federal bureau in Washington is well illustrated by Los Angeles' months-old efforts to free itself of federally imposed rent controls. To date it has got exactly nowhere.

The article is exceedingly illuminating and interesting, and I ask unanimous consent that it be inserted in the RECORD at this point as part of my remarks.

There being no objection, the article war ordered to be printed in the RECORD, as follows:

FEDERAL BUREAU OVERRIDES CITY COUNCIL—FOR 4 MONTHS IT HAS REFUSED TO DO JUSTICE TO LOS ANGELES

(By Morris D. Ervin)

WASHINGTON, November 30.—What happens to local self-government when it finds itself in the toils of a Federal bureau in Washington is well illustrated by Los Angeles' months-old efforts to free itself of federally imposed rent controls. To date it has got exactly nowhere.

The Los Angeles story starts on July 28 of this year.

Prior to that, in June, when Congress extended the wartime rent-control law, it amended it to read as follows:

"The Housing Expediter shall terminate the provisions of this title in an incorporated city, town, village, or in the unincorporated area of any county upon receipt of a resolution of its governing body, adopted for that purpose in accordance with applicable local law and based upon a finding by such governing body reached as a result of a public hearing held after 10 days' notice, that there no longer exists such a shortage of rental housing accommodations as to require rent control."

SHALL TERMINATE

Note that this law says that the Housing Expediter, that is Tighe E. Woods, shall terminate rent control under the conditions specified.

On July 28 the Los Angeles City Council, after having given the specified 10 days' notice, held a public hearing. After the hearing, the council, by a vote of 10 to 4, passed a resolution in accordance with the law and sent it to Mr. Woods. The latter did nothing immediately, but on August 14 he appeared, uninvited, before the Los Angeles council and argued with the council that it should rescind its former action. This the council refused to do, after listening to Mr. Woods, and by a vote of 10 to 5 reaffirmed its previous stand.

Following this Woods said he would sign the decontrol order immediately upon his return to Washington. But on the same day local lawyers in Los Angeles, retained by the CIO, appeared after court hours in the chambers of Federal District Judge James Kirkland and obtained a temporary stay, ordering Woods not to sign the decontrol order. At the same time a temporary injunction was requested.

On August 28 Federal Judge Burnita Matthews denied the temporary injunction and dismissed the stay order. This was appealed several times, but on September 29 a three-judge panel affirmed Judge Matthew's decision and the stay order was terminated.

On October 6 Chief Justice Vinson of the United States Supreme Court was asked to issue a stay order, but on the following day he denied the request.

THREE THOUSAND MILES AWAY

Then an organization calling itself the Tenants Council and representing the A. F. of L. went into the Municipal Court of the District of Columbia, 3,000 miles away from Los Angeles, and persuaded Chief Judge George Barse to issue a temporary order preventing decontrol. But, after arguments, Judge Barse on October 23 denied a temporary injunction and dissolved the stay order.

On October 24, the following day, Mr. Woods made public a letter to the president of the city council informing him that he would not sign a decontrol order. His explanation was that, in his opinion, the council had not held a fair hearing.

In the meantime an effort had been made by the Los Angeles small property owners' organization to obtain in California, first in the county superior court and then in the Federal district court, a mandamus directing Woods to sign. But these were denied, because the courts said they had no jurisdiction over Woods, though the district court had not previously hesitated to issue an order directing Woods not to sign.

Then, on November 2, at a White House press conference, President Truman was asked, in view of the explicit terms of the law, if he would direct Mr. Woods to comply with the law and sign the decontrol order. The President answered testily that he knew all about the Los Angeles situation and Mr. Woods was refusing to sign the order upon his, the President's, personal orders. In other words, "Papa knows best."

THE SITUATION

From the point of view of what a Federal bureau can do to a local government, the interesting thing is that the courts, even the municipal courts in the city of Washington, 3,000 miles away from Los Angeles, have been used to continue rent control in the west coast city for more than 3 months after the appropriate local governing body, elected by the people of Los Angeles, complied in every respect with the law and voted to decontrol.

The bureaucratic attitude of Washington toward local self-government is well exemplified by an excerpt from Expediter Woods' letter to the Los Angeles council in which he informed that body that, regardless of the law, he would not sign a decontrol order.

"I felt it my duty," said Mr. Woods, "as a public officer to take whatever steps my best judgment dictated to guard against decontrol which might result from hasty and uninformed action. I need not dwell on the antagonistic attitude evidenced at that time to my appearance and the unwillingness of the council to meet with me in a spirit of cooperativeness."

In other words, so far as local governments in the United States are concerned it's a case of cooperate with the bureaus in Washington—or else.

Mr. BRICKER. Mr. President, I thank the Senator from Nevada. The article illustrates another instance in which the Expediter, so-called, has completely violated the regulations imposed upon him by Congress. It represents an arrogant display of bureaucratic control, for which he should be removed from office.

Mr. President, almost half of the housing units in America are owned by people who have single-family dwellings for rent; 78.6 percent of the rental units in our country are owned by people who own four-family dwellings or less.

Therefore, by continuing rent control, we would not be imposing on the big landlords the power of the Federal Government to hold down their incomes. We would be imposing the power on the good middle-class American people who have bought their property with money which they had saved against their day of need, and have invested it in property for that purpose. I continue to read from Capital Comment:

> The Democratic Party is a party that serves all of the people and it is the duty of Democrats in areas where rent controls are not needed to give full support to continuing the Federal law to protect tenants in areas where they do need protection.

Mr. President, to continue rent control would not be taking care of all the people, in my judgment, because we would have a large segment of good American people who would not be taken care of. Their income has been held down to the point where they will have to dispose of their property or take it off the rental market. The rent control law has resulted in 2,000,000 units being taken off the rental market. In this situation we are not at all facing the problem which is confronting our people. Wages have gone up. We are in a spiral of wage increases. Prices are going up at an ever-accelerating rate. Increases in prices affect also the people who own rental property. Nevertheless, no consideration is given to owners of such property, and no attempt has been made to bring them up to a proper relationship with other factors in the present period of inflation, or to take into consideration the adulterated dollar which we are using in trade at the present time.

Citation is given in the article to the percentage of increase which has been given by the Expediter. The percentage increase of each adjustment averaged 17.8 percent. That is a very small pittance, when compared with an increase of 239.6 percent in wages, or when compared with the increase in the price of food and clothing. Rent is only a minor cost of the total living cost, amounting to only one-third of the cost of food.

Mr. Boyle cites what happened when rent control was taken off. He states that in Knoxville, Tenn., the average increase in rents was 26.8 percent over rents paid during the period of rent control. In Jacksonville, Fla., the increase amounted to 26.2 percent. In Salt Lake City the increase was 16.2 percent. In Topeka, Kans., the average increase was 30.3 percent. In Houston, Tex., the increase was 41.3 percent. In the hearings of the committee those figures were completely refuted by competent testimony. But take it for granted that they are true. They represent only about from one-third to one-sixth of the increase in wages and the increase in prices generally across the board.

It is further stated that there are 40,000,000 people living in 2,000 communities where the question of keeping or dropping rent control must be decided in a few weeks. That is a positive misstatement of fact. There are not forty million. There are nearer twenty-five million; and there are not 2,000 communities, but only about 1,200 communities. Those are the facts given by Mr. Tighe Woods. I want to show the Senate how much reliance can be placed upon Mr. Tighe Woods' testimony before the committee.

The PRESIDENT pro tempore. The time of the Senator has expired.

Mr. BRICKER. I yield myself 2 minutes more.

The testimony of Mr. Tighe Woods has been taken as the basis for this article. It was the only testimony presented, aside from that of a representative of the Air Force, and I believe a representative of the Navy. The opposition was not given an opportunity to testify in hearings on the proposed extension. Mr. Tighe Woods made this statement:

> In Weirton, W. Va., an official of the Weirton Steel Co. reported that the company has lost and is still losing employees due to the lack of adequate housing.

Of course, the statement does not make sense on its face. A shortage of housing would not drive the people already there out of their houses. We got from Mr. Woods the name of this man and called him from our office and asked him what the situation was, and what he said to Mr. Woods. He said, "It was a year ago when I talked to Mr. Woods." Yet, Mr. Woods would lead our committee to believe that the situation continues at the present time. This man said definitely that there was not much loss at the present time. The statement is not true today, although there is not adequate low-cost rental housing. There is not adequate low-cost food. There is not adequate low-cost clothing. There is not adequate low-cost wages. So we must consider the situation as a whole.

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

Mr. BRICKER. I yield.

Mr. FLANDERS. I should like to inquire of the distinguished Senator from Ohio what the relationship is between the inadequate number of low-rent housing units and the extension of rent control. Does the extension of rent control tend to increase the building of new low-rent housing?

Mr. BRICKER. On the other hand, it tends to curb the building of low-rent housing. The proof of that comes in the fact that during rent control there was a loss of 2,000,000 housing units.

Mr. FLANDERS. Then what was Mr. Tighe Woods trying to prove? Why did he bring before the committee as much testimony of this sort as he did in support of the extension of rent control?

Mr. BRICKER. I have no more idea than the man in the moon. I could not ascertain from him what he was talking about, or where he was going; and I do not believe he knew. He was directed to come here and present the case to the committee, and he based it entirely upon the Korean War. It has no relation to the Korean War or the present military situation. In fact, it does not affect that situation one way or the other.

I yield 10 minutes to the Senator from Washington [Mr. CAIN] if he is prepared to proceed at this time.

Mr. CAIN. Mr. President, I should like to ask the Senator from Ohio a question.

Mr. BRICKER. I yield for a question.

Mr. CAIN. No action has yet been taken upon, and no comments have been addressed to, the validating amendment which the Senator from Washington submitted.

Mr. BRICKER. No; there has been no action, except that the Senator from South Carolina [Mr. MAYBANK] stated that he approved the amendment which has been submitted by the Senator from Washington.

Mr. CAIN. It is my intention, when that amendment is brought up, to speak very briefly to it, in order to advise all Senators of the nature of the joint resolution. As of the present time, the Senator from Washington is of the opinion that he can make no further contribution to the debate. It seems to me that Senators are fully aware of how they are going to vote on this question.

The PRESIDING OFFICER (Mr. THOMAS of Oklahoma in the chair). The time of the Senator from Ohio has expired.

Mr. BRICKER. Mr. President, I yield myself enough time to answer the question of the Senator from Washington.

The PRESIDING OFFICER. The Senator may proceed.

Mr. BRICKER. Is it the desire of the Senator from Washington to reserve his time until after 2 o'clock, when the voting begins and he offers his amendment?

Mr. CAIN. Yes, Mr. President.

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

Mr. BRICKER. I yield.

Mr. MAYBANK. The Senator from Washington was not present earlier in the day when I spoke about his amendment.

Mr. BRICKER. I have just told the Senator from Washington that the Senator from South Carolina had agreed to accept the amendment.

Mr. MAYBANK. I think it is only fair in the interest of States' rights and municipal rights.

Mr. CAIN. Mr. President, I had suggested to the Senator from Ohio that when the amendment is called up after 2 o'clock the Senator from Washington would speak only briefly on the amendment, for the purpose of advising Senators as to the substance of the amendment. The Senator from Washington is most grateful for the attitude taken by the chairman of the Banking and Currency Committee.

Mr. MAYBANK. As the Senator knows, I was a member of the Municipal League for years, as he was, and I think the Senator is entirely right.

Mr. CAIN. Recently I have been in the company of a great many mayors who are attending the convention of the American Municipal Association. I believe that the Senator from South Carolina has also been in touch with the mayors. Every single mayor in the United States, regardless of the size of the city he represents, and regardless of whether or not his city is now or has been under Federal rent controls, will be extremely grateful for the adoption of the amendment which has been accepted by the chairman of the Banking and Currency Committee.

Mr. MAYBANK. I assure the Senator that I am as much for the amendment as he is, as I previously stated.

Mr. CAIN. I thank the Senator.

Mr. BRICKER. Mr. President, I yield myself two more minutes, to bring to the attention of the Senate two more pertinent facts.

The first is to the effect that in 1940 there were 28 dwelling units per 100 of population. In 1950 there are 31, so there is less reason today by far for imposing the Federal will upon local communities than there was at that time. The great increase in dwelling units has not been in rental units. It has been in home ownership and occupancy.

The population increase from 1940 to 1950 has been 14.4 percent. Dwelling units in the United States increased 23.6 percent, while rental units were going down as a result of the imposition of rent control.

Those are the pertinent facts which I wish to bring to the attention of the Senate in its consideration of this extension resolution. There are no further speakers on our side at this time, and I yield the floor to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, I appreciate the remarks of my good friend and colleague on the committee. I should like to inquire how much time we have left on this side, and how much time is left on the other side.

The PRESIDING OFFICER. The Senator from South Carolina has 32 minutes remaining.

Mr. MAYBANK. How about the Senator from Ohio?

The PRESIDING OFFICER. The Senator from Ohio has 10 minutes remaining.

Mr. MAYBANK. For the record I desire to read a brief statement. I may say that I have no more speakers on this side. So if it is agreeable, after I have concluded this statement, we might take a recess until 2 o'clock. I ask unanimous consent that at the conclusion of my remarks the Senate stand in recess until 2 o'clock.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

Mr. MAYBANK. Mr. President, during the debate on the rent control extension bill last June I stated that extension would be the last rent-control bill which I would seek to have enacted. Since that time—2 days after the President signed that rent bill, in fact, things began to change, and within the last 2 weeks they have changed momentously.

It is my judgment and I believe that of the nine other Senators who voted to report the joint resolution favorably that in the present state of world conditions it would be risking entirely too much to remove on December 31, in effect, rent controls on an estimated 3,750,000 rental units in 1,700 incorporated places with a population of 27,839,000.

In view of the present uncertainty it seemed most sensible that the status quo on rent control be maintained for 60 days. This would give the cities that had not taken any action a chance to consider what action they should take in view of the new world situation. It would also give the new Congress a chance to review and consider the whole question of rent control in relation to the problem of price, wages, credit, and production controls. It would prevent for the time being, at least, a large number of rent increases and at the very time when it is most important that we not rock the economic boat.

I hope some advantage will be taken of the defense-production bill which we took so long to pass last September. The hearings lasted more than a month. The bill was in the House for a long time, and in the Senate for a long time. Then there were long conferences, extending far into the night.

The resolution, Mr. President, simply extends from December 31 to February 28 the time within which any incorporated city, town, or village can take action to extend rent control until June 30, 1951, without being decontrolled, in meantime, if they fail to take affirmative action. The local governing boards under the act would still have the right to decontrol themselves.

I wish to make that perfectly clear. If there is any community which does not like the 2-month extension, it has the same right it had to call a city council meeting or to pass a resolution to decontrol itself.

As I stated to the Senator from Washington, it will be my purpose as chairman of the committee, knowing how the committee feels, to accept the amendment of the Senator from Washington [Mr. CAIN] relating to the validity of

resolutions passed by local governing bodies.

Senate Joint Resolution 207 does not, as the distinguished and very earnest junior Senator from Washington [Mr. CAIN] maintained yesterday, deprive the local governments of any powers they now have with respect to rent control. I wish to emphasize that. They can decontrol themselves any time they want, regardless of this resolution on which we shall vote today. It does not, as he suggested, deprive them of any powers they now possess.

It does not deprive the city of Seattle or the city of Los Angeles of any rights which they now have, when the Senator's amendment is accepted, which I trust it will be.

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

Mr. MAYBANK. I yield.

Mr. CAIN. Is it not a fact that, if Senate Joint Resolution 207 were passed this afternoon, the city of Seattle, for example, could not anticipate, as it had been given the right to do by the present legislation, the expiration of Federal rent controls on December 31, 1950?

Mr. MAYBANK. Yes. But it could decontrol by that date by having a city council meeting in Seattle and decontrolling itself.

Mr. CAIN. But the resolution would take from that city its right to anticipate that, even if the city took no action—which it was told it need not do—rent controls would not expire on the last day of this year.

Mr. MAYBANK. If we base the statement on anticipation, the Senator is correct; but the city could decontrol.

Mr. CAIN. The Senator from South Carolina and I are in complete agreement that between now and the last day of this year the city, by resolution, may take action to decontrol.

Mr. MAYBANK. The Senator is correct.

Mr. CAIN. Or to continue controls for a period of 6 months.

Mr. MAYBANK. The Senator is correct.

Mr. CAIN. But we must all be certain, as the Senator from South Carolina has just pointed out, that if the joint resolution——

Mr. MAYBANK. As amended by the amendment of the Senator from Washington.

Mr. CAIN. If the joint resolution as amended prevails this afternoon, Federal rent control does not automatically expire in those American cities which have not either taken action to decontrol or to continue controls.

Mr. MAYBANK. The Senator from Washington is absolutely correct. I am sure he will agree with me that the city of Seattle or the city of Charleston, S. C., or any other city, can take action on its own part.

Mr. CAIN. I do agree with the Senator's comment on that point.

Mr. MAYBANK. As the Senator knows, I have always been for States' rights and municipal rights. I believe thoroughly in what the junior Senator from Ohio said, that the local people know more about the local situation than do officials in Washington.

Mr. CAIN. Will the Senator yield for one other question?

Mr. MAYBANK. I yield.

Mr. CAIN. Is there any reason why the Congress of the United States cannot write a new Federal rent-control law, if that is its wish, during the next session of the Congress, if Senate Joint Resolution 207 is not passed this afternoon?

Mr. MAYBANK. Of course not. No Congress can bind another Congress. If the new Congress wants to change laws which have previously been passed, they can, under the Constitution, do so.

Mr. CAIN. Regardless of what happens to Senate Joint Resolution 207 this afternoon, there will be at least 800 cities under Federal rent control from January 1, 1951, to June 30, 1951. Is that not so?

Mr. MAYBANK. I shall accept the Senator's figures. He has studied the matter and has the figures clearly in mind. He is familiar with the figures given out by the Association of Mayors, and if he says the number of cities is 800, I shall accept that figure.

Mr. CAIN. The figure is approximately 800. The point is that there is to be Federal rent control for a large number of American cities during the first 6 months of next year regardless of what happens to Senate Joint Resolution 207 this afternoon.

Mr. MAYBANK. That is correct.

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

Mr. MAYBANK. I yield.

Mr. BRICKER. A moment ago unanimous consent was obtained for a recess to be taken until 2 o'clock, after the Senator from South Carolina had concluded his address. I wonder if it would not be better to modify that agreement so that the recess will be taken until 5 minutes of 2, in order that a quorum call be had beginning at 5 minutes of 2?

Mr. President, I ask unanimous consent that when the Senator from South Carolina has finished his statement the Senate take a recess until 5 minutes of 2.

Mr. MAYBANK. Mr. President, I am glad to have the previous unanimous-consent agreement modified to that extent.

The PRESIDING OFFICER. Will the Senator restate his request?

Mr. BRICKER. Mr. President, I ask unanimous consent that when the Senator from South Carolina has finished his statement the Senate take a recess until 5 minutes of 2, at which time we will have a quorum call.

Mr. MAYBANK. I heartily agree with that request.

Mr. LANGER. Mr. President, reserving the right to object, I wish to ask if the proposal is that the Senate proceed to vote at 5 minutes of 2?

Mr. BRICKER. No, Mr. President, I have asked unanimous consent that when the Senator from South Carolina has concluded his statement, a recess be taken until 5 minutes of 2.

Mr. MAYBANK. And that a quorum call be had at that time.

Mr. CAIN. Mr. President, reserving the right to object, I wish to make an inquiry of the Senator from South Carolina. Is he anxious for the Senate to take a recess at the conclusion of his statement, or would he be willing that further contributions be made in respect to the general subject of rent control between now and 2 o'clock?

Mr. MAYBANK. Mr. President, it is our desire to have orderly procedure in connection with the matter under discussion. As I remember, I previously asked how much time I had remaining, and how much time the junior Senator from Ohio had remaining.

The PRESIDING OFFICER. Orderly procedure would permit any Senator who wishes to discuss the subject matter under discussion to do so.

Mr. MAYBANK. Yes; that is true, Mr. President. How much time have I left and how much time has the junior Senator from Ohio left?

The PRESIDING OFFICER. The Senator from South Carolina has 25 minutes left.

Mr. MAYBANK. I have 25 minutes left.

Mr. CAIN. And my understanding was that the Senator from Ohio had 10 minutes left. The Senator from Washington has a letter which concerns itself with the general question of rent control, which he would be pleased to have made a part of the RECORD were that to suit the convenience of the Senator from South Carolina, between now and 2 o'clock.

Mr. MAYBANK. I have only a few more remarks to make. I was one of those who hoped we would not need to have extension of rent control. I hoped that peace might prevail, although I did not believe we would have peace.

Mr. President, if I am not interrupted, I can conclude my remarks in 5 minutes. At the conclusion of my remarks I shall be glad to yield whatever time the Senator from Washington wishes to have.

Mr. CAIN. I will appreciate that very much.

Mr. MAYBANK. Mr. President, it is true that the pending joint resolution will continue rent control in the areas that have not removed or do not remove themselves from rent control for another 60 days. I shall not argue with the junior Senator from Washington that some of these places did not take advantage of the decontrol provisions of the act because by taking no action by December 31, they would have removed themselves automatically from under control, and without the controversy and objections they would otherwise have had to face. But I am confident that many of these same local communities throughout the country would prefer not to be required to take any action one way or the other until they can have a chance to judge during the next 2 months just what the situation actually is. In fact, I know this to be the case from many conversations I have had this week with a number of mayors attending in this city the meeting of the United Conference of Mayors. It is also true that no decontrol action was taken in many of these cities be-

cause the rental market has been relatively tight in many of these areas, or at best because the supply-demand situation was just approaching a more normal condition.

Imagine what would happen to rents in such areas if large defense plants and military installations began to open up and expand. Most communities throughout the Nation do not and cannot be expected to know how a war emergency would affect them. They have no idea of what defense plants or military installations will be located or expanded in their areas. It is our responsibility to facilitate defense production and ease the burden on our military personnel, and we would be doing just the opposite if by our failure to act we risked, or more likely allowed, inflationary rent increase in some 1,700 localities throughout the Nation.

Mr. President, I wish to make a comment respecting my own State. In addition to representing my own State I realize that, as a United States Senator, I must have in mind the welfare of the country as a whole, first, last, and always. An atomic energy plant is to be built in my State which will employ some 30,000 persons. Two months ago no one knew that such a plant was to be built. Many other defense installations and military installations are going to be built in various sections of the country, as I can understand from the appropriations which are requested for such purposes. Request is expected to be made for $50,000,000,000 for next year. Military installations will be built in various parts of the country, and communities do not know where they will be built.

The very able senior Senator from Ohio [Mr. TAFT] stated, and properly so, that national rent control could only be justified by a war emergency. I told the Senator earlier in the day that I think this is a war emergency and I have always thought so, and that I think the President should declare a state of national emergency exists. We have for a long time been in and only recently have we begun to get out of the war emergency, and now it looks like we may be going into another one. We are already in one, Mr. President. Certainly the situation we are in justifies a 60 days' extension for the cities under rent control who have not as yet acted either to extend or decontrol themselves. War and its impact are national in origin and in their consequences, and so are their economic effects. Local governments cannot be expected to bear the full burden of responsibility. We must share it, whether we like to or not, if we are to do the job properly. The economic problem ahead is tough enough; do not make it tougher by allowing a very important item in the little fellow's budget to get out of hand in 1,700 communities throughout our Nation. At least we should give ourselves and the local governments 60 days more to watch, think, and act.

In the meantime we are not foreclosing any rent increases. Over 400,000 were given in the last 4 months. Mr. President, I wish to repeat that figure. Over 400,000 were given in the last 4 months.

The Housing Expediter described to the committee what is known as the Chicago plan which allows a landlord by filling in four blanks on a very simple form to get practically automatically a 15 to 25 percent increase in rents. As Senators remember from our discussion of the bill in 1949 a rent increase of 15 or 25 percent means an increase in net income much, much greater than the 15 or 25 percent. It may mean an increase of up to 100 or 200 percent in the net revenue. I mention this not by way of argument for rent control, but to indicate that in extending rent control for 60 days we are not freezing current rents nor are we continuing gross inequities.

Mr. President, it was impossible to work expeditiously with the forms which were used 2 or 3 years ago. The Congress of the United States appropriated money for the purpose of employing persons in various sections of the United States to help tenants and small landlords because as stated by the junior Senator from Ohio, the advantages accrued to the large property owners. I agree with the Senator's statement in that respect. Certainly I wish to help someone who has used his money to buy a piece of property from which he expects to obtain a small income on which to live in his old age, rather than to become, as has been suggested, a ward of the Government.

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

Mr. MAYBANK. I yield.

Mr. LANGER. Does the Senator think it is fair to impose rent control on old property and not have it apply to new homes?

Mr. MAYBANK. Most of the new houses were built with Federal funds, under FHA loans. But before new homes were built under such conditions, many persons invested their money in property in the expectation that they and their dependents could receive in return funds on which to live in their old age.

Mr. LANGER. Under the present law new houses are not included?

Mr. MAYBANK. That is correct.

Mr. LANGER. Does not the Senator believe that by extending the law for 60 days the discrimination is continued for that time?

Mr. MAYBANK. I will say very frankly to my good friend from North Dakota that there are no doubt, real discriminations existing in the law. I do not know, however, how the Senate and the House could write a new law, have it passed by both Houses and acted upon in conference and finally agreed to before the new Congress convenes.

Mr. LANGER. It is simply a question of expediency then?

Mr. MAYBANK. That is all, Mr. President. But I shall join with the Senator from North Dakota if he will join with me in the new Congress to propose a rent-control law which will treat both classes of property with equity.

Mr. LANGER. Can the Senator say offhand about what proportion of the present houses or units are covered by the present law?

Mr. MAYBANK. I do not have those figures. Perhaps I can obtain them.

Mr. LANGER. The question is, What percentage of the present housing units are covered by the present law?

Mr. MAYBANK. I can only say to the Senator from North Dakota that under the present law there are rent controls on approximately 7,000,000 rental units in 2,500 incorporated places with a population of approximately 50,000,000.

Mr. LANGER. They are covered at the present time?

Mr. MAYBANK. They are under rent control now.

Mr. LANGER. The Senator means that number are covered at the present time?

Mr. MAYBANK. Yes.

It is my judgment—and I believe it is that of nine of the other Senators who voted to report favorably the pending joint resolution—that in the present state of world conditions we would be risking entirely too much to remove rent control from 27,839,000 persons. Approximately 800 communities continued by resolution rent control for another 6 months. They had a population of about 24,000,000 people. About 50 percent of those now covered would retain rent control, regardless of the action on the pending resolution.

Let me ask the Senator from Washington whether he has any additional figures because I certainly want the RECORD to show the facts. My information has been that approximately 50 percent of those now under control have voted favorably for a continuation of rent control and approximately 50 percent have not acted. That is my information.

Mr. CAIN. My best information is that of the 2,400 cities presently under Federal rent controls, approximately 800 have requested an extension for 6 months. That information is about 2 weeks old, so my assumption is that at least several score cities have been added to the 800.

Mr. MAYBANK. I thank the Senator. I did not check on the exact number of persons in whose communities rent controls have been continued, but my information was that the situation was about 50–50. If rent controls were done away with on December 31, I know there would be 27,839,000 persons who would be affected.

The cities which have taken positive action have been such ones as Chicago, Pittsburgh, Philadelphia, St. Louis, St. Paul, and others. Although there are perhaps two cities which have not acted for each city which has acted, nevertheless the populations affected either way would be approximately the same.

Mr. CAIN. It is my understanding that if prevailing conditions continue through this year and if the present law were to expire at midnight on December 31, 1950, approximately 50 percent of those now under control would continue to be under control for the next 6 months.

Mr. MAYBANK. That is the substance of my statement. I was not sure of the exact figure.

Mr. President, our country and our people are depending on us to act wisely and cautiously in this time of national crisis. Let us act cautiously by extending rent control for 60 days, so that we may act with more knowledge of the facts and with more chance for a fuller consideration of the whole program during the early days of the next Congress.

I yield the remainder of my time to the Senator from Washington.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mr. CAIN. Mr. President, I appreciate the generosity of the senior Senator from South Carolina, the chairman of the Banking and Currency Committee.

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

Mr. CAIN. Certainly.

Mr. MAYBANK. I understand that it has been agreed that there will be a quorum call at 5 minutes of 2.

Mr. CAIN. That is correct.

Mr. President, in addressing myself to the pending question on yesterday, I mentioned, in passing, that—

It is my considered judgment that, certainly in my 4 years in the Senate, no statute—

I was obviously referring to the Federal rent-control law—

has ever been so stupidly interpreted by those in the executive branch charged with its conduct. That conduct has been shot through with prejudice, with malice, and to some extent, I think, with dishonesty. The intent and wish of the Congress have been flagrantly violated by the Administrator of the Office of the Housing Expediter and by his staff. Administrative rules and regulations have been willfully designed to thwart many provisions of the law over which the Members of Congress—both Democrats and Republicans—labored long in their effort to provide some measure of relief and justice to American citizens.

That is the end of the quotation, which can be found on page 16201 of the CONGRESSIONAL RECORD for yesterday.

Mr. President, in support of the feeling I have just expressed, a feeling which to my knowledge is shared by other Members of the Senate, I should like to offer some brief testimony on the same subject from a particular and very large American city. I wish to read something which I have recently received over the signature of Walter C. Peterson, city clerk of the city of Los Angeles. This communication is dated October 27, 1950; it is a certificate, and reads as follows:

I, Walter C. Peterson, city clerk of the city of Los Angeles, State of California, do hereby certify that the following motion was adopted by the Council of the city of Los Angeles at its meeting of Friday, October 27, 1950.

"I move that the report of the city attorney dated October 27, 1950, as read to the Council by the clerk, be forwarded to President Harry S. Truman with the request that immediate steps be taken to rectify this flagrant violation of the rent-decontrol statute by Expediter Tighe Woods, and the further suggestion that the Expediter be instructed to sign the order of decontrol; further, that copies of the city attorney's report referred to be placed in the hands of each Member of Congress representing the Los Angeles area and the two United States Senators; also that copies be forwarded to the chairman of the Senate Banking Committee and the chairman of the House Banking Committee; further, that the City Attorney be instructed to secure the assistance of Charles S. Rhyne, of Washington, D. C., in presenting this matter and any other material relevant to the matter to the officials mentioned."

WALTER C. PETERSON,
City Clerk, City of Los Angeles.

Dated this 27th day of October 1950.

I have likewise received from the same Mr. Peterson. Mr. President, another certificate dated October 27, 1950, which I wish to read:

I, Walter C. Peterson, city clerk of the city of Los Angeles, State of California, do hereby certify that the following motion was adopted by the Council of the City of Los Angeles at its meeting of Friday, October 27, 1950.

"I move that the Attorney General of the United States be requested to immediately investigate the action of Tighe Woods, Housing Expediter, in defiance of the will of Congress in respect to the Federal rent-control statute of 1950 as acted upon legally by the City Council of Los Angeles, as to possible collusion between Tighe Woods and Maxwell Miller and the so-called tenants' council."

WALTER C. PETERSON,
City Clerk, City of Los Angeles.

Dated this 27th day of October 1950.

Mr. President, as a good many Members of the Senate and of the House of Representatives know, the City Council of the City of Los Angeles passed a resolution on July 28, 1950, by a vote of 10 to 4, to decontrol rents in Los Angeles. That action was predicated on the manner in which the city of Los Angeles interpreted and understood the Federal Rent and Housing Act of 1947, as amended.

Under date of October 23, 1950, Mr. Tighe Woods, Federal Housing Expediter, wrote to Mr. Harold A. Henry, president of the City Council of the City of Los Angeles, to explain to Mr. Henry and to the City Council of Los Angeles why, in the opinion of the Federal Housing Expediter, his administration should not subscribe to the law of the land and therefore should not decontrol rents in Los Angeles, as that city had thought ought to be done under the terms of its resolution as passed on July 28, 1950.

Mr. President, because a good many Members of this body and of the House of Representatives will wish to know precisely how Mr. Woods interprets a Federal statute, I ask unanimous consent that his letter of Octotber 23, 1950, to the president of the City Council of Los Angeles be made a part of my remarks, at this point in the RECORD.

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

OCTOBER 23, 1950.

HAROLD A. HENRY,
President, City Council of the City of Los Angeles, City Hall, Los Angeles, Calif.

DEAR MR. HENRY: On August 2, 1950, I received from the City Council of the City of Los Angeles a resolution advising me that there no longer exists such a shortage in rental-housing accommodations as to require rent control in the city of Los Angeles. Adoption of this resolution by a majority of the city council was immediately preceded by a public hearing held on July 28, 1950, pursuant to the provisions of section 204 (j) (3) of the Housing and Rent Act of 1950. As you know, under these provisions of the law, I am required to terminate rent control in an incorporated city upon receipt of a resolution of its governing body adopted for that purpose in accordance with applicable local law and based upon a finding by such governing body reached as the result of a public hearing held after 10 days' notice that there no longer exists such a shortage in rental-housing accommodations as to require rent control in such city.

At about the time the resolution came to me, I also received a report from an impartial observer that several questionable incidents took place in connection with the public hearing. It was stated to me that prior to the hearing a majority of the members of the city council had made known their fixed intent to vote for decontrol without regard to the matters which might be brought to their attention at the public hearing; a statement to like effect also was circulated in the press. I was further informed that attendance at the public hearing was so regulated as to systematically exclude large numbers of tenants in favor of the admittance of landlords to insure an atmosphere hostile to the careful and studied consideration of the question before the council. It was shocking to learn that those responsible for the government of as large and great a city as Los Angeles would approach a question as far-reaching and critical as decontrol of rents except in the most objective and unbiased manner and with scrupulous regard for the interests of all of the members of the community. However, realizing that the Congress intended that the governing body of each incorporated community determine for itself whether it desired the continued protection afforded by Federal law, and in the absence of a record or transcript of the hearing, I was not disposed to reject the resolution upon the basis of these seeming irregularities alone.

On August 9, 1950, I received a petition from a group purporting to act in behalf of 300,000 tenant families in the city, requesting that I withhold action on the resolution until inquiry had been made into certain matters raised in the petition. Among these was the charge that the city council action was in complete disregard of available and known evidence of an already existing acute shortage of rental housing accommodations, which would be further aggravated by the expected influx of large numbers of aircraft workers. Along with this petition there was filed a copy of the housing survey conducted at the request of your city council by the Peacock Research Association. This impartial survey, completed in April 1950, shows a vacancy factor of 2.6 percent for all dwelling units in Los Angeles and, in units having monthly rentals up to $57.49, the vacancy factor ranges from 1.4 to 3.5 percent. These matters, bearing as they do upon the very issue before the city council, caused me very considerable concern. I felt it my duty as a public officer to take whatever steps my best judgment dictated to guard against decontrol which might result from hasty and uninformed action. Consequently, as soon as my schedule permitted, I came to Los Angeles to confer with the members of your council in the hope of presenting an informed view of the several aspects of control and decontrol in your city, and to learn at first-hand the reasons why the majority of the council felt that Los Angeles was ready for decontrol. I need not

dwell upon the antagonistic attitude evidenced at that time to my appearance and the unwillingness of the council to meet with me in a spirit of cooperativeness. Since there was no disposition to give this vital subject the consideration it deserved, I announced that the resolution would be accepted upon my return to Washington unless it were found that the council action did not satisfy the requirements of law.

I have since been made fully aware, for the first time, through a recording, of the exact events transpiring at the public hearing and the discussion of the several councilmen prior to their vote. The testimony presented at the hearing by those favoring decontrol is noteworthy for its almost complete lack of relevance to the subject of the existence or nonexistence of a housing shortage in Los Angeles. It is fully clear that not a single witness presented real facts to show that a shortage of rental housing did not exist. Moreover, the councilmen who voiced their intention to vote for decontrol likewise failed to provide a substantial basis, grounded upon fact, for their desire to eliminate Federal rent control in the area. In the light of the foregoing matters, it cannot reasonably be said that the resolution is based upon findings reached as a result of the public hearing, as required by the statute.

I believe that the Housing Expediter is charged with the responsibility of determining whether the requirements of law have been met before a decontrol resolution may be accepted. That is a serious responsibility. Having arrived at the judgment that the resolution of the City Council of Los Angeles is not based upon findings which could reasonably be reached as the result of the public hearing, I have no alternative but to reject the resolution.

I regret the need for such action, since any fair doubt in such cases has always been resolved in favor of the communities involved, as the past record of this Office clearly shows. There is no fair doubt here.

Sincerely,

TIGHE E. WOODS,
Housing Expediter.

Mr. CAIN. Mr. President, shortly after Mr. Woods' letter was received by Mr. Henry, the president of the Los Angeles City Council, it was referred to the corporation counsel of the city of Los Angeles, for his opinion and for his views. The corporation counsel examined Mr. Woods' letter carefully, and offered his findings to the City Council of Los Angeles. In order to keep the record straight and to satisfy the curiosity of a good many Americans on this most important question, I ask unanimous consent that the findings and memoranda of the corporation counsel of the city of Los Angeles be made a part of my remarks, at this point in the RECORD.

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

RE COMMUNICATION FROM TIGHE E. WOODS REJECTING COUNCIL RESOLUTION REGARDING DECONTROL OF RENTS

To the honorable the City Council of the City of Los Angeles.

GENTLEMEN: You have requested a report from this office on the communication under date of October 23, 1950, from Tighe E. Woods, Housing Expediter, addressed to Harold A. Henry, president of the City Council of the City of Los Angeles. The Housing Expediter's letter is a refusal to perform his duty, as required by law, to decontrol rental housing in Los Angeles, pursuant to the resolution adopted by your honorable body at its meeting of July 28, 1950. That resolution was adopted after a public hearing on the matter of the necessity of further need for the control of rents in the city of Los Angeles, based upon a finding that such control was no longer needed.

This action on the part of the Housing Expediter has created a serious situation affecting the interests and well-being of many property owners and residents in the city of Los Angeles. In fact, his action has a direct and detrimental impact upon the economics of this community. As a result, your honorable body, as the determining agency of the Congress of the United States in carrying out its express declaration "that it is its purpose to terminate at the earliest practicable date all Federal restrictions on rent on housing," has met an impasse created by the arbitrary and precedented action of the Housing Expediter.

The critical problem now confronting your honorable body is the accomplishment of the purposes and objects of the Congress with the minimum of delay. It is strange that the title to the office occupied by Mr. Tighe E. Woods should use the word "Expediter" while the burden of expediting decontrol now falls upon the city council.

The communication is nothing short of a futile attempt to cover the dereliction of the Housing Expediter by false accusations challenging the integrity of the council which are admittedly based solely upon extraneous and hearsay information. To do more than point out a few of the inconsistencies and "double talk" of the Housing Expediter would extend this report to undue lengths—therefore only the more glaring features of the Housing Expediter's present position will be mentioned.

The Housing Expediter states in his communication that: "Having arrived at the judgment that the resolution of the City Council of Los Angeles is not based upon findings which could reasonably be reached as the result of the public hearing, I have no alternative but to reject the resolution."

Even if it be assumed, merely for the sake of argument, that the Housing Expediter has the right to exercise any "judgment" in the matter of whether the findings in question could have been reached reasonably as the result of the public hearing held by the council, the position taken by the Housing Expediter, as disclosed for the first time by this communication, is to say the least novel and lacking in judicial or administrative precedent.

The Housing Expediter has gone beyond all accepted concepts of judcial or administrative practice and has introduced a new type of administrative procedure, namely, review by rumor.

The communication states that the Expediter "Received a report from an impartial observer that several questionable incidents took place in connection with the public hearing," and that, "it was stated to me that prior to the hearing, a majority of the members of the city council had made known their fixed intent to vote for decontrol without regard to the matters which might be brought to their attention at the public hearing," that "a statement to like effect also was circulated in the press," that he was "further informed that attendance at the public hearing was so regulated as to systematically exclude large numbers of tenants in favor of admittance of landlords to insure an atmosphere hostile to the careful and studied consideration of the question before the council," and that he has "since been made fully aware for the first time through a recording of the exact events which transpired at the public hearing and the discussion of the several councilmen, prior to their vote," and that, "the testimony presented at the hearing by those favoring decontrol is noteworthy for its almost complete lack of relevance to the subject of the existence or nonexistence of the housing shortage in Los Angeles." These and other statements of a similar nature indicate that the Housing Expediter has attempted to pass upon the validity of the proceedings authenticated either by the president of the city council, or the clerk thereof.

Whenever one officer or board reviews the actions of another officer or board where a hearing has been held in a matter, it is the uniform practice to secure a record of the proceedings duly authenticated by the officer or board conducting the hearing. If any question arises as to the correctness of such a duly authenticated record, the universal practice to refer the matter back to the hearing officer or board for correction of the record, so that it may speak the truth.

The Housing Expediter in this case has not requested an authenticated record, apparently, because his office is fully aware that such a record would disclose the falsity of the information on which he bases his communication and places reliance.

As to the Housing Expediter's statement that it was stated to him that prior to the hearing a majority of the members of the city council had made known their fixed intent to vote for decontrol, an affidavit, signed by Councilmen Davenport, Allen, Holland, Davies, Warburton, Timberlake, Henry, Austin, Cronk, and Debs, subscribed and sworn to before a notary public, on August 21, 1950, stated:

"That prior to the public hearing conducted on July 28, 1950, in the council chambers in the matter of rent decontrol, he did not determine to vote for decontrol without and prior to a public hearing on said matter, and that he was not influenced by persons, matters, or things to vote for decontrol without and prior to the holding of a public hearing on the matter."

This affidavit was filed in the case of *Maxwell Miller* v. *Tighe E. Woods*, and a copy thereof served upon the attorneys of record for Mr. Tighe Woods.

With regard to the statement of the Housing Expediter that he was further informed that attendance at the public hearing was so regulated as to systematically exclude large numbers of tenants in favor of the admittance of landlords to insure an atmosphere hostile to the careful and studied consideration of the question before the council, the affidavit of Charles L. Williams, sergeant at arms of the council, was likewise filed in the case previously mentioned, and it is averred in that affidavit:

"That at the meeting of the council, held on July 28, 1950, no person or persons was or were excluded systematically, or otherwise, from the council chambers, until such time as the council chambers were filled to capacity, whereupon no further persons were permitted inside the council chambers; that loud-speakers were in operation so that the proceedings of the council at said meeting could be heard by persons outside the council chambers; that said council chambers have a seating capacity of approximately 380 persons, and that there were present in said council chambers at the said meeting approximately 455 persons."

The Housing Expediter chooses to ignore these affidavits and rely on asserted information of a hearsay nature, the source of which he does not disclose. It is interesting to note that the language used by the Housing Expediter in making these charges is identical with the allegations found in the papers filed in the case of *Miller* v. *Woods*.

The Housing Expediter refers to, "a petition from a group purporting to act on behalf of 300,000 tenant families in the City, requesting that I withhold action on the Resolution until inquiry had been made in the certain matters raised in the petition." The Housing Expediter states that, "among

these was the charge that the city council action was in complete disregard of available and known evidence of an already existing shortage of rental housing accommodations, which would be further aggravated by the expected influx of large numbers of aircraft workers."

Reference is made to a copy of the housing survey conducted at the request of the city council by the Peacock Research Associates. The Housing Expediter further states, "this impartial survey, completed in April 1950, shows a vacancy factor of 2.6 percent for all dwelling units in Los Angeles and, in units having monthly rentals up to $57.49, the vacancy factor ranges from 1.4 to 3.5 percent." What he neglected to point out is that in the rental bracket between $57.50 and $64.99, the vacancy factor shown by the report is 5.4 percent. From the Peacock report, it can be determined that the vacancy factor, based on total rental housing accommodations, is slightly in excess of 4.5 percent. Be that as it may, the Housing Expediter states in his communication that, "I felt it my duty as a public officer to take whatever steps my best judgment dictated to guard against decontrol which might result from hasty and uninformed action." As the council well knows, the housing survey, conducted at the request of the City Council by the Peacock Research Associates, was at the sole expense of the city and was, in the language of the Housing Expediter, "an impartial survey."

By reason of the shortness of time, this office is unable to furnish the Council with specific figures relating to vacancy factors in the various communities in the county of Los Angeles, as well as the vacancy factor in the unincorporated area of the county which have been decontrolled. It is to be noted that the Housing Expediter makes no claim that the vacancy factor in those communities or in the unincorporated area of the county was greater than that shown to exist in the city of Los Angeles by the Peacock report, which was before the city council and is part of the file in this rent-decontrol matter.

An examination of the council file in the matter shows many communications upon the subject. Attention is called to a statement of Mr. G. G. Bauman, president of the Small Property Owners' League, in which he has detailed facts relating to housing conditions in the city of Los Angeles based upon the Peacock report, which conclusively refutes the statement made by the Housing Expediter that, "It is fully clear that not a single witness presented real facts to show that a shortage of rental housing did not exist."

In short, it is clear that the Housing Expediter is attempting to substitute his judgment as to what he believes should be done, for that of the city council. The Housing Expediter, in so determining, has resorted to information which does not appear to be a part of any record made before the council in this matter. This is particularly true as to his statement that, "in the light of the foregoing matters, it cannot reasonably be said that the resolution is based upon findings reached as a result of a public hearing as required by the statute."

The minutes of the council disclose, as your honorable body well remembers, that an extensive hearing was held in the matter. Each side was allotted 45 minutes to present their side of the question, and an additional 15 minutes were allotted to each side for rebuttal. As a matter of fact, the hearing extended well beyond the allotted time.

It will be recalled that no complaint was made at that time that the members of the public were not given an opportunity to be fully heard in the matter, or that any request for further time was made. That the hearing was fair and impartial is, of course, best known to the members of your honorable body.

After referring to his visit to Los Angeles and his appearance before the council, the Housing Expediter states, "I have since been made fully aware, for the first time, through a recording, of the exact events transpiring at the public hearing and the discussion of the several councilmen prior to their vote." Neither the council nor the clerk has ever authenticated the correctness of any transcription made at the hearing nor has the council or the clerk been requested to determine whether or not such transcription, if it was made, is a full and complete transcript of the hearing in question. The attention of this office has been called to the existence of a transcription apparently made for news release purposes, which is purported to contain a portion of the hearing before the council. However, the city attorney's office has been unable to secure this recording. Consequently, it is impossible to comment upon the contents thereof. Of course, it is impossible to determine from the Housing Expediter's communication what transcription he listened to. Needless to repeat, whatever the transcription the Housing Expediter listened to, its correctness was not authenticated by either the council or the city clerk.

The statements and insinuations made in the communication from the Housing Expediter are utterly without foundation. The reasons he now assigns for refusing to act in the matter appear to indicate a studied intent to avoid compliance with the law relating to the decontrol of rents, at least, as applied to the city of Los Angeles. In the brief filed by the Housing Expediter, as the appellee in the case of Maxwell Miller against Tighe E. Woods, wherein, over the signature of Ed. Dupree, general counsel; Leon J. Libeu, assistant general counsel; Nathan Sigel, and Benjamin Freidson, special litigation attorneys, Office of the Housing Expediter, it is stated that, "to the extent that appellants may be urging that in some manner not explained, the Housing Expediter must determine whether the findings fairly flow from the evidence adduced at the public hearing. The Housing Expediter is in sharp disagreement with such a view. The statute does not contemplate that a record of the proceedings be furnished, and none has been or presumably would be transmitted to him. When the resolution plainly sets forth that the required findings have been made and were reached as a result of a public hearing further inquiry is not required."

While a mandatory injunction seeking to compel the Housing Expediter to comply with the law as his counsel has heretofore represented it to be before the court might be sought, it is doubtful if any practical purpose can be served in view of the length of time that would be consumed in securing a final judgment.

There are two possible nonjudicial courses of action that may be of some practical benefit.

Possible, the action of the Housing Expediter in this matter may be the proper subject for investigation by the Attorney General of the United States as to whether there has been willful or corrupt misconduct on the part of a Federal official that impairs the administration of a Federal statute.

It might be that more effective results could be obtained if the matter were to be directly laid before the President of the United States himself. He is the chief executive and has the power of appointment and removal of the Housing Expediter. It must be remembered that Federal control of rents is part of the emergency powers conferred upon the President. These emergency powers, as originally conferred in 1942 and continued by the Housing and Rent Act of 1947, have been curtailed by the Housing and Rent Act of 1950. The latter statute specifically confers upon the local governing body of the city the power to take the very action which the council took in this matter. Clearly, this statute is being deliberately violated by the Housing Expediter.

A third possibility is a congressional investigation. This course of action would be directed more to the question of whether amendment to the existing statutes is desirable so as to prevent a further repetition of this type of incident rather than applying corrective measures under existing law.

Of course, another public hearing could be had but there is no assurance that, notwithstanding whatever evidence may be adduced, the Housing Expediter would accord a second resolution any different treatment than that given the current resolution.

Very truly yours,

RAY L. CHESEBRO,
City Attorney.
By BOURKE JONES,
Assistant City Attorney.

Mr. CAIN. Mr. President, under date of November 15, and at a time when the junior Senator from Washington was in the city of Los Angeles, and when this problem was brought to his attention, he addressed a letter to the Senator from South Carolina [Mr. MAYBANK], chairman of the Senate Banking and Currency Committee, at the Senate Office Building in Washington, D. C. The Senator from Washington thinks that his letter, together with the several communications in question exchanged between the city of Los Angeles, its city council and its corporation counsel, and the Office of the Housing Expediter, will pretty satisfactorily acquaint the Senate with most of the facts involved in the blunt refusal of the Housing Expediter to obey the law of the land, as understood by myself, and, I think, as other Senators and Members of the House of Representatives understand that law and its meaning. The letter reads as follows:

NOVEMBER 15, 1950.

Senator BURNET MAYBANK,
Chairman, Senate Banking
and Currency Committee,
Senate Office Building,
Washington, D. C.

MY DEAR BURNEY: On July 28, 1950, the City Council of Los Angeles passed a resolution by a vote of 10 to 4 to decontrol rents in Los Angeles. This action was taken as authorized by the Housing and Rent Act of 1947, as amended. The applicable amendment, which I believe was offered by BILL FULBRIGHT, of Arkansas, and passed overwhelmingly by the Senate, states that "the Housing Expediter shall terminate the provisions of this title in any incorporated city upon receipt of a resolution of its governing body adopted for that purpose in accordance with applicable local law and based upon a finding by such governing body reached as a result of a public hearing held after 10 days' notice that there no longer exists such a shortage in rental housing accommodations as to require rent control in such city." The Housing Expediter acknowledged receiving this resolution on August 2, 1950.

In February of 1950 the Los Angeles City Council authorized a survey to be taken which would determine if a request would be made by the city of the Housing Expediter to decontrol rents. This survey was undertaken by a reputable firm selected by the city. The survey cost approximately $25,000, and this cost was charged against all of the taxpayers of Los Angeles. It took about 6 weeks to complete the survey. The city council then took many weeks to consider the survey, following which the city council conducted a public hearing in accordance with the Federal law, at which both those in support of and opposed to decontrolling rents in Los Angeles were fairly and thoroughly heard.

The Housing Expediter has employed every conceivable legalistic technicality and maneuver for 3½ months in an effort to maintain rent controls in Los Angeles. Los Angeles has been required to appear before five courts, from the municipal to the Supreme Court level. In each and every instance the courts have held that the Federal law empowered Los Angeles to resolve to decontrol rents within its jurisdiction. The city of Los Angeles and the Federal Government, through the Office of the Housing Expediter, have already spent thousands of dollars simply because the Housing Expediter has sought relentlessly to avoid and to violate the law of the land. The Federal law which was recommended by your committee and passed by the Senate and the House of Representatives gives no discretion to the Housing Expediter when a city has properly approved and submitted a rent-decontrol resolution. The legislative intent of the Congress was to provide American cities and towns with a maximum of home-rule authority. The Fulbright amendment was passed to permit an American city to determine its own need for rent-control restrictions. The Housing Expediter has been fully conscious of the intent of the Congress. He is guilty of placing himself above the law of the land and of offering himself as a Federal agent who knows more about the needs of an American municipality than do those who are elected by its citizens to manage the affairs of a city in their name.

I need not remind you that I recommended that the present Housing Expediter be confirmed when I was the chairman of the Housing and Rent Subcommittee of your committee in the Eightieth Congress. My recommendation was approved unanimously by your committee, because I assured each member that the Acting Housing Expediter had certified to me that he would be particularly careful to literally obey the Federal law and that he would painstakingly observe the legislative intent of the law. With reference to Los Angeles, the Housing Expediter has abused the confidence which I and the entire committee placed in him, and he is breaking provisions of the Federal law as they can publicly be read by any one.

I want to urge your committee to question and investigate the Office of the Housing Expediter as promptly as you can conveniently do it after the Congress convenes on November 27. If my judgment is right that the Housing Expediter has willfully and flagrantly broken the law and ignored the intent of the Congress, I hope that charges will be preferred against him which, if supported by an American court, will send the present Housing Expediter, and any of those who are guilty with him, to a Federal penitentiary.

If a Federal agent is permitted to dictate in opposition to the law of the land what an American community must do, then every American community will become nothing more than a pawn and vassal of a high-handed Federal Government. If the Housing Expediter can bypass the rights which belong to Los Angeles then no American municipality will have any rights at all. The issues before us goes far deeper than the question of rent controls for an American municipality. The fundamental question is whether a Federal agent can break a Federal law and in doing so take away the rights which belong to independent American citizens.

Because I have worked with and for your committee you will agree that I know as much about the legislative intent behind the Federal rent law as any Member of the Congress. Against this background I simply state as being a fact that the Housing Expediter is premeditatively attempting to avoid what he knows to be the considered wish of the Congress. Should he be permitted to ignore and repudiate his responsibilities the Congress would soon become a meaningless part of the Government and citizens would be without any right or protection whatsoever.

I feel that you will be as indignant and distressed as I am and that you will promptly call the Housing Expediter and his prime agents before your committee. A majority of all Democrats and Republicans approved the home-rule provision which Los Angeles relied upon more than 3 months ago. If Los Angeles or any other city finds it impossible to rely upon and trust the law of the land then the Congress ought to go out of business for it would have no possible justification for existence.

With sincere and most cordial regards, I am,

HARRY P. CAIN.

Mr. President, we have before us this afternoon Senate Joint Resolution 207, which, if passed, will, in the light of the circumstances which I have presented to the Senate, continue an administrative agency which, in the opinion of a number of Senators, has been maladministered, and through which common, simple justice and decency have not been extended to American citizens everywhere.

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

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Nebraska?

Mr. CAIN. If I may yield, I do so gladly.

Mr. WHERRY. Has the Senator discussed at this time the amendment he intends to offer to Senate Joint Resolution 207?

Mr. CAIN. No; for the reason that it had been agreed previously with the Senator from South Carolina that I would merely bring up the amendment and discuss it very briefly after 2 o'clock.

Mr. WHERRY. I thank the Senator.

The PRESIDING OFFICER. The time of the Senator from Washington has expired. All time has expired.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Holland	Mundt
Anderson	Hunt	Murray
Brewster	Ives	Myers
Bricker	Johnson, Tex.	Neely
Bridges	Johnston, S. C.	Nixon
Butler	Kefauver	O'Conor
Byrd	Kem	O'Mahoney
Cain	Kerr	Pepper
Capehart	Kilgore	Robertson
Chapman	Knowland	Russell
Chavez	Langer	Saltonstall
Clements	Leahy	Schoeppel
Cordon	Lehman	Smith, Maine
Donnell	Lodge	Smith, N. J.
Douglas	Long	Smith, N. C.
Dworshak	Lucas	Stennis
Ecton	McCarran	Taft
Ellender	McCarthy	Taylor
Flanders	McClellan	Thomas, Okla.
Frear	McFarland	Thomas, Utah
Fulbright	McKellar	Thye
Gillette	McMahon	Watkins
Gurney	Magnuson	Wherry
Hayden	Malone	Wiley
Hendrickson	Martin	Williams
Hickenlooper	Maybank	Young
Hill	Millikin	
Hoey	Morse	

The VICE PRESIDENT. A quorum is present. Under the unanimous-consent agreement, 20 minutes of debate is allowed on any amendment. No amendment is pending.

Mr. CAIN. Mr. President, I send to the desk an amendment and ask that it be stated.

The VICE PRESIDENT. The Secretary will state the amendment.

The CHIEF CLERK. At the end of the joint resolution, it is proposed to insert the following new section:

SEC. 2. Section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, is hereby amended by inserting, before the period at the end thereof, a colon and the following: "*Provided further*, That as used in this act the term 'resolution' shall not be construed to be limited to ordinances or other legislative acts, and any resolution heretofore adopted by any local governing body is hereby declared to be effective for the purpose of this section 204 (j) (3) or section 204 (f) (1), whether or not such resolution was legislative in character; and no suit or action shall be brought under section 205 of this act, or any other provision of law, on the basis of any administrative decision or the decision of any court that the resolution described in this act must be a legislative act."

Mr. CAIN. Mr. President, since April 1949, in approximately 1,000 cities, Federal rent control has either been terminated or continued to June 30, 1951, by findings of fact incorporated in resolutions adopted by local governing bodies. A circuit court of appeals has recently ruled that a legislative act is required for a city either to recommend an extension of 6 months of Federal rent control or to decontrol. The amendment which I have offered would do one thing, and only one thing. It would validate every action which has been taken by any city since April 1949, either to extend rent control or to decontrol. If the Supreme Court of the United States were to uphold the recent circuit court of appeals decision—I do not think that is likely, but certainly it is possible—it would throw before the courts of the land the property rights and all related questions of approximately 40,000,000 Americans. It is my understanding that the distinguished senior Senator from South Carolina [Mr. MAYBANK], the chairman of the Committee on Banking and Currency, which favorably reported Senate Joint Resolution 207, is in support of the amendment. It is my hope that every Senator, even though he may decide to vote against Senate Joint Resolution 207 in any form, will support the amendment.

Mr. MAYBANK. Mr. President, I merely wish to state that the explanation of the amendment given by the Senator from Washington [Mr. CAIN] is absolutely correct. I do not know—and he has stated that he does not know—what the Supreme Court will do. Members of the mayors' conference have discussed the subject with both of us. Both are former mayors of cities. Believing as I do in States' rights and rights of cities, I believe we should not vote against the amendment. Its adoption would leave the question where the present law leaves it, namely, on the shoulders of the local government. As chairman of the committee, I should like to state that the amendment meets with the approval of the committee.

Mr. CAIN. Mr. President, for the record I offer a resolution adopted by the National Institute of Municipal Law Officers on November 29, 1950, at the national conference in New Orleans, La., and I ask that it be printed in the RECORD at this point.

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

Whereas Congress has by express direction placed the responsibility for extending or decontrolling rents in local governing bodies and expressly directed that the determinations of local governing bodies be expressed by resolution adopted in accordance with local law applicable to resolutions; and

Whereas the Housing Expediter has arrogated to himself the power to review the determinations made by local governing bodies by attacking the character of the hearings held and the character of the findings made despite the fact that Congress has not vested in the Expediter any discretion whatever; and

Whereas to bolster his position the Housing Expediter has stated he had grave doubts as to whether an ordinance or resolution is required despite the fact that 1,000 cities throughout the United States have followed the mandate of Congress and have expressed their determination as to rent decontrol or rent control by resolution as specifically directed by Congress in the Housing and Rent Act; and

Whereas the action of the Housing Expediter has resulted in thwarting the will of Congress and of city councils by casting doubts as to the validity of their action despite the fact that all these 1,000 cities have followed the express direction of Congress: Now, therefore, be it

Resolved, That the National Institute of Municipal Law Officers direct the attention of the President of the United States and the Congress to the legal chaos which has resulted from an erroneous administrative interpretation of congressional language, the effect of which is to deprive cities of the power to make the determination of rent decontrol or rent continuance in the manner required by Congress; and be it further

Resolved, That the Congress of the United States be formally requested to reaffirm its requirements that city councils and not the Expediter make these rent decontrol or rent continuance determinations and that Congress reaffirm its intent that adoption of a resolution according to applicable local law is full and complete compliance with the requirements of the Housing and Rent Act of 1947, as amended, in making the requisite finding of fact as to rent decontrol and rent-control continuance, and further that Congress be urged to declare that an ordinance is not required for such action by said act.

Mr. MAYBANK. Mr. President, I wish to incorporate in the RECORD at this point the letter of Mr. Paul V. Betters, executive director of the United States Conference of Mayors, now meeting in Washington, who told me that he knew I would never go back on State or city rights on a short resolution which would be effective for only 2 months.

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

The decision of the United States Court of Appeals for the District of Columbia Circuit on November 24 last has thrown the whole rent-control situation into confusion. In spite of the patently clear provisions of the bill passed earlier this year the Court's decision in effect holds that all resolutions adopted by city councils in accordance with local law (for either decontrol or continuation up to June 30 next) are invalid. The court held only ordinances were legal.

Because of the very great possibility that the United States Supreme Court cannot act on the appeal before December 31, it would seem that the only way the situation could be met would be to add a proviso to Senate Joint Resolution 207 which is now before the Senate. I would most strongly urge that the resolution be amended in line with the attached memo in order to take care of this legal situation in which the cities find themselves as a result of the court of appeals' decision.

With best wishes always, I am,

Yours sincerely,

PAUL V. BETTERS,
Executive Director.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. CAIN].

The amendment was agreed to.

Mr. FLANDERS. Mr. President, I call up my amendment 12–6–50–A, which I filed yesterday.

The VICE PRESIDENT. The Secretary will state the amendment.

The LEGISLATIVE CLERK. At the end of the joint resolution it is proposed to insert the following new section:

SEC. 2. (a) Paragraph (1) of section 204 (b) of the Housing and Rent Act of 1947, as amended, is amended by striking out "paragraphs (2) and (3)" and inserting in lieu thereof "paragraphs (2), (3), and (6)."

(b) Section 204 (b) of such act, as amended, is further amended by adding at the end thereof the following new paragraph:

"(6) Notwithstanding any other provision of this act, the Housing Expediter shall promptly make a general adjustment in the maximum rents for all controlled housing accommodations so as to provide for fixing such maximum rents at the rate prevailing for comparable housing accommodations not under control, and he shall from time to time make adjustments for such relevant factors as he shall determine and deem to be of general applicability in respect of such accommodations, including increases or decreases in property taxes and other costs within the defense rental area."

Mr. FLANDERS. It is proposed also to amend the title so as to read: "Joint resolution to continue for a temporary period certain provisons of the Housing and Rent Act of 1947, as amended, and to provide a more appropriate base for rental rates under such act."

Mr. President, I ask unanimous consent to modify my amendment by inserting additonal language. I shall read the amendment as I propose to modify it.

The VICE PRESIDENT. The Chair would suggest to the Senator from Vermont that the title of the joint resolution cannot be changed until the joint resolution is passed. Therefore it cannot be voted upon as part of the Senator's amendment.

Mr. FLANDERS. Very well. Section 6 of my amendment now reads:

(6) Notwithstanding any other provision of this act, the Housing Expediter shall promptly make a general adjustment in the maximum rents for all controlled housing accommodations so as to provide for fixing such maximum rents at the—

At this point I propose to insert—

average of the rents prevailing during the months of April, May, and June 1950, for comparable housing accommodations not under control in the defense rental area, or in adjacent defense rental areas, or, if such comparable housing accommodations do not exist in the defense rental area, or in adjacent defense rental areas, for other comparable housing accommodations not under control—

Section 6 continues—

at the rate prevailing for comparable housing accommodations not under control, and he shall from time to time make adjustments for such relevant factors as he shall determine and deem to be of general applicability in respect of such accommodations, including increases or decreases in property taxes and other costs within the defense rental area.

Mr. President, I ask permission to make the change in my amendment.

The VICE PRESIDENT. The Senator from Vermont may modify his amendment at this time without unanimous consent.

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

Mr. FLANDERS. I yield.

Mr. WHERRY. I understand the Senator has a right to modify his amendment at this time. As I understand, he is inserting the language which he read between the article "the" and the word "act" in line 1 of page 2.

Mr. FLANDERS. That is correct.

Mr. WHERRY. The rest of the language is to remain in the amendment.

Mr. FLANDERS. That is correct.

Briefly I wish to say that the purpose of my amendment is not to perpetuate the injustice of having one of the elements of the cost of living held down forcibly by the Government. As anyone can see by looking at page 3 of the current economic data sheet which was furnished to all Senators, the Government has deliberately, forcibly, and relentlessly raised another element in the cost of living, namely, that of food. The question, therefore, arises for our consideration whether the group of people in our country whose rates have been forcibly held down is composed of criminals, people who are beyond the limits of civilized society, and against whom every imaginable degree of governmental coercion is justified.

It would be a calamity, Mr. President, from the standpoint of justice, if the rent-control law which Congress intended to have end on December 31 were to perpetuate this injustice and be used as a psychological basis, if not as a legal basis, for a new rent-control law. The discrimination and injustice should be ended now, and that is the purpose of my amendment.

Mr. MAYBANK. Mr. President, I shall not argue with the Senator from Vermont about the discriminations and injustices, because the Senator is generally correct. But 2 days after the President had signed the rent-control bill which Congress passed, the Korean attack came.

The only statement I have made is that I do not believe that the Congress has time, between now and the end of the present session, to change the law. When the new Congress meets we shall get busy right away writing a new rent bill.

The amendment of the Senator from Vermont provides that from time to time adjustments shall be made for increases or decreases in property taxes, among other things. We all know about taxes. Many communities have not even set their taxes for next year. How can adjustments be made in rents within a period of 2 months in communities where the taxes are not even set?

The Senator may well be correct in his statement about discriminations and injustices, but I do not think they can be removed by legislating on the floor of the Senate within the short time remaining in this session. No one has greater admiration for my distinguished friend, who is a member of the committee, than I have. We had never seen this amendment until it was offered on the floor. The Senator has himself modified his own amendment within the past 5 minutes.

Mr. FLANDERS. I modified it yesterday afternoon in my own mind, but have had an opportunity to present the modification only in the past 5 minutes.

Mr. MAYBANK. This is the first I have heard of the proposed amendment.

My good friend knows my affection for him. I did not know that the amendment was to be offered until he read it and sent it to the desk. We cannot on the floor of the Senate at the last minute legislate on the subject in question by an amendment to an amendment.

I am hopeful that the 60-day extension will be passed, with the amendment of the Senator from Washington [Mr. CAIN], who is eminently correct in his desire to protect the cities. But if we attempt to legislate on the floor of the Senate at this time as to what rents everyone shall pay, we shall find that it cannot be done. There have been 400,000 rental increases granted in the past 3 months.

Mr. President, I have nothing further to say.

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

Mr. MAYBANK. I yield.

Mr. FLANDERS. I should like to ask the Senator from South Carolina whether he does not feel that we can at least legislate not to extend an injustice.

Mr. MAYBANK. I thoroughly agree with the Senator from Vermont that we may have extended an injutsice by placing certain controls on rents, on automobiles, and on other things. I believe that we have extended an injustice by regulation W. The Senator labored long and hard in the Banking and Currency Committee last year to write a price-control bill, which we finally passed. I agree that there is an injustice, but I believe that to correct the injustice requires hearings in the new Congress.

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

Mr. MAYBANK. I yield.

Mr. ROBERTSON. Is it not a fact that the only basis on which the Banking and Currency Committee agreed to prompt action on the joint resolution, without hearings, was that we did not propose to change the existing law, but merely extend it for 60 days, to give the new Congress an opportunity to deal with the question?

Mr. MAYBANK. And leave it to the municipalities.

Mr. ROBERTSON. And leave it to the municipalities.

Mr. MAYBANK. The Senator is correct.

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

Mr. MAYBANK. I yield.

Mr. LEHMAN. I concur in what the Senator from Virginia has said. It has been my understanding that this was merely a resolution which would extend the provisions of the existing law for a period of 60 days, and that no new issue should be raised. Many of us feel that the present law, which is now being extended for 60 days, will bear improvement and amendments, but this certainly is not the time to propose or debate amendments or changes in the existing law.

Mr. MAYBANK. I may say to the distinguished Senator from New York that we should write a new law, based upon the defense requirements of the country and upon the needs of the wives and families of soldiers and sailors who are being taken. But we cannot do that here this afternoon.

Mr. WHERRY. Mr. President, how much time is left for the proponents of the amendment

The PRESIDING OFFICER. Six minutes.

Mr. WHERRY. How much time is left on the other side?

The PRESIDING OFFICER. The Senator from South Carolina has 5 minutes and the Senator from Vermont has 6 minutes.

Mr. MAYBANK. Mr. President, I yield to the Senator from Louisiana.

Mr. LONG. Mr. President, when rent control was extended earlier this year, I was one of those who wanted to provide that we would not extend any rent controls unless the cities themselves expressly asked for such controls immediately.

However, what do we face now? We face a situation in which every family in America finds the price of food constantly rising. The price of clothing is running away; indeed, the price of almost everything is rapidly rising. During the past week the Banking and Currency Committee had before it nominees of the President to deal with price-control problems. Those nominees testified that it was almost impossible to do anything effective about runaway prices until the authorities can get the kind of help they need. It was said that tens of thousands of employees will be needed before anything can be done effectively.

Rents represent one of the major items of cost to the average family. We now have it under control. If this item gets out from under control, prices will start going up in this item also, adding another great force to the inflationary spiral.

Mr. MAYBANK. If any community in America wants to get out from under control, it can do so by resolution of the city council.

Mr. LONG. That is true at the present time, under the present law. The amendment made last year permits any city which wishes to remove rent controls to remove them. It seems to me that if we are to kill rent control, we ought to do it directly, and not by means of an amendment in the nature of a substitute which would kill it. This amendment would mean that rents on all controlled housing would be raised to the level of rents on housing which is not controlled. No one knows what it would mean to the people who are benefited by rent control at the present time. The theory of the joint resolution is that we ought to continue rent control until the new Congress has an opportunity to act. I believe that we ought to pass a measure which will do that, and not one which will kill rent control by means of subterfuge.

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

Mr. MAYBANK. I yield to the Senator from Arkansas.

Mr. FULBRIGHT. I think it would be very unfair to the committee to adopt amendments of this nature because it was well understood by both parties on the committee that we were extending the law as is. No fight was made on the joint resolution and no suggestion was made in committee for any kind of an amendment. I thought it was well understood that that was the only purpose.

I have not had the opportunity to study the amendment, and in principle it may be all right. However, I must vote against it on the grounds stated. When we come to write a new law, I am sure that this amendment will receive serious consideration. But I cannot vote for it under the circumstances which exist today, in view of the way in which the joint resolution was reported from the committee.

Mr. MAYBANK. Mr. President, in closing I wish to say only that I thoroughly agree with the thoughts and ideas of the Senator from Vermont. However, the amendment was not offered in committee. What we were considering in committee was a simple extension. If we adopt this amendment, probably other amendments will be adopted. I am hopeful that in the war emergency we can pass merely a 2 months' extension, based upon the rights of the municipalities, by resolution or ordinance, to do away with rent control or to continue it, as suggested by the amendment of the Senator from Washington, which was adopted by a voice vote.

The PRESIDING OFFICER. The Senator from Vermont has 6 minutes left.

Mr. FLANDERS. I yield 4 of the 6 minutes to the senior Senator from Indiana [Mr. CAPEHART].

The PRESIDING OFFICER. The Senator from Indiana is recognized for 4 minutes.

Mr. CAPEHART. Mr. President, we ought not to extend rent control unless our Government is going to control all prices and wages, for the simple reason that it is unfair and unjust to a great percentage of our people; and secondly, because this Congress promised, when we passed the last rent-control bill and

gave the municipalities the right to extend it for 6 months, that it would die at the end of that time.

If we are to control prices and wages, and have general mobilization, we ought to have rent control. Otherwise, we ought not to have it. I shall vote for this amendment because I think it is a good amendment, in that it will permit some adjustments in rents over the next 60 days, if the joint resolution is passed. I am confident that at the end of 60 days a proposal will be made to extend rent control again, without price and wage controls. I am thoroughly convinced that if and when we do have price and wage controls, we must have rent controls. We must write a completely new rent-control law, based upon the realities of 1950 rather than the realities of 1940, because the present rent-control law, as Senators know, is based upon rentals existing back to 1940, or 10 years ago. They are unrealistic in the light of the increase in all costs, and the increase in wages during the past 10 years.

Therefore, I shall vote to permit the law to die on December 31. I shall vote for the amendment. If and when our Government invokes over-all price controls and rent controls, then I shall be the first to suggest that the Committee on Banking and Currency sit night and day and write a new rent-control bill based upon realities, and one that will be fair to the property owners of the Nation.

Mr. President, if the joint resolution is to become law and we extend the rent-control law I think the amendment should be adopted, because it will permit the Administrator of Rents to make some much-needed adjustments during the next 60 days.

Mr. FLANDERS. Mr. President, I believe I have 2 minutes remaining.

The VICE PRESIDENT. That is correct.

Mr. FLANDERS. I was somewhat disturbed, Mr. President, when the junior Senator from Arkansas [Mr. FULBRIGHT] indicated that I might be transgressing some tacit understanding. It is my recollection that I voted against the joint resolution in the committee. If I am wrong in that I should be glad to be set right. Having voted against it, my present situation is that I would vote for it if the amendment were accepted, so that the joint resolution would gain a vote thereby. I do not know whether that releases me from the tacit understanding, which was not clear in my mind, but nevertheless may have existed.

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

Mr. FLANDERS. I yield.

Mr. FULBRIGHT. As I recall, the Senator from Vermont was not present when the committee voted favorably to report the joint resolution. He must have registered his vote by telephone. I do not think he was present when the joint resolution was voted upon in committee. The members present, except for one member who voted against the joint resolution, said, "Well, this is just an extension." I myself would not have voted to report the joint resolution if there were going to be changes made in the law, because I could not tell the significance of those changes. We had no hearings at which persons who were actually affected testified. We heard no one other than the Administrator.

Mr. FLANDERS. Mr. President, I agree completely with the Senator from Indiana [Mr. CAPEHART] that rent control must be a part of any general price control, and that we must address ourselves to it when that occurs. To my mind, no reason has been shown for extending this one of the price controls beyond the present date. There is every reason, from my standpoint, for not even by inference extending the injustice into the period when the new law is under consideration. I therefore ask for the yeas and nays on the amendment.

The VICE PRESIDENT. The time on the amendment has expired. The yeas and nays have been requested.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from Connecticut [Mr. BENTON] is necessarily absent.

The Senator from Texas [Mr. CONNALLY], the Senator from Georgia [Mr. GEORGE], and the Senator from Maryland [Mr. TYDINGS] are unavoidably detained on official business.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness in his family.

The Senator from Rhode Island [Mr. GREEN] is absent by leave of the Senate on official business, having been appointed a delegate from the Senate to attend the meeting of the Commonwealth Parliamentary Association in Australia.

The Senator from Minnesota [Mr. HUMPHREY] is absent because of illness.

The Senator from Colorado [Mr. JOHNSON] is absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

I announce further that if present and voting, the Senator from Connecticut [Mr. BENTON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Maryland [Mr. TYDINGS] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. FERGUSON] is absent by leave of the Senate on official business, having been appointed as a delegate from the Senate to attend the meeting of the Commonwealth Parliamentary Association in Australia.

The Senator from Indiana [Mr. JENNER] is unavoidably detained.

The Senator from Kansas [Mr. CARLSON] is absent by leave of the Senate on official business and is paired with the Senator from New Hampshire [Mr. TOBEY], who is absent by leave of the Senate on official business of the Committee on Small Business. If present and voting, the Senator from Kansas would vote "yea," and the Senator from New Hampshire would vote "nay."

The Senator from Michigan [Mr. VANDENBERG] is absent by leave of the Senate.

The result was announced—yeas 29, nays 53, as follows:

YEAS—29

Brewster	Gurney	Schoeppel
Bricker	Hendrickson	Smith, N. J.
Bridges	Hickenlooper	Taft
Butler	Kem	Thye
Cain	Knowland	Watkins
Capehart	McCarthy	Wherry
Donnell	Malone	Wiley
Dworshak	Martin	Williams
Ecton	Mundt	Young
Flanders	Nixon	

NAYS—53

Aiken	Johnson, Tex.	Millikin
Anderson	Johnston, S. C.	Morse
Byrd	Kefauver	Murray
Chapman	Kerr	Myers
Chavez	Kilgore	Neely
Clements	Langer	O'Conor
Cordon	Leahy	O'Mahoney
Douglas	Lehman	Pepper
Ellender	Lodge	Robertson
Frear	Long	Russell
Fulbright	Lucas	Saltonstall
Gillette	McCarran	Smith, Maine
Hayden	McClellan	Smith, N. C.
Hill	McFarland	Stennis
Hoey	McKellar	Taylor
Holland	McMahon	Thomas, Okla.
Hunt	Magnuson	Thomas, Utah
Ives	Maybank	

NOT VOTING—14

Benton	George	Sparkman
Carlson	Green	Tobey
Connally	Humphrey	Tydings
Eastland	Jenner	Vandenberg
Ferguson	Johnson, Colo.	

So Mr. FLANDERS' amendment, as modified, was rejected.

The VICE PRESIDENT. Are there further amendments to be offered to the joint resolution? If not, the question is on the third reading of the joint resolution.

The joint resolution (S. J. Res. 207) was ordered to a third reading, and read the third time.

Mr. WILLIAMS subsequently said: Mr. President, I ask unanimous consent to have inserted in the body of the RECORD, immediately preceding the final vote on the rent control joint resolution, a brief statement.

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

I have repeatedly taken the position that rent control at a national level in times of peace is unnecessary, and with that thought in mind one of my first acts upon being elected to the United States Senate was to introduce a bill which would confer upon the States and local communities the responsibility of enacting and administering whatever controls over rents they felt were necessary.

Supporting that position I have consistently voted against rent controls at a national level and supported that position in the existing law which did confer upon the States and local communities the responsibility to provide for whatever control they felt necessary; and in the event they did not want rent controls, to give them the authority to decontrol their areas.

I am still supporting that position of administration at a State and local level; however, we are now confronted with this position—

Several of our States' legislatures, including the legislature of my own State, not foreseeing the outbreak of another war, failed to take any action conferring upon the local governments the authority to either extend or reject rent controls.

In practically every State in the Union the State legislatures are scheduled to convene after the first of January, at which time they will have a chance to review the question of whether or not rent controls in those States are needed in the face of war conditions, and if needed, to enact the necessary legislation.

It is true that under the existing law, even without this resolution, the local communities do have the remainder of the month of December to pass resolutions extending or rejecting rent controls; however, there are situations similar to one which exists in my State in which the county and certain local governments are not incorporated and therefore do not have the necessary authority to pass such resolutions without the enactment of the enabling legislation by the State legislature, which does not meet until after January 1, 1951.

Since these State governments have not had a chance to pass upon this question since the outbreak of the Korean War, I am going to vote for the resolution which extends to February 28, 1951, the period under which these State and local governments can decide what they need.

The VICE PRESIDENT. The question is, Shall the joint resolution pass? The yeas and nays have already been ordered; therefore the Secretary will call the roll.

The legislative clerk called the roll.

Mr. MYERS. I announce that the Senator from Connecticut [Mr. BENTON] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent because of illness in his family.

The Senator from Georgia [Mr. GEORGE] and the Senator from Maryland [Mr. TYDINGS] are unavoidably detained on official business.

The Senator from Rhode Island [Mr. GREEN] is absent by leave of the Senate on official business, having been appointed a delegate from the Senate to attend the meeting of the Commonwealth Parliamentary Association in Australia.

The Senator from Minnesota [Mr. HUMPHREY] is absent because of illness.

The Senator from Colorado [Mr. JOHNSON] is absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is absent by leave of the Senate on official business as a representative of the United States to the fifth session of the General Assembly of the United Nations.

I announce further that if present and voting, the Senator from Connecticut [Mr. BENTON], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Maryland [Mr. TYDINGS] would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from Michigan [Mr. FERGUSON] is absent by leave of the Senate on official business, having been appointed as a delegate from the Senate to attend the meeting of the Commonwealth Parliamentary Association in Australia.

The Senator from Indiana [Mr. JENNER] is unavoidably detained.

The Senator from Kansas [Mr. CARLSON] is absent by leave of the Senate on official business and is paired with the Senator from New Hampshire [Mr. TOBEY] who is absent by leave of the Senate on official business of the Committee on Small Business. If present and voting, the Senator from Kansas would vote "nay," and the Senator from New Hampshire would vote "yea."

The Senator from Michigan [Mr. VANDENBERG] is absent by leave of the Senate.

The result was announced—yeas 55, nays 28, as follows:

YEAS—55

Aiken	Kefauver	Neely
Anderson	Kerr	O'Conor
Chapman	Kilgore	O'Mahoney
Chavez	Langer	Pepper
Clements	Leahy	Robertson
Douglas	Lehman	Russell
Ellender	Lodge	Saltonstall
Frear	Long	Smith, Maine
Fulbright	Lucas	Smith, N. J.
Gillette	McCarran	Smith, N. C.
Hayden	McCarthy	Stennis
Hendrickson	McClellan	Taylor
Hill	McFarland	Thomas, Okla.
Hoey	McKellar	Thomas, Utah
Holland	McMahon	Thye
Hunt	Magnuson	Wiley
Ives	Maybank	Williams
Johnson, Tex.	Murray	
Johnston, S. C.	Myers	

NAYS—28

Brewster	Dworshak	Morse
Bricker	Ecton	Mundt
Bridges	Flanders	Nixon
Butler	Gurney	Schoeppel
Byrd	Hickenlooper	Taft
Cain	Kem	Watkins
Capehart	Knowland	Wherry
Connally	Malone	Young
Cordon	Martin	
Donnell	Millikin	

NOT VOTING—13

Benton	Green	Tobey
Carlson	Humphrey	Tydings
Eastland	Jenner	Vandenberg
Ferguson	Johnson, Colo.	
George	Sparkman	

So the joint resolution (S. J. Res. 207) was passed.

AMENDMENT OF RAILWAY LABOR ACT

Mr. LUCAS. Mr. President, I now move that the Senate proceed to the consideration of Calendar No. 2263, Senate bill 3295, a bill to amend the Railway Labor Act, and so forth.

The VICE PRESIDENT. The bill will be read by title.

The CHIEF CLERK. A bill (S. 3295) to amend the Railway Labor Act and to authorize agreements providing for union membership and agreements for deductions from the wages of carriers' employees for certain purposes and under certain conditions.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare with amendments.

Mr. LUCAS. Mr. President, this bill was considered by the Senate just prior to the adjournment in September. At that time the able Senator from Alabama [Mr. HILL] attempted to convince the Senate that the bill should pass; but, because of the lack of time and the controversial nature of the measure at that moment, it was impossible for us to finish consideration of the bill and at the same time to adjourn on the day we did.

This is an important measure. It is my understanding that now most of the difficulties which, before the adjournment, existed between the various labor organizations, have more or less been resolved. So I hope we shall be able to conclude action on the bill this afternoon. We have been a long time reaching action on it. I am very happy that the bill is now before the Senate. I may say that it will remain before the Senate until we complete action on it.

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

Mr. LUCAS. I yield.

Mr. WHERRY. What is the best judgment of the majority leader as to whether there will be a vote on the bill this afternoon? I ask that question for the reason that one or two Senators have called me, stating that they would like to say a word or two about the bill, but that they would prefer to do so tomorrow, rather than today. However, I am not trying to hold up consideration of the bill.

Mr. LUCAS. I hope the Senator will not do so, because he knows very well the difficulty we have had in attempting to reach a vote on the bill.

Mr. WHERRY. Yes.

Mr. LUCAS. If Senators who desire to discuss this question continue with the discussion until 5 or 6 o'clock today, then of course we shall not reach a vote on the bill until tomorrow. However, if debate lags this afternoon, we shall vote on the bill today. We do not wish to have unnecessary delay.

Mr. WHERRY. I wish to cooperate with the Senator, of course. I have done my best to accommodate all Senators. However, if debate on the bill continues until 5 or 6 o'clock this afternoon and if at that time several Senators still desire to speak on the bill, I understand that the bill may go over until tomorrow for further debate and for the vote.

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

The VICE PRESIDENT. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. LUCAS. I yield.

Mr. CAPEHART. Mr. President, I am speaking in behalf of my colleague [Mr. JENNER], who is absent from the Senate, and who will possibly return tomorrow. He has an amendment which he wishes to offer to the bill and which he wanted me to call to the attention of the Senate. It is an anti-discrimination amendment. He has asked that, if possible, the bill go over until such time as he can offer the amendment, either tomorrow or Monday. Because of his inability to present it himself, he has requested that I offer the amendment in his behalf.

Mr. LUCAS. I am very glad the Senator made the last statement. The Senator from Indiana well knows that the railroad bill has been before the Senate ever since Congress resumed its session on November 27, and the junior Senator from Indiana has not been present at any time. I do not believe that it is advisable to postpone the bill any longer. We have attempted to get in touch with him, as the senior Senator from Indiana well knows, and to advise him of this action. I am sure the senior Senator from Indiana will do a job on the amendment that will be equal to anything the junior Senator could do.

Mr. CAPEHART. Mr. President, if the Senator will yield, I desire it understood that I am only extending a courtesy to my colleague, who is unavoidably detained.

Mr. LUCAS. I understand that. I think the Senator will appreciate my position, also.

Mr. CAPEHART. Then, the Senator's position is that the bill cannot go over even until tomorrow, is that correct?

Mr. LUCAS. I may say that if some Senator desires to talk from now until 6 o'clock, whether on the amendment or on something else, obviously I am not going to hold the Senate here to get a vote on it.

Mr. CAPEHART. Would it be possible to get a unanimous consent to vote say Monday at a certain hour?

Mr. LUCAS. No; I do not want to enter into a unanimous-consent agreement. Let us simply let nature take its course on this bill. I think there will be plenty of debate on it.

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

Mr. LUCAS. I yield.

Mr. WHERRY. Is the majority leader prepared at this time to give us an idea of what may be proposed for consideration following disposition of the so-called railway labor bill? I am not trying to push the Senator, but to get information for all who are interested.

Mr. LUCAS. I had thought there might be some matter reported to the Senate by the Committee on Foreign Relations, dealing with aid to Yugoslavia. May I inquire of the distinguished Senator from Texas [Mr. CONNALLY] whether the Committee on Foreign Relations has reported any measures dealing with the present world emergency which should be taken up tomorrow? I was of the impression the committee was considering aid to Yugoslavia.

Mr. CONNALLY. We have reported one bill, which is ready for action.

Mr. LUCAS. Has it been reported, so we may take it up tomorrow?

Mr. CONNALLY. It has been reported.

Mr. LUCAS. May I inquire what the bill is?

Mr. CONNALLY. It is a bill to allow an appropriation of $38,000,000 for relief to Yugoslavia, because of the extreme drought in that area.

Mr. LUCAS. Would the Senator be in a position to take that up tomorrow?

Mr. CONNALLY. Yes.

The VICE PRESIDENT. The Chair will state that the bill has not yet been reported from the committee.

Mr. LUCAS. That was my inquiry.

Mr. CONNALLY. I am informed by the clerk that the bill is here.

Mr. FULBRIGHT. The committee voted yesterday to report it.

The VICE PRESIDENT. It has not been actually reported.

Mr. LUCAS. I assume it can be reported this afternoon, undoubtedly.

Mr. CONNALLY. That is correct.

Mr. LUCAS. And if it is reported this afternoon, we shall be in position to take it up tomorrow. That is the measure we shall consider.

Mr. WHERRY. I thank the majority leader.

EMERGENCY RELIEF ASSISTANCE TO YUGOSLAVIA—REPORT OF A COMMITTEE

Subsequently, Mr. CONNALLY said:

Mr. President, from the Committee on Foreign Relations, I report an original bill (S. 4234) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing emergency relief assistance to Yugoslavia, and I submit a report (No. 2588) thereon.

The VICE PRESIDENT. The report will be received, and the bill will be placed on the Calendar.

The bill (S. 4234) to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing emergency relief assistance to Yugoslavia, reported by Mr. CONNALLY from the Committee on Foreign Relations, was read twice by its title, and ordered to be placed on the Calendar.

EXECUTIVE BUSINESS—CONFIRMATION OF PROMOTIONS IN THE ARMED SERVICES

Mr. MORSE. Mr. President, as in executive session, I desire to make a request for the consideration of the majority leader. I should like to make a unanimous-consent request that I be allowed, in behalf of the Armed Services Committee, to submit a unanimous report on certain nominations involving promotions in the Military Establishment. We passed upon these nominations within the committee, and we should like to have them confirmed this afternoon, in order to save the printing expense of some $250, which it would cost to have them printed in the Executive Calendar.

Mr. LUCAS. Are these routine promotions?

Mr. MORSE. They are all routine promotions, and reported by a unanimous vote of the committee.

Mr. LUCAS. I have no objection, so far as I am concerned.

Mr. WHERRY. Mr. President, reserving the right to object, as I understand the Senator is asking the request as in executive session. Is that correct?

Mr. MORSE. Mr. President, I ask as in executive session that the Senate, by unanimous consent, confirm the nominations which the Armed Services Committee reports today, in respect to promotions of officers within the Military Establishment.

The VICE PRESIDENT. Is there objection?

Mr. WHERRY. Reserving the right to object, I desire to ask one or two questions. I understood the Senator from Oregon to state that the nominations were unanimously reported, and that they are all routine and all military promotions. Is that correct?

Mr. MORSE. That is correct. They are all routine and they are all military.

Mr. WHERRY. Are there any civilians in the list?

Mr. MORSE. No; they are all military.

Mr. WHERRY. And is this request made merely in an effort to save printing expense?

Mr. MORSE. That is correct.

Mr. WHERRY. I have no objection.

Mr. LANGER. Mr. President, reserving the right to object, is the report of the Committee on Armed Services made by unanimous vote of the committee?

Mr. MORSE. It was unanimous, on both sides of the committee.

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

Mr. MORSE. I yield.

Mr. McCARRAN. I could not distinctly hear what the Senator said. Does the request involve the nomination of an assistant to the Secretary of Defense?

Mr. MORSE. No; it does not. It involves, I may say to the Senator from Nevada, only military promotions of officer personnel.

The VICE PRESIDENT. Is there objection to the request? The Chair hears none. Without objection, the nominations are confirmed en bloc.

AMENDMENT OF RAILWAY LABOR ACT

The Senate resumed the consideration of the bill (S. 3295) to amend the Railway Labor Act and to authorize agreements providing for union membership and agreements for deductions from the wages of carriers' employees for certain purposes and under certain conditions.

Mr. HILL. Mr. President, the Senate will recall that on September 23, the last day of the session before the Senate adjourned until November 27, the Senator from Alabama occupied the floor of the Senate and sought to give an explanation of the pending bill and the reasons why it should be passed. I do not know that it is necessary for me to reiterate what was said on that day. Senators will recall that this is permissive legislation, which simply permits railway management and railway labor, if they see fit, to enter into collective-bargaining agreements to provide for the union shop; that is, to provide that after a person has been employed by the railway for 60 days he shall then become a member of the union, provided, as I say, that such agreement has been arrived at and agreed upon as a result of a free collective-bargaining process.

It also provides that if the agreement is entered into, there may be a check-off provided the individual employee himself gives his consent in writing for the check-off, and the employee has a right at the end of 1 year's time, or at the termination of the particular agreement, to withdraw his consent to any check-off.

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

The VICE PRESIDENT. Does the Senator from Alabama yield to the Senator from Nevada?

Mr. HILL. I yield.

Mr. McCARRAN. I desire to ask a question for the reason that I was instrumental in holding the bill over during the session. I did so because of the lack of accord among the respective railroad brotherhoods. I understand there is now a somewhat different situation. I also understand that there is an amend-

ment, which has been agreed upon. Am I correct about that?

Mr. HILL. I may say to the distinguished Senator from Nevada that the committee itself offered an amendment to the bill to provide that no railway employee could be required to belong to more than one union. Three or four of the railway brotherhoods were entirely satisfied with the amendment as proposed by the committee, and they did not favor passage of the bill when it was under consideration on September 23. Since that time the railway brotherhoods—at least 21 of the 22—have agreed on language which carries out the intent of the committee itself—that no railway employee should have to belong to more than one union. The amendment has been agreed upon by all the railway brotherhoods except one. That one is the Brotherhood of Locomotive Engineers, and they find themselves in the position that, because of past action of some convention, they cannot agree. However, they are not in opposition to the bill at this time, if the amendment is adopted.

I may say to the distinguished Senator that the amendment is agreed to by the railway brotherhoods, the operating unions and the nonoperating unions, and it will be offered by the distinguished Senator from Ohio and myself at the proper time. As I say, the amendment carries out what was intended by the committee in the first instance, in offering the committee amendment.

Mr. McCARRAN. As I understand, it is not a part of the bill as the Senator is now discussing it. Is that correct?

Mr. HILL. That is correct, but we are going to ask that it be incorporated into the bill. If the Senator will permit, I was about to read a letter which yesterday was addressed to the distinguished chairman of the committee, the Senator from Utah [Mr. THOMAS], by the railroad brotherhoods, who were not in favor of the bill when it was under consideration on September 23. The letter is under date of December 6, and reads as follows:

Senator ELBERT THOMAS,
Chairman, Committee on Labor and Public Welfare, Washington, D. C.

DEAR SENATOR THOMAS: Please refer to previous communications from the undersigned railway labor organizations expressing opposition to the passage of Senate 3295, the so-called railroad union shop bill. If the attached proposed amendment—

That is the amendment which the distinguished Senator from Ohio and I shall offer—

If the attached proposed amendment is incorporated in the bill, the undersigned organizations are in favor of the enactment of S. 3295 and urge its adoption.

We understand that the railway labor organizations who have been urging the adoption of this bill also support this amendment.

Mr. President, parenthetically I may state that that is correct. Some 18 organizations which were urging the passage of the bill when it was before the Senate are agreeable to the amendment, and they would favor the bill with the amendment.

Mr. McCARRAN. Mr. President, I do not wish to interrupt the Senator too much. Will he yield to me for a question?

Mr. HILL. Mr. President, I should first like to read the names which appear on the letter. They are:

Jonas A. McBride, vice president, national legislative representative, Brotherhood of Locomotive Firemen and Enginemen; W. D. Johnson, vice president, national legislative representative, Order of Railway Conductors; Harry See, national legislative representative, Brotherhood of Railroad Trainmen.

That means, Mr. President, that all the railroad organizations are now supporting and urging the passage of the bill and the amendment. The amendment carries out the intent of the committee amendment. The amendment before us simply spells out the purposes in greater detail. The only ones who are not urging the passage of the bill are the members of the Brotherhood of Locomotive Engineers. They are not opposing it. The chief of the brotherhood feels that in view of past action he is not now in a position to endorse the bill. However, he is not opposed to its passage.

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

Mr. HILL. Certainly.

Mr. McCARRAN. Does the Senator know what the attitude of the railroads is with reference to the proposed legislation? Is the Senator in a position to advise me in that respect?

Mr. HILL. So far as I know, there has been no concerted opposition registered on the part of the railroads.

Mr. McCARRAN. There was such opposition previously.

Mr. HILL. The chairman of the committee is present.

Mr. THOMAS of Utah. I believe at the hearings the railway management pretty generally were not in favor of the bill. Whether they are opposing it, I do not know.

Mr. McCARRAN. They were opposing it before Congress adjourned in September.

Mr. THOMAS of Utah. I think they were.

Mr. McCARRAN. They were very ardent in their opposition.

Mr. HILL. I was not a member of the subcommittee, and I did not hear the witnesses testify; I was not present at the hearing. But I think the chairman is correct and the Senator from Nevada is correct.

(At this point Mr. HILL yielded to Mr. CAPEHART for the purpose of making an insertion in the RECORD, which was ordered to be printed at the conclusion of the speech of Mr. HILL.)

Mr. HILL. I do not wish to delay the Senate any further except to say that the bill comes to the Senate with the unanimous favorable report of the members of the Committee on Labor and Public Welfare. All members of the committee support the bill and favor the amendments. The bill would grant to employees in the railroad industry a right which parallels a right already granted to employees in other industries under the Taft-Hartley law.

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

Mr. HILL. I am glad to yield to my distinguished colleague from Florida.

Mr. HOLLAND. Is it not correct to say that the Taft-Hartley law includes a provision that nothing in that law shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law, whereas such a provision is not included in the bill which is now before us?

Mr. HILL. The Senator is correct. The reason such a provision was not included in the bill is simply that it was the feeling of the committee that the railway industry falls squarely within interstate commerce. If there is one industry which falls squarely in the interstate commerce category, a field in which the Federal Government has the right and perhaps the duty to exercise jurisdiction, a right, which the States themselves have conferred on the Federal Government, it is the railway industry.

The Railway Labor Act now requires that the bargaining unit in matters affecting the relations between management and labor shall be a unit covering the entire railroad system. In other words, under the present law which we are now endeavoring to amend, it is impossible to have a bargaining unit for Florida, for example, and another bargaining unit for Georgia. It is necessary to have one bargaining unit for the whole railroad system involved in a particular question under consideration.

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

Mr. HILL. I am glad to yield further to my friend from Florida.

Mr. HOLLAND. Is it not correct to say that the whole basis for the jurisdiction of the Taft-Hartley law and of the Wagner Act, which preceded it, is that it is predicated purely and simply upon its application to interstate commerce and that it is not applicable except to interstate commerce?

Mr. HILL. Of course it is predicated on interstate commerce. However, the Senator from Florida well recognizes the fact that the problems of some industries may fall to some extent within the jurisdiction of the Interstate Commerce Act and other problems which may not in any way involve interstate commerce. Here we have an industry which with very few exceptions operates entirely in interstate commerce. I know of no railroad or airline in my own State, for example, which does not cross State lines or does not operate in interstate commerce. In other words, the operation is all in interstate commerce. I understand that the Senator from Florida has in mind a railroad in his State which operates wholly within his State. I believe I have traveled on the railroad. However, I think he will find that to be an exception rather than the rule.

Mr. HOLLAND, Mr. DOUGLAS, and Mr. PEPPER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield; if so, to whom?

Mr. HOLLAND. I should like to pursue my questioning a little further, if I may.

Mr. HILL. I am glad to yield further to my good friend from Florida.

Mr. HOLLAND. Is the railroad industry any more in interstate commerce than the telephone industry, the telegraph industry, or the motortruck industry, none of which are covered by the provisions of the pending bill, and all of which are covered by the provisions of the Taft-Hartley law with respect to provisions of State laws relating to anti-closed-shop laws?

Mr. HILL. The pending bill deals with personnel. It deals with the relationship between management and labor. So far as personnel is concerned, railroads are much more engaged in interstate commerce than are telegraph or telephone companies. When we pick up the telephone in Washington to make a call to Florida it does not involve any personnel moving out of the District of Columbia and going to Florida or to any other State. It does not involve any personnel crossing State lines. However, when a railroad train moves out of Washington on the way to Florida, personnel does cross State lines.

Mr. HOLLAND. Mr. President, will the Senator yield for one more question?

Mr. HILL. I am glad to yield further to my friend from Florida. Then I shall yield to my good friend from Illinois.

Mr. HOLLAND. While the remarks of the distinguished Senator from Alabama are, of course, correct when applied to the members of the operating brotherhoods, is it not also correct to say that the urge for the passage of the bill has not come from such brotherhoods, but has come from brotherhoods which have to do with clerical duties, repair, construction, maintenance, and similar personnel, which do not actually cross State lines in the performance of their duties?

Mr. HILL. Mr. President, the Senator wants to know whether the urge for the passage of the bill does not come from the nonoperating brotherhoods, rather than from the operating brotherhoods. I have just read a letter from the representatives of the operating brotherhoods which contains this language:

> The undersigned organizations are in favor of the enactment of S. 3295 and urge its adoption.

That is the urge. It is right there. I now yield to my good friend from Illinois.

Mr. DOUGLAS. Is it not correct to say that some 40 years ago a similar question developed with respect to railroad rates? At that time there was regulation of rates by some of the States and regulation of rates by the Interstate Commerce Commission. Is it not true that in the case of the Minnesota rate cases the Supreme Court, in one of its most conservative periods, namely, around 1910, held that the regulation of railroad rates was not a matter of State concern but a matter of Federal concern, and that rulings of the Interstate Commerce Commission superseded rulings of State regulatory bodies?

Mr. HILL. My information is that the Senator from Illinois is correct in his statement. That was 40 years ago.

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

Mr. HILL. I am glad to yield.

Mr. DOUGLAS. It was at a time when the definition of interstate commerce was very much restricted.

Mr. HILL. The Senator is correct.

Mr. DOUGLAS. In the opinion of the United States Supreme Court Federal regulation superseded State regulation in the matter of rates. Would it not also be true that today the Supreme Court and the weight of legal opinion would hold that Federal regulation of labor relations should supersede State regulation?

Mr. HILL. The Senator is correct. The bill and the amendments come to us with the unanimous support of the Committee on Labor and Public Welfare. The provisions of the bill are merely permissive. They do not require any railroad or labor organization to sign a contract. It makes it permissive for management and labor to sit around the bargaining table and, if they can work out an agreement, it is lawful for them to enter into it. The bill now has the support of the operating Brotherhoods, as well as the support of the nonoperating Brotherhoods.

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

Mr. HILL. I yield.

Mr. PEPPER. Let us assume—I think it is undisputed—that in the field of interstate commerce the Congress has power to exercise preeminent authority and judgment. Then it becomes a question as to whether Congress thinks it is wise, in a matter such as this, to let the Federal authority be preeminent, and to make it clear, under the Federal authority, that this power may be exercised by management and labor. The able Senator from Alabama feels that in relation to the railroads a clear case is made out for the reason he has indicated, that Congress should exercise its authority to make Federal legislation on this subject indisputably preeminent.

Mr. HILL. Not only has the Senator from Florida stated the views of the Senator from Alabama, but I believe that the Senator from Florida, as a member of the Committee on Labor and Public Welfare, will agree that he has stated the views of the committee in this particular.

Mr. President, unless there is some further question, that is all I have to say.

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

Mr. HILL. I yield.

Mr. WILEY. I was interested in one phase of the question. I have been in contact with a number of laboring men. I talked with many of them during my campaign. I should like to know what the Senator's statement was in relation to the check-off, and whether that is compulsory. Some laboring men who have spoken to me, men who are good union members, have stated they do not like the system very well. The Senator said something to the effect that they must indicate in writing their choice, or their willingness or desire.

Mr. HILL. Let me read the language of the committee amendment which we shall submit. It provides for check-offs for dues, initiation fees, and assessments, not including fines and penalties. In other words, if some member violates a rule and a fine is imposed, the check-off does not apply. It applies only to normal dues and assessments. Then there is the following proviso:

> *Provided*, That no such agreement shall be effective with respect to any individual employee until he shall have furnished the employer with a written assignment to the labor organization of such membership dues, initiation fees, and assessments, which shall be revocable in writing after the expiration of 1 year or upon the termination date of the applicable collective agreement, whichever occurs sooner.

In other words, before a single penny can be deducted from the salary of the individual employee for the normal dues or assessments, he must give a written assignment to the company, so that it can pay that money to the union. Then he has the right, within a year, to revoke that assignment if he does not like the way it works, or if he wants to put an end to the deduction.

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

Mr. HILL. I yield.

Mr. WILEY. I should like to ask one further question, in connection with the subject of collective bargaining. My understanding of the Taft-Hartley law provision is that the local union is practically autonomous. It may, of course, receive the benefit of the strength of the international organization, but if it desires to do so it can exercise practically autonomous power.

Mr. HILL. The Railway Labor Act, which is the basic act which we are now seeking to amend, provides that the bargaining unit in all labor-management relations shall be a system-wide union. In other words, for example, on the Chicago, Milwaukee & St. Paul Railroad, the unit would have to be for the entire Milwaukee system. The law requires that today. We are not touching that provision. The law as now written provides for that.

The Senator may recall that the original act was passed by Congress in 1926. Important amendments were made in 1934. The law as it is now written, and as it has been written for a number of years, requires that the collective-bargaining unit shall be system-wide, to represent the particular craft or particular class of the entire railway system.

Mr. WILEY. Mr. President, I should like to ask one further question. I notice that the Senator said that the bill had the endorsement of the large labor organizations. I am wondering if that is indicated by the signatures of the officials, or whether there is any evidence to substantiate that fact by showing that in convention a large group of the organization indicated their desire in the matter. Too often we find that officials arrogate to themselves the right to speak when they have not consulted their members.

Mr. HILL. I appreciate the Senator's point. There are 22 of these organizations. I am not sure that I can give the Senator offhand the answer to his question. As I remember, the distinguished Senator from Missouri [Mr. DONNELL] went into that question rather fully before the committee. The following is from the statement of Mr. George M. Harrison, grand president of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees. Mr. Harrison says:

During the course of my testimony on May 1, Senator DONNELL requested that I furnish information as to what if any action was taken by the various railway labor organizations in connection with their approval of legislation to remove the prohibition against the union shop now contained in the Railway Labor Act.

Pursuant to the request of Senator DONNELL, I communicated with each of the organizations affiliated with Railway Executives' Association and submit herewith the results of that investigation.

On May 8, 1950, the Order of Railway Conductors of America, at its convention in Chicago, Ill., voted unanimously to approve action by that organization designed to remove the prohibitions against the union shop from the Railway Labor Act.

The Order of Railroad Telegraphers, at its convention held in Tampa, Fla., on June 20, 1949, unanimously approved a resolution authorizing a movement to seek the union shop in the railroad industry.

I was advised by the Switchmen's Union of North America that that organization has taken no formal action by convention on this subject.

The Railway Employees' Department, AFL, through which collective bargaining is carried on in the railroad industry by the International Association of Machinists, International Brotherhood of Boilermakers, Iron Ship Builders & Helpers of America, International Brotherhood of Blacksmiths, Drop Forgers, and Helpers, Sheet Metal Workers' International Association, International Brotherhood of Electrical Workers, Brotherhood Railway Carmen of America, and International Brotherhood of Firemen & Oilers held a meeting in Chicago, Ill., on April 3 and 4, 1950. This meeting was attended by 419 general chairmen, representing some 300,000 shop-craft employees in all of the crafts or classes represented by the organizations affiliated with the Railway Employees' Department on virtually all railroads of the United States. At this meeting the question of removing the prohibition against the union shop from the Railway Labor Act was discussed, and the assembled meeting unanimously approved the principles set forth in S. 3295.

I was advised by the Brotherhood of Locomotive Firemen & Enginemen that no formal convention action has been taken by that organization on this subject.

The American Train Dispatchers' Association unanimously adopted a resolution in its convention held in Chicago on October 16, 1944, requesting that the prohibition against the union shop be removed from the Railway Labor Act. I am advised by the president of this organization that this resolution has never been rescinded, and that the policy therein stated has continued to be the policy of that organization.

My own organization, the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, adopted a resolution advocating the union shop at its Grand Lodge Convention held in May 1935.

At a meeting of all railroad and express general chairmen held in Chicago, Ill., September 18, 1942, a unanimous request was made to obtain union-shop agreements in the railroad and express agency industries. This action was subsequently ratified by the system committees on every railroad where we hold agreements. At a meeting of all officers and the general chairmen on all railroads with whom we hold contracts, held in Dallas, Tex., on April 25, 1950, the principles of the union shop were unanimously approved.

Does the Senator wish me to read this entire document? It is rather lengthy.

Mr. WILEY. No.

Mr. HILL. Would it be satisfactory to the Senator if I placed the remainder of it in the RECORD?

Mr. WILEY. That would be perfectly satisfactory.

Mr. HILL. It goes directly to the question which the Senator from Wisconsin has raised. As I stated, the distinguished Senator from Missouri [Mr. DONNELL] raised the same question at the hearing on the bill. This is an answer to the question of the Senator from Wisconsin, as it was an answer to the question of the Senator from Missouri. If agreeable to the Senator from Wisconsin, I ask that the remainder of the statement be printed in the RECORD.

The PRESIDING OFFICER (Mr. DONNELL in the chair). Without objection, it is so ordered.

The remainder of the statement is as follows:

The Brotherhood of Maintenance of Way Employees has unanimously approved resolutions requesting its officers to seek the union shop in the railroad industry at its conventions held in September 1937, July 1940, July 1943, July 1946, and June 1949. At a meeting held in Detroit, Mich., May 2–4, 1950, all grand lodge officers, general chairmen, and other system division and federation officers representing employees on all railroads with which that organization holds agreements, unanimously approved the movement to seek the removal of the prohibition against the union shop from the Railway Labor Act.

At the regular convention of the Brotherhood of Railroad Signalmen of America, held in New York City, August 17 to 21, 1942, a resolution was unanimously adopted authorizing the president of that organization to join in the movement of other standard railway labor organizations to establish the union shop principle in the railroad industry. This movement was the so-called Nonoperating Employees' Case, of 1942, which involved a request upon management to negotiate agreements for the union shop. The detailed plan of this movement was unanimously approved at the convention held by this organization in August of 1944, and has continued to be a policy of the organization.

The National Organization Masters, Mates & Pilots of America has taken no formal action at convention on this subject, but the long-established policy of this organization, which operates outside of railroad industry, has been to insist upon the closed shop or union shop in such outside industries. It has just recently concluded union shop agreements in industries other than the railroad industry.

The National Marine Engineers' Beneficial Association has taken no formal action at convention on this subject, but its general policy has been to advocate the union shop in all of its bargaining with employers outside of the railroad industry. I am advised that many of their local unions which represent railroad employees have taken action in support of a movement to amend the Railway Labor Act so as to permit the making of union-shop agreements.

The International Longshoremen's Association also operates outside of the railroad industry, and has followed the policy of the union shop in all of its dealings with outside industry, although it has taken no specific formal action in connection with amendments to the Railway Labor Act permitting the making of union-shop agreements.

The Hotel and Restaurant Employees and Bartenders International Union unanimously adopted a resolution at its convention held in Chicago, Ill., April 25–29, 1949, which recommended the establishment of the union shop in the railroad industry.

The Railroad Yardmasters of America Executive Board has unanimously approved the union shop. This board possesses authority to take such action between conventions.

In addition to the foregoing information, I should like to call attention to the fact that in 1942, the following organizations attempted to obtain a union shop on all railroads of the United States through negotiation with the various carriers:

International Association of Machinists.

International Brotherhood of Boilermakers, Iron Ship Builders, and Helpers of America.

International Brotherhood of Blacksmiths, Drop Forgers and Helpers.

Sheet Metal Workers' International Association.

International Brotherhood of Electrical Workers.

Brotherhood Railway Carmen of America.

International Brotherhood of Firemen and Oilers.

Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees.

Brotherhood of Maintenance of Way Employees.

The Order of Railroad Telegraphers.

Brotherhood of Railroad Signalmen of America.

National Organization Masters, Mates and Pilots of America.

National Marine Engineers' Beneficial Association.

International Longshoremen's Association.

Hotel and Restaurant Employees and Bartenders International Union.

The authority to inaugurate this movement was approved by the general chairmen representing each involved craft on every railroad in the United States. These requests were denied by the carriers, with the result that the question was subsequently submitted to the so-called Sharfman Emergency Board, which denied the employees' request on the ground that "the essential elements of the union shop, as defined in the employees' request, are prohibited by section 2 of the Railway Labor Act."

Senator DONNELL also requested that I furnish the committee information as to the number of employees subject to the Railway Labor Act who are employed on Class 2 and Class 3 carriers. These carriers employ approximately 20,000 persons.

I was also requested by Senator DONNELL to furnish the committee with representative copies of agreements between the various organizations affiliated with Railway Labor Executives' Association and the railroads. I am enclosing copies of such agreements with this statement.

With the permission of the committee, I should like to take this opportunity to comment briefly on some of the testimony which has been submitted to the committee by those who oppose the enactment of this legislation.

It is obvious that much of the testimony presented by the opponents of this bill was either prepared in advance of the statement made by me regarding the purpose and intent of the bill as we understand it, or it was submitted without regard to the statements I made as to its intent and purpose.

The proposed bill contains the following proviso: "*Provided,* That no such agreement shall require such condition of employment with respect to employees to whom membership is not available upon the same terms and conditions as are generally applicable to any other member or because of membership in any other labor organization."

I advised the committee that it was the intent of the proviso, to remove from the requirements of any union-shop agreement those employees to whom membership is not available and those employees who might be expelled from the union for any reason other than the failure to pay their periodic dues, fees, and assessments. I stated this position in answer to questions asked me by members of this committee and informed you that if a union member is expelled from membership by the union for any reason other than nonpayment of his dues, fees, and assessments, he could continue working without regard to such expulsion after this bill is passed.

I also told you that if there is any ambiguity in the bill, as it is now drawn, we would be willing to have it amended to remove any doubt that nonavailability of membership in a union representing a craft or class of employees or an expulsion from membership in such union for any cause except nonpayment of dues, fees, and assessments, would not constitute a basis for the dismissal of such employee by the employer.

At this time I should like to submit for the consideration of the committee the following amendment to the bill:

Strike out the words "Because of membership in any other labor organization" appearing in lines 14 and 15 on page 2 of the bill and substitute in lieu thereof the following language: "With respect to employees to whom membership was denied or terminated for any reason other than the failure of the employee to tender the periodic dues, fees, and assessments uniformly required as a condition of acquiring or retaining membership."

This proposed amendment would make unnecessary the above clause we propose to delete inasmuch as the substitute wording includes all reasons for denial or termination of membership in a union, except the nonpayment of dues, fees, and assessments, which would, of course, include the denial or termination of membership because of membership in any other labor organization.

The proviso clause, if it is amended as I have suggested, would then read as follows: "*Provided,* That no such agreement shall require such condition of employment with respect to employees to whom membership is not available upon the same terms and conditions as are generally applicable to any other member or with respect to employees to whom membership was denied or terminated for reasons other than the failure of the employee to tender the period dues, fees, and assessments uniformly required as a condition of acquiring or retaining membership."

Mr. Loomis in his testimony suggested that as a technical matter the adoption of the bill would leave a direct conflict between the fourth and fifth paragraphs of section 2 of the present act and the provisions of the proposed paragraph "eleventh." I think an examination of the present act will disclose that such is not the case. The present law merely prohibits unilateral action by a carrier in requiring any person seeking employment to sign any contract or agreement promising to join or not to join any labor organization, and the provision with respect to the deduction of dues, fees, and assessments is one directed to unilateral action by the carrier. The bill before you modifies the present language only to the extent that the union shop and deduction of dues may be negotiated solely by agreement between the carrier and the designated collective-bargaining representative of a craft or class. The carrier would still be barred from deducting dues or entering into a union shop agreement with any individual, minority group, or union which does not hold a collective-bargaining agreement.

The amendment which I have suggested would clearly invalidate the criticism of railroad management witnesses who testified concerning the effect of union rules and regulations upon the job security or seniority of employees and the exercise of any arbitrary grounds for expulsion allegedly contained in any union constitutions.

It is thus our position that if a union refuses to accept an employee into membership or expels an employee from membership for any reason other than failure to pay or tender dues, fees and assessments due the union, his employment rights are in no way affected by a union-shop agreement which may legally be consummated between the carrier and the union. It follows, also, that if a member of the union is expelled from membership for any reason other than a failure to pay or tender his dues, fees and assessments, such an employee would continue as an employee of the employer, free of any obligation under the agreement, including the obligation to pay dues, fees, and assessments.

A substantial portion of the testimony of the witnesses opposing this bill was devoted to conjecture and speculation concerning its effect upon the railroad industry. The import of such testimony was that the impact of this legislation would be most grave and would create innumerable consequences of a most serious nature affecting not only the employees but the carrier. The fear was expressed that the union shop would discourage men from accepting employment in the railroad industry; that jurisdictional disputes would flourish; that there would be widespread loss of employment; that the promotion of employees would be made difficult; that individual freedom would be destroyed; that strikes and strike threats would be increased; that unions will exercise dictatorial and tyrannical power; and that seniority will be whimsically destroyed. In view of the fact that the union shop is permitted by law in all industries except those covered by the Railway Labor Act, I cannot believe that the arguments of the carriers have been seriously advanced. It must be obvious that the doubts and fears of the various witnesses opposing this bill are far less real than such witnesses would have you believe, and in actuality they have been tilting at windmills. I would like to examine a few of the problems which they contend will follow the creation of the right to bargain for a union shop in the railroad industry.

It was stated before this committee that it would be more difficult for carriers to obtain suitable employees if the bill should become law for the reason that prospective employees would not be interested in accepting employment if required to join a union. It is only upon the railroads and airlines that employees may not be subjected to the possibility of compulsory membership in a union. No testimony has been given that the managements of industries other than railroads and airlines have been unable to secure suitable employees to staff their plants and offices because the union shop is legally valid in those industries. This bill would place the railroads at no disadvantage compared to industry as a whole, but on the contrary would place the railroad industry upon the same footing as industry in general in competing for new workers.

Another threatened danger referred to by more than one of the carrier witnesses is the alleged possibility of an increase in jurisdictional disputes in the railroad industry. As a practical matter, however, the fact that all of the members of a craft or class may be required to join a union as a condition of employment will do much to discourage raiding by other labor organizations. The rivalry between unions will be decreased rather than increased by reason of the fact that the class or craft will be fully organized and all of its members will belong to the organization representing the members of such class or craft. At the same time the carrier witnesses were anticipating jurisdictional disputes as a result of validating the union shop they were testifying that this bill would result in labor monopolies and would freeze the present labor organizations as the bargaining representatives of the employees whom they now represent. It is strange to hear the same witnesses criticize the proposed amendment for the reason that it will encourage raiding (jurisdictional disputes) and at the same time encourage labor monopolies. It seems obvious that these two positions are completely contradictory. As a practical matter it has never been found that the union shop as it has functioned in industry in this country under the Wagner Act and the Taft-Hartley Act, has prevented the free choice of a bargaining representative by a majority of the employees represented by, or to be represented by, such bargaining agent.

It was intimated that there would be widespread loss of employment and that many employees would quit voluntarily with a resultant severe loss to the carriers. The intent of the bill as I discussed it previously and as it may be amended as I have suggested in this statement, should make it clear that it would not cause unemployment and loss of jobs. In fact, the initiative is entirely in the hands of the individual employees and it is only when he chooses not to become a member of the organization, or when having become a member fails to remain in good standing by making the financial payments required that he is subject to the loss of his job at the union's request. It is further an obvious fact that if an employee does choose to leave the railroad industry and enter another, that the provisions of the statute regulating labor-management relations in that industry will allow agreements for the establishment of a union shop, as does the proposed bill. We submit that the problem of the railroad industry in this regard is no different than that in any other industry.

It has also been prophesied that great difficulties will arise in the promotion of men who belong to a union and who are paying dues by means of a check-off. If a man is promoted to another craft, his dues would then, under the provisions of this bill, be paid to the organization representing that craft. Such a result is clearly in accord with the purposes of the bill, as I have previously outlined them, to eliminate free riders and provide that all members of the craft share the same responsibility in the cost of carrying on the processes of collective bargaining which inures to their benefit. One of the witnesses testified that most railroad officials have come up from the ranks. We doubt that the fact of union membership would prevent this democratic practice from continuing. As a matter of fact, I suspect that of all railroad officials who have come from the ranks the great majority have been, and perhaps many of them still are, members of labor unions. Apparently membership or nonmembership in a union has not in the past prevented the carriers from obtaining men of ability for official positions, nor has it prevented men holding union membership from receiving promotions. It is possible however, that the difficulty in the granting of promotions is but a disguised threat of discrimination. Testimony presented before this committee established not only that a substantial majority of employees were members of the unions, but that management did not know or concern itself whether or not an employee did or did not belong to a union. If the latter statement is true, it

certainly follows that there will be no problem in the selection of men for promotion. The further argument that the promotion of men would be handicapped by the check-off is equally lacking in validity. When an employee is promoted to an official position and out of a class or craft represented by a labor organization, the deduction of his dues under the provisions of this bill would necessarily ceases.

It has been suggested to the committee that the seniority of an employee would be jeopardized or destroyed by the establishment of a union shop. This argument is clearly a "red herring." Seniority is but one of many conditions of employment. If an employee subject to a union-shop agreement voluntarily chooses not to join a union, it is not his seniority but his very job which he gives up. The decision, however, is that of the worker and not of the union; and if he should choose to give up his job rather than join the union, it is the result of action voluntarily taken by such employee.

The witnesses for the carrier who have voiced such doubts as to the future are not unaware that the union shop is allowed by express provision of Federal law in all industry except that covered by the Railway Labor Act. There is nothing new, unusual, or revolutionary in the union shop. The National Labor Relations Act, commonly known as the Wagner Act, passed in 1935, in the proviso clause of section 8 (3), made express provision for union security. Such express provision for the union shop, with some modification, was retained in section 8 (a) (3) of the Taft-Hartley Act, passed in 1947.

It should be needless to comment that the dire prophesies and gloomy forebodings of such witnesses as have opposed this bill before this committee were not documented to the experiences of industry in general under union-shop agreements. Conditions existing in industry are a far cry from the chaotic conditions predicted for the railroad industry and the union shop has been and is an integral part of the various laws regulating industry generally.

The carrier witnesses also complain that subordinate officials should not be subject to a union-shop agreement. The argument advanced is the same as that which was presented at the time of the enactment of the Railway Labor Act and the same that has been advanced before the Interstate Commerce Commission in those cases where the Commission has exercised its statutory authority under the Railway Labor Act. The objection of these witnesses is based upon the argument that supervisory employees should be exclusively loyal to management and not subject to union agreements covering their rates of pay, rules, and working conditions. The fact remains that representation of such employees by unions is traditional in the railroad industry and nothing new is being introduced by this bill. A large number of railroad employees in so-called supervisory positions have been represented for the purposes of collective bargaining by standard railway labor organizations for many years. I think it is safe to say without fear of contradiction that the subordinate supervision on the railroads is of the highest type and probably the most efficient of any industry. Chief clerks, section foremen, conductors, train dispatchers, and all of the many other subordinate officials covered by labor agreements are for the most part conscientious men and are as diligent and attentive to their jobs and their responsibilities as any men anywhere. There is no merit in the contention that a person who is compelled to work to earn his living as a supervisor cannot be loyal to his duty of supervision and still maintain a keen interest in his own compensation and working conditions. Experience has abundantly shown that the high type of supervision in the railroad industry has been secured and developed because of the insistence of the labor organizations representing such supervisors that these men be treated fairly and equitably with respect to their wages and working conditions, with the result that they are better satisfied and more willing to properly perform their supervisory duties. Most of these subordinate officials now belong to the unions which represent their respective class or craft and the establishment of a union shop will certainly not change or affect the thinking or the responsibility of men in such positions.

The only witness for the carriers who gave what we believe to be the real reason for the railroad opposition to this bill was Mr. Neff, president of the Missouri Pacific Railroad. He testified, in substance, that he was opposed to complete unionization of the industry because management counted on using the 226,000 unorganized employees as a balance wheel in the industry between labor and management. He wants to depend on those people who help manage the railroads effectively, and if they have loyalties to unions under their by-laws to the extent that they could be expelled from the union if they met with their displeasure or there was a conflict in loyalties the railroad has nobody to fall back on in conducting its own affairs properly. What Mr. Neff told you, in effect, is that he wants 20 percent of the workers on management's side of the table. That attitude is contrary to the whole spirit and intent of the Railway Labor Act. If there is anything that will destroy labor relations in the railroad industry, it will be an attempt on the part of the carriers to keep some of the employees out of the union for the purpose of maintaining undercover opposition to the objectives of collective-bargaining representatives. Unless we can have free, wholesome, and honest collective bargaining, we cannot settle our disputes. It is this kind of attitude which will sabotage the honest and proper representataion of workers. The Railway Labor Act provides that employees shall have the right to organize and bargain through representatives chosen by a majority of the craft or class free from interference, influence, or coercion exercised by the carrier. This provision was inserted in the act in order to assure free and untrammelled collective bargaining. Mr. Neff has made it clear that he believes that unionization of the industry would prevent the exercise of presently practiced interference, influence, and coercion. I compliment him for his honest statement of his position, but I vigorously disagree with his premise.

One brief comment should be made with respect to the testimony of Mr. Ramspeck who appeared here in behalf of Air Transport Association of America. His entire statement related to the proposition that the airline industry should be taken out from under the provisions of the Railway Labor Act, and I think it is clear from his statement that he did not appear in opposition to the bill now before you. If the airlines should be removed from the coverage of the Railway Labor Act, they would come under the Taft-Hartley Act, which permits the union shop. I merely wish to say that the suggestion of Mr. Ramspeck with respect to having the airline industry removed from the provisions of the Railway Labor Act is not germane to the question now before you. If the airlines desire to be removed from the provisions of the Railway Labor Act, the proper procedure would be to have a bill introduced, and to afford the interested parties a full and fair opportunity to present their views. I believe that the airline industry would regret the step which is suggests, but I do not think that question can be resolved here.

One of the witnesses before the committee referred to the request in 1942 of the non-operating unions that a union shop be established in the railroad industry. The witnesses quoted from the report of the so-called Sharfman Emergency Board which was issued on May 29, 1943. In order to keep the record straight and to be sure that the committee properly understands this report, we wish to point out that the report of the Board, in deciding the union-shop issue, showed "that the essential elements of the union shop as defined in the employees' request are prohibited by section 2 of the Railway Labor Act. The intent of Congress in this respect is made evident with unusual clarity." The basis of the decision of the Sharfman board, therefore, was that the request of the employees for the union shop could not be granted because of prohibitions in the law. It is these prohibitions which this bill proposes to remove.

In concluding my statement I should like to comment briefly upon the question which has been raised in this hearing with respect to the rights of members of the Negro race under this bill. While I believe that the conclusions which have been drawn by some of the witnesses are exaggerated, it appears that the bill now before you has assured all persons regardless of race, color, or creed that their job opportunities cannot be prejudiced by its enactment. No employee under this bill can have his employment rights affected in the slightest degree because of his race or color. I do not feel that this is the proper place to argue the justice or injustice of a denial of membership in a union because of race or color. I have already expressed my personal views on this subject to the committee and pointed to the fact that great progress has been made in the last few years in reducing these barriers to union membership.

My point is simply this: If the time has come when the Congress of the United States believes that compulsory fair employment practice legislation should be enacted, it should be accomplished through general legislation and in a manner which will accomplish the results sought to be obtained. I believe that since this bill completely protects the employment rights of those to whom membership in a union may be denied and since the enactment of this bill will in no way affect the existing rights of such employees, this is not the proper legislation into which a fair employment practice law should be written.

It is submitted that this bill with the amendment as suggested herein remedies the alleged abuses of compulsory union membership as claimed by the opposing witnesses, yet makes possible the elimination of the free rider and the sharing of the burden of maintenance by all of the beneficiaries of union activity. We most respectfully urge the committee to favorably report this bill with the clarifying amendments suggested herein.

Mr. HILL. Mr. President, unless there are further questions, I shall yield the floor at this time.

During the delivery of the speech of Mr. HILL,

Mr. CAPEHART. Mr. President, I ask unanimous consent to have printed in the RECORD a speech intended to be delivered by my colleague the junior Senator from Indiana [Mr. JENNER] on his proposed amendment to S. 3295. I ask the Senator from Alabama to yield for that purpose.

Mr. HILL. I am glad to yield for that purpose provided that the statement and the insertion referred to will be printed in the RECORD at the conclusion of my remarks.

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

Mr. CAPEHART. I ask unanimous consent that the speech to which I have referred be printed in the body of the RECORD at the conclusion of the speech of the very able Senator from Alabama [Mr. HILL]. I make the same request with respect to a copy of the proposed amendment.

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

SPEECH INTENDED TO BE DELIVERED BY SENATOR JENNER

Before you vote on the amendment which I have proposed to S. 3295, I want you to have a full and clear understanding of just what the aims and objectives of this amendment are. In order that you may have such an understanding it is necessary to explain as background the manner in which certain features of the present Railway Labor Act function.

Certain weaknesses and evils are present under the Railway Labor Act as it exists today, but the proposal contained in S. 3295 will accentuate these deficiencies in the act and make the evils more vicious, to the point that they should no longer be tolerated. These evils that I speak of are the result of the unregulated activities of the railroad labor organizations, and that is why I urge that these evils be corrected by the same piece of legislation that would strengthen them and give them greater power.

First, let me read the amendment which I am proposing. I want to read it, rather than paraphrase it, because very few of the words used in it are without particular significance. Each of the clauses in it is aimed at a specific evil so that if you listen carefully you will in effect get in summary form an outline of what is to follow. My amendment proposes the insertion of a new paragraph, twelfth, to read as follows:

"Twelfth. Notwithstanding any other provision of this act, or of any other statute or law of the United States, or Territory thereof, or of any State, any union, labor organization, or labor representative that segregates members into separate or auxiliary locals or excludes any member of the craft or class from membership therein on the grounds of race, creed, color, or national origin, or denies membership therein to any member of the craft or class upon terms or conditions not generally applicable to all members of the craft or class; or excludes any member of the craft or class from participation in the collective-bargaining process; or that uses its position as a collective-bargaining representative under this act to discriminate against members of the craft or class on the grounds of race, creed, color, or national origin; or that uses its position as such collective bargaining representative to bar the employment by the carrier of any person because of his race, creed, color, or national origin, shall not act as representative under this act of any craft or class, and shall not be entitled to any of the provisions of the act."

Under the Railway Labor Act as presently constituted, the majority of a craft or class has the right to determine the representation of the entire craft or class, and the railroad companies are forbidden to bargain collectively with any other organization or representative.

There is no specific provision in the act which compels the labor organization chosen by the majority as its bargaining representative to permit the minority workers to become members of such organization or otherwise to participate in the collective-bargaining process. Perhaps you might think that in democratic America it would not be necessary to have statutory compulsion in a matter of this kind. However, without any such statutory compulsion we find many of the railroad labor organizations guilty of the rankest sort of discrimination against Negro employees. In the case of certain of these organizations there are constitutional provisions which bar Negroes from membership. In the case of certain of the other railroad labor organizations Negroes have not been barred from membership altogether but have been required to become members of auxiliary locals that operate under a white local. Membership in auxiliary locals allows the Negroes only indirect, inadequate, and pro forma participation in the affairs of the union. Negroes working in the classes or crafts represented by such unions hold their jobs by sufferance rather than as a matter or right.

I protest against such a situation not because nonmembership amounts to discrimination from a social standpoint but because such discrimination amounts to the deprivation of rights which we are accustomed to think belong to all citizens of the United States. The nonmember Negro minority is given no notice or opportunity to be heard or chance to vote on propositions affecting the class or craft. Negroes have no voice in the choosing of agents of the Union who formulate the policies and carry on the collective bargaining; no means of censoring, removing, or otherwise controlling these union agents, and are thus wholly precluded from any and all participation in the collective-bargaining process.

Many years ago Americans expressed in an unmistakable way what they thought of taxation without representation. It seems to me the situation here is much worse than that. The rates of pay, the working rules, and the conditions under which these employees must work are all determined for them by an agent for whom they have no right to vote and to whom they have no right to protest.

There are a number of instances in which a labor organization acting in its capacity of bargaining agent for Negro railroad workers whom it does not admit to membership has bargained away seniority and other valuable property rights of those employees. In several instances the employees have managed, through court action, to obtain a correction of the injustices done them, but such a means of correction is uncertain, expensive, and slow.

The exclusion of Negroes from certain railroad labor organizations creates another situation which need only be explained in order to make its unconscionable nature stand out clearly. Under section 3 of the Railway Labor Act, the National Railroad Adjustment Board is set up, composed of an equal number of members selected by the carriers and by the labor unions. For example, Division No. 1 of the Adjustment Board consists of 10 members, 5 of whom are selected by the carriers and the other 5 of whom are selected one each by five railroad brotherhoods. Every one of these five brotherhoods has a Negro color bar. Suppose, for instance, that a Negro employee working in a craft or class represented by one of these five organizations felt that he had a grievance as a result of a bargain entered into by the carrier and the railroad labor organization representing his craft. In this situation the judges who would sit in judgment on his grievance would be the representatives of the very parties who were responsible for the acts out of which the grievance arose. It seems perfectly clear that an inequitable and unjust situation already exists in this respect.

The above is the situation which exists under the Railway Labor Act as presently constituted, and certainly it is bad enough, but by this proposed legislation the situation for these men would be made even worse. The union shop provides an additional weapon for the unions and will give the labor organizations additional incentive to intensify their efforts to eliminate the Negroes from certain jobs on the Nation's railroads. If you pass Senate bill 3295 without the safeguarding amendment which I have proposed, you must be willing to accept the responsibility for facilitating the elimination of Negroes from a basic industry in America.

I am more and more impressed with what a large gap there is between the political promises of the Democratic Party to wipe out discriminations against the Negroes in matters having to do with employment, and the actions of that party. Let me read to you from a statement by the head of the Democratic Party, the President of the United States. The following is from the message of the President of September 6, 1945, transmitting an outline of the plans made for the reconversion period. I quote:

"During the years of war production we made substantial progress in overcoming many of the prejudices which had resulted in discriminations against minority groups.

"Many of the injustices based upon considerations of race, religion, and color were removed. Many were prevented. Perfection was not reached, of course, but substantial progress was made.

"In the reconversion period, and thereafter, we should make every effort to continue this American ideal. It is one of the fundamentals of our political philosophy, and it should be an integral part of our economy."

The President speaks of the prevention of discriminations against minority groups and the removal of injustices based upon considerations of race, religion, and color, as an American ideal and one of the fundamentals of our political philosophy. Those are high-sounding words, but will you judge the Democratic Party by these well-turned phrases of their leader or by its actions when put to the test? It is the leaders of this same party who are opposing my amendment and who are doing their utmost to keep from eliminating a clear-cut discrimination against a minority group and to keep from removing an injustice based upon the consideration of color.

Listen again to the words of the President of the United States in his message of February 2, 1948, transmitting his recommendations for a civil-rights program:

"We in the United States believe that all men are entitled to equality of opportunity. Racial, religious, and other invidious forms of discrimination deprive the individual of an equal chance to develop and utilize his talents and to enjoy the rewards of his efforts.

"Once more I repeat my request that the Congress enact fair employment practice legislation prohibiting discrimination in employment based on race, color, religion, or national origin. The legislation should create a fair employment practice commission with authority to prevent discrimination by employers and labor unions, trade and professional associations, and Government agencies and employment bureaus."

Thus the President says that he wants to eliminate discrimination by labor unions, but when his party comes face to face with an opportunity to eliminate discrimination by labor unions in the industry in which it is most firmly entrenched, namely, the railroad industry, the leaders of that party are not willing to match words with action. I would not be surprised if an attempt were made to defeat my amendment without a record vote. In this way the individual members of that party would hope to escape censure for their indefensible action.

However, there can be no question as to where the blame will properly lie if my amendment be not adopted. My amendment offers the first opportunity for a vote on a legislative proposal to eliminate a distinct area in which discrimination is practiced strictly on the ground of color. The railroad labor unions are opposed to my amendment,

and they have urged the leaders of the Democratic Party to defeat my proposed amendment. I have long suspected two facts: (1) That the Democratic Party is not truly interested in the welfare of the Negro race; and (2) that the Democratic Party is subject to domination by labor unions. I suspect that when it comes down to a question of eliminating an instance of serious discrimination against Negroes or following the dictates of the labor union leaders, the Democratic Party will follow the latter course.

Much of what I have said goes to show why an amendment such as the one I have proposed would be entirely appropriate even if there is no union-shop bill, but if the Congress is to enact a bill such as S. 3295, it is absolutely unthinkable that they should do so without simultaneously enacting an amendment such as the one I have proposed. This bill, as you know, would authorize unions to enter into agreements with their employers requiring as a condition of continued employment that all employees shall become members of the labor organization representing their craft or class. This means in the event of such an agreement that if an employee wishes to continue in the employment of the railroad he would be compelled to join the union regardless of his desire in the matter. On the other hand, the unions would be at perfect liberty to refuse to admit to membership any employee they saw fit to exclude, regardless of the wishes and desires of that employee. It is difficult for me to understand how the Congress would even consider sacrificing the freedom of the individual to join or not to join a union and at the same time protecting the right of a union to discriminate against employees whose economic fate and livelihood are completely under its control. If a railroad labor organization is to be endowed with such standing that it can require any employee working in the class or craft represented by the labor organization to become a member of the organization in order to hold his job with the employer, certainly such labor organization should be required to admit all employees to membership without discrimination in any way, shape, or form.

Why should labor organizations be treated with such reverence? What is there that entitles them to the added strength and power which would be conferred upon them by the union shop, when they are not even willing to live up to our American ideal of fair play and nondiscriminatory treatment? Conferring upon railroad labor unions the authority which would be given by S. 3295 without imposing the requirements of my proposed amendment would be an act of subservience to the labor unions that I hope not many of the Members of this body will be guilty of.

In conclusion, I urge you to consider carefully the full import of my proposed amendment and to vote for its adoption.

No. 1. On page 3, line 8, it is proposed to insert new paragraph twelfth to read as follows:

"Twelfth. Notwithstanding any other provisions of this act, or of any other statute or law of the United States, or Territory thereof, or of any State, any union, labor organization, or labor representative that segregates members into separate or auxiliary locals or excludes any member of the craft or class from membership therein on the grounds of race, creed, color, or national origin, or denies membership therein to any member of the craft or class upon terms or conditions not generally applicable to all members of the craft or class; or excludes any member of the craft or class from participation in the collective-bargaining process; or that uses its position as a collective-bargaining representative under this act to discriminate against members of the craft or class on the grounds of race, creed, color, or national origin; or that uses its position as such collective-bargaining representative to bar the employment by the carrier of any person because of his race, creed, color, or national origin, shall not act as representative under this act of any craft or class, and shall not be entitled to any of the provisions of the act."

Mr. TAFT. Mr. President, I only wish to add my plea to that of the Senator from Alabama that the bill be passed.

In effect, the bill inserts in the railway mediation law almost the exact provisions, so far as they fit, of the Taft-Hartley law, so that the conditions regarding the union shop and the check-off are carried into the relations between railroad unions and the railroads. I believe that those provisions have worked satisfactorily under the Taft-Hartley law. I feel that they would work well in connection with the Railway Labor Act. In response to a question from the unions, I have stated to them that I thought those provisions would work well in the railroad labor law.

I objected to some of the original terms of the bill, but when the proponents agreed to accept amendments which made the provisions identical with the Taft-Hartley law, I was willing to concur in those amendments. Those amendments have been worked out. The Senator from Alabama [Mr. HILL] and myself have joined in offering the amendments. When the amendments are agreed to, I hope the bill may be passed.

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

Mr. TAFT. I yield to the Senator from Florida.

Mr. HOLLAND. In speaking of the fact that the provisions of the new law, with the amendments suggested by the Senator from Ohio and his colleagues, would be identical with the provisions of the Taft-Hartley law, the Senator did not intend, I am sure, to give the impression that the law would, even with the amendments proposed here contain the provision of the Taft-Hartley law respecting and giving effect to the provisions of the State constitutions and State statutes in those States which have provided by one means or the other that employment in any industry or the continuation of employment therein shall not depend upon membership or nonmembership in a union? The Senator did not intend to give that impression, did he?

Mr. TAFT. No. I did not make the adoption of that provision of the Taft-Hartley law a provision of my agreement to the changes before us.

Mr. HILL. Mr. President, unless Senators desire to discuss the bill further, I ask that the Senate proceed to consider the committee amendments.

The PRESIDING OFFICER (Mr. DONNELL in the chair). Without objection, it is so ordered. The clerk will state the first committee amendment.

The first amendment was, on page 2, line 10, after the word "representing", to strike out "the" and insert "their."

The amendment was agreed to.

The next amendment was, in the same line, after the word "class", to strike out "of such employees."

The amendment was agreed to.

The next amendment was, in line 15, after the word "or", to strike out "because of membership in any other labor organization" and insert "with respect to employees to whom membership was denied or terminated for any reason other than the failure of the employee to tender the periodic dues, initiation fees, and assessments uniformly required as a condition of acquiring or retaining membership."

Mr. HILL. With respect to that committee amendment, I wish to offer an amendment on behalf of the Senator from Ohio [Mr. TAFT] and myself which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 20, after the word "assessments" and before the word "uniformly", it is proposed to insert "(not including fines and penalties)."

Mr. HILL. Mr. President, I think the amendment on the face of it is self-explanatory. It means that the words "periodic dues, initiation fees, and assessments" shall not in any way be construed to include "fines and penalties." In other words, the only basis upon which a union can deny an employee of a railroad the right to join a union is if he does not pay his dues, initiation fees, and assessments. The committee wants to make it plain that dues, initiation fees, and assessments do not include fines and penalties.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. HILL] on behalf of himself and the Senator from Ohio [Mr. TAFT] to the committee amendment.

Mr. HOLLAND. Mr. President, I would have no objection to the adoption of that amendment except for the possible effect upon an amendment I have submitted, which is printed and has been lying on the table since September 13. I believe my amendment should properly be offered as an amendment to this particular amendment. However, I am not anxious to do so unless that is necessary in order to protect the right to have my amendment considered. In other words, I do not want to interfere with the committee amendment or the amendment offered thereto, which is being considered, provided I fully preserve my own right and the right of other Senators who are interested in my amendment, to have it considered on its own merits at a later time.

Mr. HILL. I will say to the distinguished Senator from Florida that from my examination of the Senator's amendment I certainly know of no reason why it should not be offered later. I realize, however, that it may be in the form of an amendment to the committee amendment now. But speaking for myself, it raises a question which is entirely different from the committee amendment, although that may be the place where it should be offered. Certainly I would raise no objection or make any

point if the Senator were to see fit to offer his amendment at a later time. Let it be offered then and be determined on its own merits if the Senator desires.

Mr. HOLLAND. Mr. President, in order not to interefere in the slightest with the amendment now pending, if the Senator from Alabama will yield to me for the purpose, I should like to ask the unanimous consent of the Senate that the amendment to which I have referred, which in effect protects the rights of the States which by constitutional provisions or by statutory enactments have provided that employment in any industry in their jurisdiction shall not be dependent upon membership or nonmembership in a labor organization, may be offered after the consideration of the pending amendment, without prejudice, and that it shall be regarded as being in order at that time.

Mr. HILL. Will the Senator include in his request that his amendment be considered after consideration of the committee amendments? We have other committee amendments to consider.

Mr. HOLLAND. I shall have no objection provided it may be unanimously agreed that the amendment may be in order at that time.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. WHERRY. Mr. President, I do not object to the unanimous-consent request. My feeling is that the Senator from Florida has that right anyway. Does he not?

Mr. HOLLAND. I may say to the Senator from Alabama and the distinguished minority leader, that I have just been advised by the Parliamentarian that the adoption of the amendment now being considered would probably make out of order my amendment, to which I have referred, unless the unanimous-consent request be agreed to, and that otherwise I would have to offer it as an amendment to the pending amendment, which I do not wish to do unless it becomes necessary.

The PRESIDING OFFICER. Is there objection to the unanimous request of the Senator from Florida [Mr. HOLLAND]? Hearing none, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Alabama [Mr. HILL] on behalf of himself and the Senator from Ohio [Mr. TAFT] to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The remaining committee amendments will be stated.

The amendments were, on page 3, line 1, after the word "agreements", to strike out "with such carrier or carriers"; in line 2, after the word "deduction", to insert "by such carrier or carriers"; in line 4, after the word "and", to strike out "pay" and insert "payment"; in line 5, after the word "representing", to strike out "such" and insert "the"; in the same line, after the word "employees" to insert "of"; and in line 6, after the word "dues", to insert "initiation."

The amendments were agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. HILL. Mr. President, on behalf of the Senator from Ohio and myself, I offer another amendment at this time.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 3, it is proposed to strike out lines 6 and 7 and insert "any periodic dues, initiation fees, and assessments (not including fines and penalties), uniformly required as a condition of acquiring or retaining membership, *Provided*, That no such agreement shall be effective with respect to any individual employee until he shall have furnished the employer with a written assignment to the labor organization of such membership dues, initiation fees, and assessments, which shall be revocable in writing after the expiration of 1 year or upon the termination date of the applicable collective agreement, whichever occurs sooner."

On page 3, after subparagraph (b) it is proposed to insert the following:

(c) The requirement of membership in a labor organization in an agreement made pursuant to subparagraph (a) shall be satisfied, as to both a present or future employee in engine, train, yard, or hostling service, that is, an employee engaged in any of the services or capacities covered in section 3, first (h) of this act defining the jurisdictional scope of the first division of the National Railroad Adjustment Board, if said employee shall hold or acquire membership in any one of the labor organizations, national in scope, organized in accordance with this act and admitting to membership employees of a craft or class in any of said services; and no agreement made pursuant to subparagraph (b) shall provide for deductions from his wages for periodic dues, initiation fees, or assessments payable to any labor organization other than that in which he holds membership: *Provided, however*, That as to an employee in any of said services on a particular carrier at the effective date of any such agreement on a carrier, who is not a member of any one of the labor organizations, national in scope, organized in accordance with this act and admitting to membership employees of a craft or class in any of said services, such employee, as a condition of continuing his employment, may be required to become a member of the organization representing the craft in which he is employed on the effective date of the first agreement applicable to him: *Provided, further*, That nothing herein or in any such agreement or agreements shall prevent an employee from changing membership from one organization to another organization admitting to membership employees of a craft or class in any of said services.

(d) Any provisions in paragraphs fourth and fifth of section 2 of this act in conflict herewith are to the extent of such conflict amended.

The PRESIDING OFFICER. Does the Senator from Alabama desire that the two amendments be considered en bloc?

Mr. HILL. Yes.

The PRESIDING OFFICER. Without objection, the amendments will be considered en bloc.

Mr. HILL. Mr. President, these amendments are the amendments agreed upon by the railroad brotherhoods. They are the amendments to which I alluded earlier. With their adoption, the railroad brotherhoods urge the passage of the bill.

The amendments do nothing more nor less than what the committee desires to do, and what was the intent of the committee in offering its amendment, that no employee of a railroad should be required to belong to more than one labor organization. The only difference between the committee amendment and the amendments now before the Senate, which have been agreed upon by all the railroad organizations, is that the amendments now before the Senate spell out in much more detail the purposes of the committee amendment than did the committee amendment. But the intent and the purpose of the committee amendments and the amendments now before the Senate are exactly the same.

The PRESIDING OFFICER. The question is on agreeing to the amendments, en bloc, offered by the Senator from Alabama [Mr. HILL], on behalf of himself and the Senator from Ohio [Mr. TAFT].

The amendments, en bloc, were agreed to.

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

Mr. HILL. I yield.

Mr. WILEY. Do I correctly understand that the amendments which have just been adopted en bloc are, in their content, substantially the same as the provision in the Taft-Hartley law?

Mr. HILL. No, I cannot say that. The amendments deal solely and entirely with railroad employees and go to the question that no man working for a railroad shall be required to belong to more than one labor organization. That is the whole intent and purpose of the amendments, and it is written out in detail, because of the fact that railroad employees are divided into operating unions and nonoperating unions. What the amendments do is simply to spell out the one proposition that no employee of a railroad shall be required to belong to more than one union. The Senator realizes that in an operating union a man may be a brakeman today and may be promoted to be a conductor tomorrow, and he may be a conductor for 30, 60, or 90 days, and then he may be dropped back to be a brakeman again. He might be a fireman today; but tomorrow he might be promoted to be an engineer. He might then serve for 90 days or 120 days as an engineer, and then he might be demoted to fireman. In the railroad industry there is a peculiar situation which perhaps does not exist in any other industry. The only purpose of the amendment is to make sure that a person employed by one of the railroads does not have to belong to more than one union.

Mr. WILEY. In other words, in substance the amendment coincides with a similar provision of the Taft-Hartley Act; is that correct?

Mr. HILL. I would say so; yes.

Mr. WILEY. Does the Senator have another amendment? I wish to make sure, because I have listened very carefully to the Senator's remarks.

Mr. HILL. No; the other amendment is the one the Senator alluded to earlier.

That is the amendment with reference to the check-off. That amendment has also been agreed to.

Mr. WILEY. That amendment contains provisions similar to the corresponding provisions of the Taft-Hartley Act; does it not?

Mr. HILL. That is correct. The amendment provides that a railroad employee cannot have a check-off of his wages without his written consent.

Mr. WILEY. I wish to have it made clear also that all the railroad unions the Senator has mentioned have considered the amendments which are similar in content to the corresponding provisions of the Taft-Hartley Act, and that they have approved them, as the Senator has indicated today.

Mr. HILL. They have approved these amendments; yes.

Mr. WHERRY. Mr. President, will the Senator yield at this point?

Mr. HILL. I yield.

Mr. WHERRY. Do all the employees in the various branches of the railroad labor organizations approve this bill as it has now been amended?

Mr. HILL. I do not believe the Senator was able to be on the floor a short time ago when I answered a somewhat similar question which was asked by the Senator from Wisconsin. I read to the Senate, in part, the testimony as to that question which Mr. Harrison had given before the subcommittee. His testimony showed that in some cases conventions had acted on this matter; in other cases, meetings called had acted on it; but in all cases some official spokesman who was speaking for them was urging the adoption of this proposed legislation, with the exception of the spokesman for one of the railroad labor organizations.

As I said earlier, there are 22 railroad labor organizations; and with one exception, namely, the Brotherhood of Locomotive Engineers, those organizations approve of this proposed legislation. The one exception, the Brotherhood of Locomotive Engineers, did not oppose the bill; but the head of that organization does not feel that he is authorized to endorse the bill.

Mr. WHERRY. The amendments which have been adopted were offered after the committee held hearings, as I understand. Were the amendments submitted in order to satisfy objections raised by any groups of railroad employees?

Mr. HILL. The truth of the matter is that the amendments were submitted not only to satisfy the objections of various branches of the railroad brotherhoods, but also because some of the committee members felt that the amendments should be adopted.

Mr. WHERRY. I wish to ascertain for the RECORD whether the adoption of these amendments makes the measure, as now amended, more acceptable to the various branches or groups of the railroad employees.

Mr. HILL. The adoption of these amendments means that 21 of the 22 railroad labor organizations not only favor the bill, but urge its passage with the amendments as adopted. The twenty-second group or organization is not in a position to act on this measure, because the head of that organization says he does not have the authority to do so. However, that organization is not opposing the bill.

Mr. WHERRY. The Senator is speaking of the railroad organizations operating under the Railway Labor Act, is he?

Mr. HILL. That is correct.

Mr. WHERRY. So only one of those organizations has not approved the bill, and that organization does not disapprove it. Is that correct?

Mr. HILL. That is correct.

Mr. WHERRY. With these amendments written into the bill, will that one railroad labor organization be more receptive to the enactment of the bill than it would have been if the amendments had not been adopted?

Mr. HILL. Yes; I can say that organization would be. I give it as my opinion, for whatever it may be worth that if the head of that organization had felt he had the authority, he would have approved the bill. He simply does not believe he has the authority to act in the premises.

Mr. WHERRY. The Senator says, as I understand, that the first amendment, which was being discussed when I entered the Chamber, provides that a member does not have to belong to more than one union. Is that correct?

Mr. HILL. That is correct.

Mr. WHERRY. That is because of the example the Senator gave, namely, that often a fireman will move up to the job of engineer, but later will return to the job of fireman. Is that correct?

Mr. HILL. That is correct.

Mr. WHERRY. Does any employee have to belong to a union?

Mr. HILL. He has to belong to a union if the collective bargaining agreement which has been worked out provides that those who work for the railroads shall within 60 days join a union.

Mr. WHERRY. That is similar to a provision of the Taft-Hartley Act.

Mr. HILL. Yes. However, there is nothing in this measure which would compel any railroad to enter into any collective-bargaining agreements. This measure simply removes a prohibition now in the law against such bargaining agreements.

Mr. WHERRY. I understand that; but I wish to find out what is mandatory about the bill. The railroad workers who come under this provision of the bill will have to belong to a union, but to only one union. Is that correct?

Mr. HILL. That is correct—to only one union.

Mr. WHERRY. Is that now required under the Railway Labor Act?

Mr. HILL. No; it is prohibited now. That is what we are getting away from by means of this bill. It is to remove that prohibition against a union shop that this bill is now before the Senate.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HOLLAND. Mr. President, at this time I offer the amendment to which I have previously referred, and I ask that the amendment be read. Following the reading of the amendment, I shall ask that the yeas and nays be ordered on the question of agreeing to the amendment.

The PRESIDING OFFICER. The amendment will be read.

The CHIEF CLERK. On page 1, in line 8, it is proposed to strike out "or Territory thereof, or of any State".

On page 2, line 21, it is proposed to strike out the comma, insert a colon in lieu thereof, and the following: *"Provided further,* That nothing in this paragraph shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law."

Mr. HOLLAND. Mr. President, I now ask that the yeas and nays be ordered on the question of agreeing to this particular amendment, when the time is reached for voting on the amendment at the conclusion of the arguments about it.

The PRESIDING OFFICER. There are two amendments. Does the Senator from Florida wish to have the yeas and nays ordered on each of them separately or on both of them jointly?

Mr. HOLLAND. I should like to have both of them voted on at one time, and to have the yeas and nays ordered on both of them, when voted on in that way, unless there is a request to have the amendments voted on separately.

The PRESIDING OFFICER. Without objection, the amendments will be voted on en bloc.

The Senator from Florida has asked that the yeas and nays be ordered on the question of agreeing to the amendments. Is there a sufficient second?

The yeas and nays were ordered.

Mr. WHERRY. Mr. President, I should like to make a request, if the Senator who has the floor will yield to me for that purpose.

Mr. HOLLAND. I yield.

Mr. WHERRY. It is now quarter to 4. I do not know how long the distinguished Senator from Florida will speak. However, inasmuch as the yeas and nays have been ordered on his amendments, and inasmuch as a quorum call will be required before the vote is taken on them—and I think that should be done, inasmuch as a number of Senators are not now in the Chamber—I appeal to the managers of the bill, if this debate lasts much longer, to let us vote on the bill at a time when it will be possible to have a rather full attendance of the membership of the Senate. After all, it is now rather late in the day to have a quorum call and to get most Members of the Senate present to vote on the bill.

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

Mr. HOLLAND. I yield.

Mr. HILL. The distinguished Senator from Illinois indicated very strongly, I think, that the debate would run along for a time, and that if it lasted until somewhat late in the afternoon, we would take a recess until tomorrow, and not vote today on the bill.

Mr. WHERRY. I appreciate that. However, in view of the fact that the yeas and nays have been ordered on the amendments of the Senator from Florida, I submit that the consideration of

having a quorum call should be given to all Senators.

Now that there is to be a yea-and-nay vote on the amendments of the Senator from Florida, I respectfully submit that, if possible, we should either remain here and vote on the bill today, or else we should order a quorum call to be had tomorrow, in order to give due regard to having as many as possible of the Members of the Senate present to record their votes.

Mr. HOLLAND. So far as I am concerned, Mr. President, I am perfectly willing to accede to whatever decision the two leaders reach on that point. I expect to speak for perhaps an hour or a little longer, but I plan to speak only once.

Mr. WHERRY. Mr. President, if the Senator from Florida will further yield——

Mr. HOLLAND. I yield.

Mr. WHERRY. I do not care how long Senators debate this measure this evening; but if they are willing to agree now as to a time when the vote shall be taken tomorrow, by unanimous consent, those of us on this side of the aisle are prepared to vote on that question.

Mr. HILL. Mr. President, the Senator from Florida has said that he expects to speak for an hour or so. In the meantime I expect the majority leader to return to the Chamber, and then he will be able to participate in the discussion regarding the matter the Senator from Nebraska has mentioned.

Mr. WHERRY. In view of the fact that the yeas and nays have been ordered, I think the vote on these two amendments should be taken tomorrow.

Mr. HOLLAND. Mr. President, and Members of the Senate, reference was made a moment ago by one of the Senators participating in the colloquy to the fact that two amendments now have been proposed by me. Although that is true as a formal matter, yet the two amendments actually comprise one amendment in their intent and meaning.

In order to call attention at this time to the text of the amendment I am offering, I ask, first, that the entire amendment be printed at this point in the RECORD as a part of my remarks.

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

On page 1, line 8, strike out the following: "or Territory thereof, or of any State."

On page 2, line 21, strike out the comma, insert a colon in lieu thereof, and the following: "*Provided further*, That nothing in this paragraph shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law."

Mr. HOLLAND. Mr. President, I now call attention to the fact that the first portion of the amendment reads as follows:

On page 1, line 8, strike out the following: "or Territory thereof, or of any State."

By adverting to the printed copy of Senate bill 3295, it will be discovered that this particular amendment applies to the provision of the bill appearing in lines 6, 7, and 8, on page 1 of the printed bill, which reads as follows:

Notwithstanding any other provisions of this act, or of any other statute or law of the United States, or Territory thereof, or of any State.

The omission of the words "or Territory thereof, or of any State," as proposed in the first part of the pending amendment, would simply make the provision which I have just quoted, from S. 3295, read as follows:

Notwithstanding any other provisions of this act or of any other statute or law of the United States—

And so forth. It would thus limit this measure in its provisions which apply to other laws entirely, so that it will provide only that, notwithstanding other provisions which appear in this act, or in any other statute or law of the United States, alone, not including laws of States or Territories—excluding the mention, therefore, of other provisions of State or Territorial legislation, as was included in the measure as produced by the committee.

In other words, that part of the amendment would simply dovetail with the later portion of the amendment, which seeks by its terms to write into this measure the exact provision now appearing in the Taft-Hartley law which preserves and respects and confirms the force and effect of constitutional or statutory measures in any State or Territory under which it is provided that it may not be legally prescribed as a condition of employment or of continued employment that any worker shall have to be either a member or not a member of any labor organization.

The second portion of my amendment specifically writes into the bill, or would write into the bill if it would, the exact words out of the Taft-Hartley Act, which now provide as a part of that act and as a part of the law of the United States—and at this point I quote:

That nothing in this paragraph shall be construed as authorizing the execution or application of agreements requiring membership in a labor organization as a condition of employment in any State or Territory in which such execution or application is prohibited by State or Territorial law.

Mr. President, it has been stated rather loosely upon the floor of the Senate—and I have no desire at all to impugn the motives of anyone, because I think it has been entirely clear by subsequent statements that the statements were not meant to go as far as they appeared to go in the beginning—that the pending measure, if adopted, would write into the Railway Labor Act the specific provisions of the Taft-Hartley law as it now exists, with reference to the subject of the union shop and the check-off. That, of course, is not exactly correct, unless there be added, by the adoption of the amendment now proposed, a provision in the Taft-Hartley law which preserves and confirms and retains within the jurisdiction of the several States or Territories the effect of their several constitutional and statutory requirements banning the so-called closed-shop or union-shop condition, either of them, as a condition for legal employment.

I want to make that abundantly clear before we go further—that we are not seeking to write into this law by the amendment now proposed anything unknown to the law; to the contrary, we are trying to make this law, if this amendment which I propose does become law, exactly like the Taft-Hartley law in this particular portion or in the application of the provision of this particular portion of the Taft-Hartley law and the field now covered by it.

I call attention to the fact that in all the debates connected with passage of the Taft-Hartley law and in the adoption in the Senate, though not by the Congress, of amendments of the Taft-Hartley law last year, 1949, the great majority of the Senate specifically held by its vote, not on one occasion but on several occasions, that they felt that it was sound public policy to continue in force and effect and to preserve and to confirm within the several jurisdictions that had so prescribed as a matter of sound State or Territorial policy the principle that membership or nonmembership in a union should never be prescribed as a condition of employment or of continued employment. We, a great majority of the Senate, specifically continued that provision throughout every discussion and debate and vote which we have taken in the consideration of the Taft-Hartley bill originally and in the consideration of the proposed amendments which were voted last year, 1949, in the Senate, but which never became law.

I call attention at this time to the last time that this particular provision was debated in the Senate. It will be found in the CONGRESSIONAL RECORD of June 30, 1949. The part of the debate which bears on this point appears in the RECORD of that date at pages 8694 to 8713, inclusive. It is unnecessary at this time to quote extensively from that debate, but I do want the record of this particular debate to recall the fact that that was the last time this particular item was debated. I should like at this time to ask unanimous consent to insert at this point in my remarks the list of yea-and-nay votes, found at page 8712 of the RECORD of June 30, 1949, showing the vote of 53 to 41, by which this provision was retained, respecting and confirming the State constitutional and statutory provisions on the subject of the closed shop or the union shop in the provisions of the Taft-Hartley Act. I ask at this time that the list of the yeas and nays appearing in column 3 on page 8712 of the CONGRESSIONAL RECORD of June 30, 1949, be printed at this point as a portion of my remarks.

There being no objection, the list of the yeas and nays was ordered to be printed in the RECORD, as follows:

The result was announced—yeas 41, nays 53, as follows:

Yeas—41: Aiken, Anderson, Baldwin, Douglas, Downey, Flanders, Graham, Green, Hendrickson, Hill, Humphrey, Hunt, Ives, Johnson, Colo., Johnston, S. C., Kefauver, Kerr, Kilgore, Langer, Lodge, Long, Lucas, McGrath, McMahon, Magnuson, Miller, Morse, Murray, Myers, Neely, O'Mahoney, Pepper, Saltonstall,

Smith, Maine, Sparkman, Taylor, Thomas, Okla., Thomas, Utah, Thye, Tobey, Withers.

Nays—53: Brewster, Bricker, Bridges, Butler, Byrd, Cain, Capehart, Chapman, Chavez, Connally, Cordon, Donnell, Eastland, Ecton, Ferguson, Frear, Fulbright, George, Gillette, Gurney, Hayden, Hickenlooper, Hoey, Holland, Jenner, Johnson, Tex., Kem, Knowland, McCarran, McCarthy, McClellan, McFarland, McKellar, Malone, Martin, Maybank, Millikin, Mundt, O'Conor, Reed, Robertson, Russell, Schoeppel, Smith, N. J., Stennis, Taft, Tydings, Vandenberg, Watkins, Wherry, Wiley, Williams, Young.

Not voting—1: Ellender.

Mr. HOLLAND. Mr. President, I do not intend to labor the question which is now before us, or to speak at undue length on this measure. It seems to me, though, that it is a matter of complete necessity that the Senate, in considering this question of a proposed amendment to the Railway Labor Act, consider also the positions which it has taken upon a similar act, the Taft-Hartley Act, which is predicated incidentally upon the interstate commerce clause, and which applies incidentally only to transactions and employments in interstate commerce; and to remind Members of the Senate of the action which we have heretofore taken, and which we have heretofore insisted upon in numerous debates of that particular provision, and to remind Members of the Senate that the taking of a contrary position here would simply invite attention to the fact that we discriminate between the class of workingmen, covered by the pending amendment and by the Railway Labor Act, and those other workmen also engaged in interstate commerce, who are covered by the provisions of the Taft-Hartley Act.

I may say it seems rather clear to me that if by this amendment the Senate should incorporate the requirement that anticlosed and antiunion shop declarations of State and Territorial laws shall not be observed, that the Senate and the Congress and the people, employers and workmen and the general public, may with confidence expect an insistent demand in the near future for the taking of similar action cutting out of the Taft-Hartley Act the specific requirements of that act, which would then be completely contradictory of the provisions which we would write into the Railway Labor Act if we should adopt the committee amendments, without adding thereto the amendment which I am proposing at this time.

Mr. President, to make that point doubly clear, may I recall to the public the fact that while railway employees are of course engaged in interstate labor and interstate commerce, that, as to that portion of the railway employees who have been insistently urging the passage of this bill, namely, those who work as clerks or clerical employees, and those who work as maintenance-way employees and those who work in the shops and in the various other places, other than as operating members of train crews, that their residence within States is just as fixed relatively speaking as is the residence of any other class of employees in any class of industry covered by the Taft-Hartley Act. I recall to the Senate and to the country the fact that when this measure was being debated in September of this year, the Senate at that time was served with notice by the large operating brotherhoods, by formal communications appearing over the signatures of the officials of those brotherhoods, that they wanted to indicate their opposition to enactment of this measure at that time, but that we were visited with an urgent and even an insistent request from the heads of some of the other organizations, including organizations such as the organization of clerks, the maintenance-way organizations, and the shop organizations, as a rule—we were faced with requests from them for the enactment of this particular legislation. There is no reason at all why they should be any more exempted from the declarations of the States and Territories on the subject of anti-closed-shop provisions or anti-union-shop provisions or both, than in the case of the motor-vehicle employees, many of whom are actively and actually engaged in interstate commerce, which takes them from State to State, or employees of the telephone, telegraph, or radio, who are certainly engaged in employment, the effect of which is to know no State lines and to cross those State lines on every conceivable occasion as an incident of their employment.

If exceptions be made to the rule, which I think is a sound and salutary rule, and which has been heretofore adopted and adhered to closely by a majority of the Senate by our insisting on the preservation and recognition and giving of full force and effect to constitutional and statutory declarations of the several States on this important subject, we shall find ourselves confronted with having taken completely inconsistent positions and with having invited a demand for the rescission, cancellation, and repeal of those portions of the Taft-Hartley Act which do specifically confirm and respect the provisions of State and territorial laws and constitutions on this subject.

Mr. President, insofar as the State of Florida is concerned as a Senator from Florida I deem it to be my duty to invite the attention of the Senate to the provisions of laws of our State which run counter to any proposals which are advanced on the floor of the Senate, and at least to let Senators have the information as to what are the provisions of law within the State of Florida which would be cancelled by the enactment of proposals pending in Congress.

On this particular point I read from section 12 of the State Constitution of Florida the provision which was adopted by referendum of our people. Whether or not any particular citizen or individual in the State of Florida desires it to be so or not, it is now part of our fundamental law in Florida, just as it is a part of the fundamental law or statutory law of some 20 States from the Pacific to the Atlantic. The provision of our constitution reads:

> The right of persons to work shall not be denied or abridged on account of membership or nonmembership in any labor union or labor organization, provided that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Mr. President, it seems to me that that is a fair proposition. The people of our State thought it was fair and wrote it into our constitution in a referendum which was addressed to the sound judgment of the voters of our State.

Incidentally, Mr. President, there have been several efforts made since that time to repeal that portion of our constitution which was adopted in the general election, as I recall, of 1944. However, without variation the legislature of the State has by overwhelming majorities refused on several occasions to submit to the people any measure which would have in effect abridged, repealed, or amended this provision of our State constitution.

Mr. PEPPER. Mr. President, will my colleague yield for a question?

Mr. HOLLAND. I am happy to yield.

Mr. PEPPER. Does my colleague have in mind any case on the subject, or does he have any opinion as to whether the provision allowing collective bargaining between labor and management in Florida under that provision of the Constitution would preclude a collective bargaining agreement regarding a union shop?

Mr. HOLLAND. I believe no case on that point has been decided by either the Supreme Court of the United States or the Supreme Court of Florida.

Mr. PEPPER. I do not recall any.

Mr. HOLLAND. My recollection is that decisions have been rendered on the subject by courts of lesser importance, all of them upholding the clear wording of the constitutional provisions. I understand further that effort was made to appeal at least one of such decisions to the Supreme Court of the United States. However, as I recall, the Supreme Court declined to exercise jurisdiction on the ground that it felt the constitutional provision should first be construed by the Supreme Court of the State of Florida. That is my recollection of the history of the subject up to this time. I may say, however, that quite similar provisions have been brought before the Supreme Court of the United States in three cases which were decided last year. I shall not attempt to quote the decisions for the RECORD unless it becomes necessary to do so. The three cases affect provisions of the statute law of North Carolina and constitutional provisions in Nebraska and Arizona. In going into this subject in detail in 1949, on the occasion when we were debating it, I found that the Supreme Court had upheld by unanimous decision the validity of one of those constitutional provisions. My recollection is that it was the constitutional provision of the State of Nebraska. It is also my recollection that the Supreme Court had upheld by a similar unanimous decision the statutory provision of the State of North Carolina, and that it had upheld by an 8-to-1 decision the constitutional provision of the State of Arizona, which latter constitutional provision did not go as far as does the constitutional provision of the State of

Florida in making clear that complete and even-handed justice is done. I invite the attention of my colleague to the fact, as is well known to him, I am certain, that in the constitutional amendment adopted in the State of Florida we protected not only as against a requirement of membership in a union, but also as against a requirement of nonmembership. To quote again the provision of our constitution, it reads:

> The right of persons to work shall not be denied or abridged on account of membership or nonmembership in any labor union or labor organization, provided that this clause shall not be construed to deny or abridge the right of employees by and through a labor organization or labor union to bargain collectively with their employer.

Again going back to the Arizona case, my recollection is that the reason on which one justice of the Supreme Court—and as I recall, it was the late Mr. Justice Murphy—declined to approve the constitutional provision of the State of Arizona was, to the best of my recollection, the fact that it was not completely even-handed, in that it did not apply to conditions which were equally applicable to membership or nonmembership in union. In other words, the provision was directed only against membership in unions. The late Mr. Justice Murphy in his dissenting opinion found such a provision to be not even-handed justice. However, his opinion was only one out of nine opinions. The other eight Justices upheld even that more one-sided approach to the problem in the Constitution of the State of Arizona.

Therefore, it is amply clear that the Supreme Court of the United States has not only upheld such constitutional requirements, but has upheld them with a unanimity which is rarely found in the membership of our Supreme Court in this day.

As I recall, the decisions made it very clear that this was a matter properly addressed to the sound policies and sound judgment of the people of the respective States as to whether or not they should or should not adopt as a part of their law, whether statutory or constitutional, anticlosed shop or antiunion shop provisions.

As I recall, one or more of the decisions went out of its way to say that those who complained of such a law must remember that they have a perfect remedy. That remedy does not lie in the courts, but in the people and in addressing their petition for a change to the people of the several States or the legislatures of the several States, or both, as the case may be.

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

Mr. HOLLAND. I yield.

Mr. PEPPER. If the Senator cares to do so, I should like to have an expression of his opinion as to whether the right to bargain collectively would carry with it the right to bargain and enter into a contract, if agreeable to management, pursuant to that bargaining, which did provide a union-shop provision similar to that which would be permitted here.

Mr. HOLLAND. I was not a member of the legislature which debated at length the subject matter of the amendment. Nor did I participate in the rather heavy debates which took place in the State prior to the election, inasmuch as I was serving as the chief executive of the State. However, it is my clear recollection that both in the debates on the floor of the Legislature of Florida and in the debates which preceded the referendum election in which this amendment was adopted it was made very clear that the inclusion of this particular provision referred to by my colleague was for a single purpose, and that was to make it completely clear that there was no thought in the minds of those submitting the amendment to inhibit collective bargaining or to prevent collective bargaining except in that one particular which is prescribed in the earlier part of the amendment. Therefore my answer to my colleague would be that, basing my opinion upon the debates at that time, both in the legislature and before the public, it was made crystal clear that the provision would not give to collective bargainers the authority to violate or ignore the earlier provisions of the amendment. Instead, the earlier provisions of the amendment were intended to be mandatory upon our people, and the last portion of the amendment was included simply to give assurance that there was no disposition to prevent membership in a labor union or a reliance upon collective bargaining, except insofar as the earlier portion of the amendment may have provided for the governance of relations between employers and employees in the State of Florida.

Mr. PEPPER. Mr. President, if my colleague will yield further, I believe that the interpretation just given by my able colleague is the correct one. If he will yield further, I should like to ask him if any of the three cases in the United States Supreme Court to which he has referred, upholding constitutional or statutory provisions in States, involved a field in which Congress had asserted a paramount authority to regulate the subject? Did any of those cases involve the question as to whether the act of Congress was valid, or whether the State constitutional or statutory provision would take precedence?

Mr. HOLLAND. I will say to my colleague that in none of the three cases mentioned had the Congress asserted Federal jurisdiction. So far as the junior Senator from Florida is concerned, it is his belief and understanding of the law that the Federal Government—the Congress or the Federal Government acting through the Congress by the enactment of a law—has the complete right to go into a field which lies in interstate commerce, under the interstate commerce clause, and to preempt that field by the enactment of Federal legislation. That point was very fully argued during the various earlier occasions when this question was debated in the Senate. It was discussed during the debates on the Taft-Hartley Act, both in connection with the passage of the original act and in connection with proposed amendments to the act or repeal of the act. As I understand, in every case it was admitted by all lawyers participating that the Congress and the Federal Government are certainly not without authority to assert themselves in this field, and that if they so assert themselves in this field, as to all that assertion which covers interstate commerce, they are certainly on sound ground, and that their preemption of that field would be of such a nature as to exclude the operation of State law within the same field. I believe that is the point to which my colleague was addressing himself, and I believe that his understanding of that situation and mine are entirely the same.

We come back, therefore, to the question as to whether or not it is sound Federal public policy at this time to enact the proposed law without including in it the same safeguards—the same sort of preservation of State law—as we have very carefully included within the Taft-Hartley law. Even at the time of the proposed amendments to that law we insisted again upon the continued inclusion of that provision.

On the question as to what is sound policy, it is my position that there is no difference between the situation which we are discussing here, governing, as the junior Senator from Florida understands, only those who are in interstate commerce in the railroad industry and in the aviation industry and the situation with respect to persons in the quite similar industries covering the fields of radio, television, telephone, telegraph, motor transportation, and other fields of law which, without question, are in their most general application interstate commerce in its fullest sense.

In closing this part of my discussion, I merely wish to call attention—unless my colleague has further questions—to the point that it is just as proper for the Congress to make this reservation in the enactment of this law as it was to make such a reservation in the enactment of the Taft-Hartley law. In the opinion of the junior Senator from Florida it is just as necessary to do it now as then, unless we are to take the position that there is no value in a sound expression of public policy by a State or Territory in a matter of this kind, which commands such respect and which is of such dignity as to require the Federal Government, in its sound discretion, to continue in operation that expression.

I invite the attention of Senators to the fact that this does not govern simply the question of employment or nonemployment of a particular individual, or in any particular industry. It is a very grave and far-reaching expression of sound public policy, in the discretion and judgment of the people of a sovereign State, that as to people living within such State, and as to people engaged in business within such State, people who are either members of unions or who might become members of unions in that particular field, there shall be no discrimination in employment based upon the question of either membership or nonmembership in a labor organization. It is an exceedingly vital matter to every citizen whether or not he has the right to seek and to receive employment.

I believe that the type of expression of sound public policy which is contained in these amendments and in these statutes goes a great deal further than merely covering the field of organized labor. To the contrary, it runs to the question as to whether or not, in the sound judgment of the people in the State or territory which is affected, there is a sufficiently valid claim or a right on the part of every citizen to have such employment as he is equipped to do, free to him if he can gain it on his merits and his ability to discharge the duties and requirements of the employment, and free from any condition which would be harmful to him or to his chance of employment or continued employment, based upon either his membership or nonmembership in a union organization.

Eighteen or twenty States have, by most dignified declarations of their own sound public policy, indicated adherence to this principle. Such declarations have, I repeat, been recognized by the United States Supreme Court. There are three decisions which are not only far reaching but characterized by an unusual degree of unanimity.

That principle has been recognized by the Congress of the United States, both in the passage of the Taft-Hartley law and in the consideration of proposed amendments, as well as the proposed repeal of that law. Such an expression has been regarded as so sound an expression of the local electorate, the very people who are affected, the people who live within the jurisdiction which lays down that condition as one of the rules of living within that jurisdiction, that it should be respected.

We have respected it in the passage of the Taft-Hartley law, and the Supreme Court of the United States has respected it in two decisions unanimously, and in another one nearly unanimously, because of the fact that they felt that such a dignified expression of the people within a particular jurisdiction should be recognized always unless and until the Federal Government moves legally into that field, which the Congress of the United States has in this case specifically refused to do.

Mr. President, with reference to the field covered by this bill, I wish to remind the Members of the Senate—and I would appreciate it if those few Senators who are present would give attention to this particular remark—that those who are covered by the Railway Labor Act are already given unusual distinction among all the groups of people engaged in gainful employment throughout the United States, in that there have been extended to them from the very beginning, under the terms of the Railway Labor Act, certain provisions and certain conditions which have been denied to others, presumably on the ground that they are a highly responsible group of people, presumably on the ground that they are much more responsible in carrying out their obligations to the general public than in the case of some other industries, or other industries in general.

Under the provisions of the original law, enacted, as I recall, in 1926, and of the amendments to that act, it has been declared from time to time as the law of the United States that the injunctive privileges shall not be extended in this field, even when we were extending that privilege to other fields, which were in the category of vital industries, vital to all our people throughout the United States. In the enactment of the Taft-Hartley law we still excluded, by specific provision contained in that law, those who were covered by the terms of the Railway Labor Act. So that they have unusual recognition, they have unusual rights; they have unusual responsibilities.

Having read, not this year, but last year or the year before, perhaps, some of the hearings and some of the debates at the time of the enactment of the original act, and the earlier amendments to it, I may say that I was struck by the fact that it was perfectly clearly set forth in many instances that it was the leaders of railway labor themselves who were admitting their responsibility to the general public, who asked that no closed-shop or union-shop provision should be imposed in the act, who asserted over and over again that there was, in the case particularly of the operating brotherhoods, a clearly fraternal relation between the members of those organizations, and that they preferred to stand upon the ground—and I wish they were still standing on that ground—that they did not want to gain members by coercion or compulsion, but by the rendition of such service, by the adoption of such high standards of conduct and performance, that they would attract to their membership all those engaged in the operating classifications, at least, because they were offering something that was distinctly worth while.

I should like to refer to the letter that was offered today, if the Senator from Alabama will give me a copy of it. It is dated December 6, 1950, which was yesterday. I believe it is shown by a consideration of the debates and a consideration of the hearings in this field of railway labor that these great and highly beneficial brotherhoods—and they are just that—have uniformly contended that they did not want to stand upon the principle of compulsion or coercion, that instead they wanted to appeal to people who were good people, and who were engaged in their particular employment because of the high standards of their own membership, and the high standards of service to which they devoted themselves.

Mr. President, that is indeed high ground, and I am only sorry that high ground is not taken at this time. Before I close that point, let me say that I have always understood, in talking with many, many members of these organizations, that they wanted always to retain the veto right, that they wanted always to have a right not to admit to their membership—which, as I have said, was largely fraternal membership, as well as a business association of people working in the same industry—those who they thought were unworthy from a moral standpoint, or from any other standpoint. I believe indeed that under the terms of the proposed amendment they insist upon preserving—and I am glad that they do insist upon preserving—the right to admit or not to admit applicants, dependent upon whether they regard them as qualified morally, qualified from the standpoint of their services as performed, to claim membership in their organizations.

I see the Senator from Alabama on his feet, and if he has any questions to ask, I shall be glad to yield to him.

Mr. HILL. Mr. President, the Senator referred to a letter, and said perhaps that was the first time that some of these unions had expressed themselves in favor of a union shop, or the right to bargain collectively for a union shop. If the Senator will examine the hearings, he will find that on May 4 last, during the hearings, Mr. Harry See, representative of the Brotherhood of Railroad Trainmen, appeared before the committee and testified as follows:

> The Brotherhood of Railroad Trainmen is in favor of legitimatizing union shop and check-off contracts. It believes the time is long overdue for these provisions, and that the provisions of the Railway Labor Act forbidding the same should be revised.

I think, if the Senator will go through the hearings he will find that others took the same position. They did not agree as to the particulars of the bill as reported by the committee, and therefore they were not in favor of the bill as reported by the committee. But the Senator will find, I think, that most of these unions long since have been asking for the right to bargain collectively for union shop.

Mr. HOLLAND. I thank the Senator. I repeat only what I said a few minutes ago, that upon search of the record of the early hearings and the early debates, it was very clear that railway labor itself was insisting upon not being in the classification of coercing or compelling membership, but insisting on maintaining the open-shop privilege. I am sure the Senator knows enough about what has transpired throughout the years since 1926 to know that any development to the contrary has been a very late one, and that if it appeared last year in the case of the one organization which the Senator mentioned, it certainly has not appeared until recent months, or the last year or two, in general in the field of the operating brotherhoods, because from the beginning until recently they have been insistent upon the matter of maintaining the open shop. That is the understanding of the Senator from Florida.

The Senator from Florida may say that he left Washington in some perturbation at the end of the session in September. He had asked that the matter go over until the new session, and the Senate voted that that action should be taken. He went home to try to find out, by discussions with railway employees whom he should meet, many of whom were his lifelong friends, what were their feelings in this field, and he is bound to report in candor that he finds in general, at least in his own State, a line of very great differentiation between the thinking of those who are in the shop, maintenance, and clerical activities on the one hand, and those in the

operating brotherhoods. Because from talking, not with one but with several dozens of men whose friendship he estems highly and whose standing as citizens and as lifelong members of the railway operating brotherhoods he respects completely, he knows that beyond dispute the great preponderance of men in that classification whom he had the chance to see and talk to are not favoring the proposed law, but instead are insisting that they prefer to continue the principle for which they had stood through all the years of the Railway Labor Act, and that was the principle of noncompulsion and of noncoercion and of doing such a good job that the good people would want to come into their organizations. They wish to preserve for themselves the right to admit or not to admit to their brotherhoods persons in their calling, dependent upon their moral standing and upon the performance of their duties.

The Senator from Florida does not assume to indicate in the slightest that that was a unanimous feeling on the part of the operating brotherhood members whom he saw, but he does say for the record at this time that the great majority of men from the operating brotherhoods with whom he talked took that position, and that the number from among those operating brotherhoods who did want the bill to be adopted—at least those whom he saw—was very small indeed.

The exact contrary was true in the field of the unions which cover the shops and the maintenance-of-way operations, and the clerical operations of the railroad companies. It is the belief of the Senator from Florida, after having talked with several committees and with many individuals, and after having received a great many communications from members of those brotherhoods, that the great preponderance of members in those particular brotherhoods which are nonoperating, at least in the State of Florida, do favor the adoption of this legislation, though on the question of the preservation or nonpreservation of the provisions of the anti-closed-shop law of the State of Florida, many did not declare themselves one way or the other.

Mr. President, in this whole matter I want to make it clear that the Senator from Florida has endeavored in every way he knew how to find out what was the wish, not only of those who work for the railroads within his own State, but of the general public; of the employers in the railway industry, because he thinks they have a right to be heard; the legislators within his State who alone will have the right to submit a constitutional amendment which would change or vary or repeal the provisions of our present constitutional provision; and that from his own observation and from his own carefully searched-out contacts with many many individuals, both within and without the groups covered by the proposed legislation, he feels entirely sure that the great majority of the citizens of the State of Florida—at least if his sampling was anything like sound, and he believes it was—do not favor the adoption of the proposed law, or if it be adopted, feel that it should be adopted with the amendment under discussion, the amendment which preserves the protection, insofar as our people are concerned and our citizens are concerned, of the provisions of section 12 of our State constitution, which I have already read into the RECORD.

Mr. President, I will not read or attempt to read into the RECORD any of the some hundreds of letters which I have received, almost all of them coming from members of the organizations in the railroad industry who are handling clerical work or maintenance-of-way work or shop work, which favor this act. I will simply state for the RECORD that I have some hundreds of contacts indicating in the main that the great majority of those people do favor the enactment of the measure which is pending here today.

Nor will I attempt to quote into the RECORD from any of the communications which I have received, of which there have been many, from people who are in the position of being executives within the railroad industry, or the owners of stockholdings within the industry, and without exception, I think I should say, those communications, which have been many in number, have been opposed to the enactment of this measure.

Nor will I attempt to put into the RECORD the many communications which I have received from citizens who do not fall within any of the directly affected classifications, but who are simply good citizens of our State, who know about this argument, who know about the proposed amendment of the Railway Labor Act, and have attitudes upon it.

I may say I have not received a single letter from a single citizen of our State who is not in one of the directly affected classifications, which has not insisted upon the preservation and recognition of our constitutional provision. I have received many letters disapproving the enactment of the legislation in any way.

I do have, however, a considerable number of communications from men who are directly affected by the act and who are employees. Some being members of the operating brotherhoods and some being members of the nonoperating brotherhoods. I shall not read the names of any of the writers into the RECORD, because I know full well that there sometimes are persons—and I hope there are none in our State—in labor organizations who have visited retributive action upon members of their organizations who have decided not to side with the leadership. I do want to read into the RECORD at this time some 15 or more of the communications which I have received, in some cases from only one workman or employee, and in some cases from as many as seven, one of them from a great deal larger number, who do not favor this particular measure.

Mr. President, at this time I wish to read into the RECORD, because I realize that this matter is a controversial one, both in my own State and in other States, some 15 or more communications received from some very fine citizens who are among the employees who would be affected by this measure. In their communications they state their opposition to the bill.

I have already said that I have received many communications favoring the bill from persons in the clerical and maintenance-of-way and shop groups, but very few favoring this measure from members of the operating brotherhoods.

The first letter comes from Plant City, Fla. The letter is addressed to me, and is signed by seven men. I know only three of them. I know those three to be lifelong citizens of that very fine city and to be splendid Americans by every proper standard. I read their letter:

> We, the undersigned members of Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees, respectfully request that you vote against and use your influence to defeat the bill now before Congress, introduced in the House of Representatives on March 21, and given the number H. R. 7769, and in the Senate on March 22, given the number S. 3295, and list some of our reasons against this bill.
>
> In requiring that we belong to some organization, it removes our right of freedom to choose for ourselves whether we want to belong to an organiaztion or not; and should the organiaztion set up some policy to which we are absolutely opposed, we would still have to belong.
>
> It would give the leaders too much power and authority over the organization, as it requires the carriers to pay to the organization any dues, fees, or assessments they might desire, and deduct them from the wages of the employees.
>
> It would remove the incentive of the leaders to try to conduct the organization in such a manner that the employees would desire to belong to it.
>
> It is contrary to the American way of life, as it takes away the privilege to "Choose ye this day whom ye will serve."

That letter is signed, as I have said, by seven very fine citizens of Plant City, who describe themselves as employees of the unions mentioned in their communication.

The next letter which I shall read comes from a lifelong friend of mine who happens to have been an employee of the Atlantic Coast Line Railroad ever since his boyhood. He is a conductor on that railroad. His letter reads as follows:

> I see in the labor paper where the Senate Labor Committee approved a bill making it possible to bring a closed-shop union agreement onto the railroads. I am very much opposed to this closed shop because it will force railroad men to belong to a union, and follow the dictates of union leaders. If he loses his standing with the union, he loses his job, and his right to work for a living. It is loss of privilege and personal rights; it will put the union officials in position to have a strangle hold on the railroads of the country, just like John L. Lewis has on the coal fields. I imagine most of the miners would ditch John L. if they could, because they have to stay out on strike about a third of the time. I don't see how they make a living.
>
> SPESSARD, you know I have worked for the Coast Line for 30 years; and sitting here tonight, I know hundreds of railroad men, but I do not know one man that does not belong to a railroad union. So why do they want to make it compulsory for a railroad man to belong to a union in order to keep his job? The union officials are out to grab power, and put the squeeze on somebody, or everybody—the workers, the stockholders, and the public

in general. I hope you will strongly oppose this measure when it is brought up for vote in the Senate. I only hope it has not already passed before my letter reaches you.

As I understand it, the bill permits open shops on the railroads, but I know if this bill becomes law the union officers will find a way to bring about a closed shop, and thereby assume dictatorial powers. At present under the open shop a man can drop his membership any time, and leave the union officials without funds; and in this way the officials do not become too unreasonable. But under a closed shop if a man drops his membership he would lose his job and right to work. It is just not fair; it is not needed, and not wanted.

That letter is signed, as I say, by a man who has been a friend of mine since boyhood. He is a long-time conductor for the Atlantic Coast Line Railroad.

The next letter which I shall read comes from Lake City, Fla., in the northern part of our State. The letter reads as follows:

For the past 10 years I have been happily employed by one of the great and finest railway systems in the country. Under the Railway Labor Act as it now stands railroad men are protected in their right to join any union for which they are eligible, or not to join if they do not choose to do so—

He underscores the words "not to join if they do not choose to do so"—

and railroad companies are forbidden to deduct union dues, fess, and assessments from an employee's wages. However, certain labor leaders now want to abandon this system of voluntary membership in unions and substitute a system of membership by compulsion. They are therefore pressing for passage of S. 3295, which would permit railroads to enter into closed-shop contracts with unions under which employees, regardless of their own wishes, would be compelled to become union members to hold their jobs.

If you have not as yet had an opportunity of studying S. 3295, I trust you will do so at the earliest convenient moment. It seems to me that the fundamental question posed by this bill is simply this:

"Shall the system of membership in railway unions as the result of democratic free and voluntary choice be continued? Or shall it be replaced by a system of coerced and controlled membership?"

In this day and time the individual is bombared continually by many domestic and foreign isms, and it is, indeed, gratifying to witness a resurgence of plain old Americanism in many parts of the country. I cannot avoid the feeling that any system under which the individual is denied his constitutional and inherent right of free choice in matters of this nature—as proposed in S. 3295—is the exact antithesis of Americanism as you and I interpret it. Also, I do not feel that you will be in sympathy with the deceitful intention of the proposed legislation, and urge you to exert your influence in every possible way toward its defeat.

That letter is signed by another sturdy and outstanding citizen of Florida, who lives in Lake City, in northern Florida.

The next letter comes from a long-time conductor whom I happened to meet as I passed through the Union Station in Jacksonville. He subsequently wrote me this letter, which I shall read in part:

DEAR SENATOR: I am the conductor who spoke to you on your way home at the Jacksonville Union Station, and have always supported you.

I am asking you to consider voting against the bill, S. 3295 or H. R. 7789, pertaining to compulsory membership in railway labor unions. I have been employed by the ACL for over 35 years; during that time I have belonged to the Brotherhood of Railway Clerks, the Brotherhood of Railway Trainmen, and the Order of Railway Conductors. I have belonged to the Order of Railway Conductors for over 30 years; but last year I withdrew from the order, and I believe my reasons are sufficient, and I believe you would have done likewise under the same circumstances.

I admire your stand on the Taft-Hartley Act. I think as you do on this bil. I have never believed that a man must belong to any union before he can work. I believe that interferes with his rights as an American citizen. I firmly believe that the railway unions should take into consideration that the public likewise should be considered. Your consideration on this bill, I assure you, will be appreciated.

That letter is signed by a conductor of the highest standing, who now is approaching his retirement.

The next letter comes from a member of the Brotherhood of Railway Clerks. He lives in Daytona Beach. He is another very fine citizen. His letter is addressed to me, and reads as follows:

I am a member of the Brotherhood of Railway Clerks, and am asking you to vote against the bill of coerced and controlled membership in the unions. This sounds too much like dictatorship, and not free Americanship.

He signs the letter with his name.

The next is from a particularly outstanding citizen, who writes as a member of one of the clerical organizations. I think I shall read the entire letter into the RECORD at this time:

DEAR SENATOR: I am going to ask or beg of you to do all in your power to defeat this amendment to the Railway Labor Act.

You probably heard Mr. George M. Harrison's, president of the Brotherhood of Railway and Steamship Clerks, Freight Handlers, Express and Station Employees Union, side of this bill, of all the free riders as he calls them, and the benefit this bill would do the employees, but members of local 2063, here in Jacksonville, do not agree with him.

I am a member of this lodge in good standing and have been for about 6 years, I was asked to join this union when I went to work for the Express Co. here in Jacksonville, I was not forced to join, I did because they were 100-percent union, they still are 100 percent except one employee, this employee has been working for the Express Co. over 25 years and was a member up till September 1, 1949, when Mr. Harrison put an assessment on the members and he did not believe it to be fair so he quit the union rather than pay that assessment.

Senator, I sure would hate to belong to a church, lodge, club, or union or any other kind of membership where you were forced to belong and could not quit if you did not believe in what they were doing to be right.

Every Christmas the Express Co. employs between 300 and 500 extra employees for the Christmas rush, now these extra employees will have to pay the entrance fee into the union plus a month's dues before they can work for the Express Co., but the union will not protect them or accept them in the union till they have been working for the company for 90 days, and these extra employees will not work any longer than 30 days at the most, there is nothing fair in that.

At the installation of officers of the lodges in Jacksonville, which were held at the Mayflower Hotel, one of Mr. Harrison's vice presidents made a speech in which he said the company was going to take out of our salaries the union dues and all the assessments and that Mr. Harrison has the power to put what assessments he saw fit upon us, that the company was going to get 5 percent for doing this, and there was nothing we could do about it but quit our jobs, then they would take it out before we were paid off anyhow. Senator, if it comes to that we sure are in foul shape, believe me.

Senator, if you will ask the people that work for the Express Co. there in Bartow or anywhere that you happen to run across any express employees, they will tell you that they are a member of the union, where Mr. Harrison gets that thousands and thousands of employees that are free riders, as he calls them, must be these extra Christmas employees.

Thanking you for your stand against this bill, I am.

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

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). Does the Senator from Florida yield to the Senator from Alabama?

Mr. HOLLAND. I shall yield as soon as I have completed reference to this particular letter. I have followed the suggestion of this very fine citizen, and whenever I had a chance to talk to an express employee, in the 7-week visit that I have recently made throughout my State, I did so. That is, every person that I knew to be an express employee. I could not find the first one who was not a member of the union, and I found many who agreed with the positions taken by this particular letter writer. There were in that particular group more who wanted the legislation, however, than there were opposed. I am now glad to yield to the Senator from Alabama.

Mr. HILL. I thank the Senator. I merely wish to say that the author of the letter evidently is under an erroneous impression about the bill, because the bill would not apply to those who might be temporarily employed to meet the Christmas rush. The bill expressly provides that an employee must have been employed for 60 days before any collective-bargaining agreement could in any way require him to join a union.

Mr. HOLLAND. I may say to the Senator that I understand that perfectly. But the Senator evidently did not follow the reading of the letter carefully, because the writer of the letter cited that fact as, in his opinion, the only possible source from which the statement could have been made that there were thousands of free riders. He said he did not know of a single express company employee who was not already a member of the union, and that in order to make any such statement, that there were thousands of free riders, he was very sure that they had to include those temporary employees. That was his statement, not mine. That is his feeling about the bill, not mine, as I have just read it into the RECORD.

The next comes from Milton, Fla., a way out in west Florida, from one of

the most respected citizens there. It reads:

Knowing your great interest in the general welfare of the big unorganized of our country I am writing to urge your opposition to the above listed bill, for I can only see more trouble for us if it should become a law. We, who are unorganized, have been carrying the load of the well organized too long and it is now time to stop and reverse the order if possible.

Mr. President, I think I should say in fairness, before I leave this, that this letter is out of place, because it does not appear to have been written by a member or by a present employee of the company, and therefore should not have appeared in this particular group. There is a very large group of such letters in my file, written by members of the general public, and this apparently got into the wrong classification. The next one is from a railroad employee of the city of Jacksonville, speaking, as he says, for others than himself, though he signs only his own name, and therefore I read it only as an individual expression, and I shall read that part of it which I think is pertinent:

Please vote "no" to Senate bill 3295. We members of the railway labor union have not been consulted or had a chance to vote for or against a union shop, and we don't want it. The closed or union shop is undemocratic and should not be allowed in the country. It's maybe O. K. for Russia.

Respectfully yours.

It is signed by that particular employee.

The next is from an employee of the railroads, from the city of Fort Pierce, Fla., reading as follows:

I have just finished reading excerpts from Senate bill 3295, which I understand proposes to amend the Railway Labor Act to provide for compulsory membership in a union.

At the present time I am one of the many exempted employees and would gain nothing by union membership. I believe and have always believed that the right to join or not to join a union should be vested in the individual and for this reason believe that Senate bill 3295 should be defeated.

Your cooperation in assisting in the defeat of this unnecessary piece of legislation would be appreciated.

The letter is signed by that particular employee.

The next is a letter from my own county, from the little city of Lake Wales. It is from an employee of the railroad, whom I have long known. He writes to me as follows:

I note from last week's issue of Labor paper, that the railroad union-shop bill has been passed by the Senate Labor Committee, and I would like to urge you to do everything within your power to defeat this bill when it comes to the Senate for debate.

In my opinion, as well as the opinion of many other railroad men, this bill, if made into law, will do more to restrict the rights of the workingmen than any legislation that has been enacted in many years. The old argument being used so strongly by the supporters of this bill is the free-rider side of it, but that is only to rally support from those who fail to see beyond this point. One only has to look into the all-powerful miners' union, the automobile workers' union, and the longshoremen's union, to see just what will happen in the railroad unions if this bill is passed. I would like to state that I am a member of a railroad union and have been for better than 8 years, and I believe in the principles of labor organization, but this bill carries implications that will eventually destroy all advantages of unionism, but the strangle hold will be so firm that the workingmen will be powerless.

Under the present law, a man does not have to be a member nor is he compelled to become a member in order to work, and I do not believe that he should be forced to join a union in order to work. The union officers, under the present law, must work for the best interests of the members, or if they fail to do so, the members drop out, which is really the only protest the members have against the officers, but, if this new law is enacted, they will be able to conduct the union affairs as they desire, as well as charge whatever dues they desire, and the members will be forced to pay or quit their job, which seems to me would be a very serious violation of our constitutional rights.

He concludes by saying:

Your vote and influence in defeating this bill will be greatly appreciated.

He then signs the letter.

I may say, Mr. President, that in the effort to accomplish the enactment of the amendment which I am sponsoring here, I showed that portion of these communications which had arrived prior to the date of our adjournment in September to my good friend here, the senior Senator from Alabama, and requested him to reconsider the question of including in this measure the identical provisions which were in the Taft-Hartley bill. I am sure he understands that people in the 18 States, approximately, who have provisions within their constitutions or statutory law, which have the approval of the great majority of their citizens on this vital question of not requiring either membership or nonmembership in unions as a condition of employment or of continued employment—people do not want this bill, or any bill in this field; and the bill, if enacted in the face of that opposition, is merely going to encounter continuing difficulties, whereas I think that everyone who is a true friend of the bill would want it to meet with the general approval of the public which it serves, and not be subjected to frequent and recurring attacks or efforts to amend the railway labor law. So far as I was concerned, I was in great hopes that the Senator from Alabama and his associates on the committee would agree to the drafting of this bill in the same identical words which now appear in the Taft-Hartley law, and I am still regretful that they did not agree to do so, either in September or until this date. I may say that one would think from the comments of the distinguished majority leader in the RECORD yesterday that we were going to be consulted on this matter before the matter came up, following the vote on the rent-control measure today, but I think I should say in fairness that the consultation was apparently confined entirely to a consultation with the heads of the unions which heretofore had withheld their approval of the bill. There was no consultation with anyone so far as I know on this question of preservation of the rights of the States, until I happened to go into the Senate dining room between 1:30 and 2 o'clock and found my distinguished friend from Alabama dining there, and furnished him with a copy of the amendment. I learned from him a few moments later that it had not been considered.

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

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Alabama?

Mr. HOLLAND. I will yield in a moment. I want to call to the attention of my distinguished friend the fact that the proposition of denying any force whatever to the solemn declarations of the people of about 18 States—and I learn from a memorandum which has been added here that there are perhaps more in this category now than the 18 who were in it when we debated this measure a year ago—is unsound, and it invites continued strife and trouble. Incidentally, it departs from the sound fundamentals of the Senator's own position in certain other vital matters in which the Senator has stood loyally and most convincingly from time to time with his brethren who come from the southern portion of the United States, insisting upon the fact that the solemn declarations, constitutional and statutory, of those States which are affected there, and which, by the way, are fewer than the 18 in number which are affected here, should be listened to and considered and given weight by the Congress of the United States. I am extremely sorry that the Senator from Alabama is not willing to remember that that has been his position in another class of matters under the so-called civil-rights program, and I regret that he does not see fit to give such solemn expressions of at least 18 sovereign States the same kind of recognition and regard that he insists upon having given to similar declarations of the good people of the State of Alabama. Incidentally, the good citizens of the State of Florida join him in the position which he takes on the issues under the civil-rights program to which I have referred. It is my great regret that he does not apply the same reasoning to this other field which is regarded by our people as tremendously vital to our kind of government and our way of life.

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

Mr. HOLLAND. I yield.

Mr. HILL. I wish the RECORD to show that I regard legislation with reference to personnel in the railroad transportation industry as being in an entirely different and separate field from that of so-called civil rights to which the distinguished Senator from Florida has alluded. I believe it to be a field in which the Federal Government must exercise its jurisdiction. I do not believe it can be done by the States. I do not wish to defeat the purposes of the proposed legislation, which everyone says he favors, by giving to the State any veto power or other right which would bring about that result. I think the physical facts of the situation are such that if we give to a State such a right as the Senator from Florida seeks to give it, we would simply defeat the purposes of the

legislation. There would be no reason for taking the time of the Senate to consider legislation if we adopt the Senator's amendment, because, in my opinion, the sum and substance of his amendment is to kill the legislation.

Mr. HOLLAND. In reply to the able remarks of my distinguished friend, I would say that the addition of this amendment to the Taft-Hartley law was not regarded by anyone as having killed the salutary effects of that law. To the contrary, many salutary effects have continued to flow from that law. May I say further that I have not been under any misapprehension as to the stand taken by my distinguished friend. I believe I have recognized his position in the remarks I have made heretofore. I merely expressed my regret that he is taking the position which he takes, and my inability to understand how he is able to differentiate between the expression of the solemn declarations of the State of Florida and the State of Alabama in one field, which he believes should be recognized, and that in another field the Senator believes they should not be recognized by Congress, although they are recognized under the provisions of the Taft-Hartley Act, particularly when such recognition has not involved any emasculation of that act itself.

Now I come to the next letter. It is from a long-time friend of mine who lives in Lakeland, Fla. It reads:

I am writing to ask you to strongly oppose the railroad union-shop bill, which was O. K.'d by the Labor Committee last week. This bill will obviously give strong powers to the labor leaders or they would not be so strongly supporting it.

Mr. President, I digress from the reading of the text of the letter to remark that there is great soundness and great cogency in the reasoning which lies behind that simple terse statement of a railroadman. I continue to read from the letter:

It is designed to bring a union shop, or compulsory membership in unions, to the railroad industry.

I am a railroad trainman, and a member of Brotherhood of Railroad Trainmen, Lodge 718, at Lakeland, Fla. I am in favor of collective bargaining, but I can see grave dangers in this thing of forcing a workingman to belong to a union whether he desires to or not. I hope that you also can see the dangers involved and will oppose this measure.

It is signed by this excellent citizen of long union membership and many years of excellent standing as a citizen in the same county in which I live.

This next letter comes from a fellow citizen who lives in Bartow, Fla., which is my home town. Some of the letter is personal, and therefore I shall not read that portion, but I will place in the RECORD his declarations on this subject. He says:

I am disturbed over the fact that the Senate Labor Committee recently placed its O. K. on the railroad union-shop bill. This bill is intended to bring about a union shop in the railroad industry, and makes it compulsory for railroad men to belong to a union whether they want to or not. This would just be loss of more freedom and privileges to the workingman. The workers will have to obey the order of union bosses before they obtain or hold a job.

The union bosses see where they will achieve great power or they would not be so strongly supporting this bill.

I am employed by the A. C. L. Railroad and have been for 13 years, and I am a union member, but I want to remain in a position to tell the union bosses to go to the devil if they get unreasonable in their demands.

Almost every union member I have talked t is opposed to a closed shop, or the provision or possibility of compulsory membership. The union bosses are in favor of compulsory membership, but not the members. If this bill becomes law, the union bosses will find some way to force a closed shop off on the membership whether they want it or not.

Please vigorously oppose the bill permitting union-shop agreements on the railroad properties when it comes on the Senate floor for debate.

It is signed by this good citizen from my home town.

The next letter is a lengthy one. I shall not encumber the RECORD by reading all of it. It comes from Jacksonville, Fla. It is written by a member of the Brotherhood of Railway Clerks. He has been a member of the brotherhood for nearly 25 years. I do not know the gentleman, but his letter is of such caliber that I am sure he is a good citizen. He says:

One George M. Harrison and his bailiwick of stooges and racketeers in the upper regions of a labor union, called "the Brotherhood of Railway Clerks," have for months been propagandizing the dues-paying members of said union to urge our Congressmen and Senators to pass a bill designated as H. R. 7789 and S. 3295 for the purpose of ramming a closed shop down the throats of all workers in our particular and allied kinds of work in the railroad industry.

As a dues-paying member in the Brotherhood of Railway Clerks for nearly 25 years, I do not appreciate our union heads in their failing efforts to legislate this nefarious scheme of a closed shop.

Racketeering is becoming so strong in many unions today that they are actually becoming repulsive to members of long standing.

The only legitimate income of union heads, as such, is from the dues-paying members who labor for hard-to-get-along-with corporations, etc. As long as I work for a corporation or person who pays my salary, I want my hiring and firing to be in their hands and not in the hands of a union.

Since the present election laws in labor constitutions perpetuate the same individuals for life in the highest positions in union officialdom, I suggest that laws be passed to bring a direct vote to the members for presidents and other top officials of labor unions each 4 years and appoint a board to determine the eligibility of contestants and aspirants to union official positions. The present setup is bordering on oligarchy under the guise of democracy.

If the majority of Americans are willing to turn this country and the world over to Joe Stalin, then I see no harm in having a closed-shop union law. In fact, we then will have a lot of shops closed soon after the closed-shop law hits the American worker. Take a gander of the coal mines today. Their shop is closed; many mines are closed. John L. Lewis is never closed.

Employers have some rights along with the worker. In my 25 years of union experience, I have found the hiring and wage-paying managements to be more mature-minded than have been the union officials in the constant war between labor and management. The worker is always the goat in these things of which we are sorely tired of as workers. We can get along without George M. Harrison, the closed shop, the BRC, but we cannot do so good without our jobs. If George M. Harrison cannot merit our confidence, he is not entitled to participate in rulership of a dues-paying union membership.

The urge is imperative—by all means defeat the closed-shop legislation.

When labor unions become oppressive, demanding, and tax-minded against the worker, we want the worker's right to stop his payment of dues and tribute to tyranny protected, and his job protected from union rackets and racketeers.

May I urge you to permit this letter to be viewed by as many Congressmen and Senators as is consistently possible, and I want to assure you that not one member in our lodge No. 2063 here in Jacksonville has spoken in favor of the closed shop in my presence. All members are against the closed-shop law here.

It is signed by this long-time member of the Brotherhood of Railway Clerks.

The next comes from a representative of the employees of two short-line railroads in our State which are not now unionized, but the employees believe that this measure would tend to force their unionization. One of them is an intrastate line. The other operates only in Georgia and Florida. Incidentally, the distinguished Senator from Alabama referred to one intrastate line in our State, which is one of our longest lines, and one of our best. I refer to the Florida East Coast Railway, which runs only from the City of Jacksonville, Fla., down the east coast to the tip of the peninsula, with various spurs reaching over toward the middle portion of the peninsula—for example, to the Lake Okeechobee region and to other similar regions up the peninsula from that point. At least one of those intrastate roads has a distinctly unfavorable point of view toward the pending measure, if this telegram speaks properly for the employees of this particular line, the Live Oak, Perry and Gulf Railroad, which is an intrastate line operating wholly within the State of Florida, as does the Florida East Coast Railway. This telegram is from Perry, Fla.:

Please work for defeat of Senate bill number 3295 coming up September 12. Have discussed this bill with 75 percent of L. O. P. & G. and South Georgia Railway employees today, which are all nonunion men. We, the little man, want this bill defeated.

The telegram is signed by a man who describes himself as one of the car accountants, and as speaking for the great majority of the employees of the L. O. P. & G. Railroad and the South Georgia Railway Co.

The next comes from a citizen of Pensacola, Fla., and reads as follows:

Having served in the First World War and being in the service of a railroad since March 1911, I feel that at the present I can as a free American write you in opposition to the proposed closed-shop bill, now before the appropriate committee of Congress with the blessings of the President of the United States.

Our inheritance is of a free people and a free government first conceived by the Declaration of Independence and sustained by the Constitution of the United States. Such step as a closed shop, in my opinion, would be a further step toward Socialism,

Kremlinism, and communism, as is the case in England and Europe. Let's keep the United States of America a free country; let's keep labor, as well as every loyal citizen who believes in our inheritance of a free government and freemen, free. I believe this to be the views of the clear thinking railroad employees.

As an individual, I beg of you to think clearly and place the welfare of our form of government above selfish and political greed of the sponsors of this bill.

The next is likewise from a citizen of Pensacola. I do not happen to know him, but I read his letter into the RECORD. He describes himself as an employee of the Louisville & Nashville Railroad Co. I quote from his letter:

I understand that the railway union-shop bill (S. 3295 and H. R. 7789) has been recomended for passage into law by committees of both the House of Representatives and the Senate of the United States.

I am very much opposed to this bill because as it now reads it would so amend the Railway Labor Act as to authorize railroad companies and unions to enter into agreements which would require "as a condition of continued employment" that "all employees shall become members" of the union.

This bill would also authorize deductions for union dues, initiation fees, and assessments from the wages of employees without their individual authorization.

On that point, I feel that I should digress to say that he apparently did not know about the requirement placed in the bill, as it is now being considered, for assignment of payments out of the wages of the individuals.

I continue with the letter:

No limit on the amounts of such deductions is provided nor does the bill specify the purpose for which assessments may be made.

Of all the high-handed tyranny I ever heard of, this is it. This means that there would be removed from the Railway Labor Act its present protection of the freedom of the individual railroad employee to join or not to join a union as he pleases, and that under such an agreement as the bill would legalize, every railroad employee who is eligible for membership and who refused to join the union and remain a member thereof would have to be discharged.

As a railroad employee I solicit your earnest consideration in the interest of preserving the freedom of the individual.

That letter is signed by the citizen to whom I have referred.

The last of this particular classification is a letter from an engineer of the Southern Railway, who, incidentally, now resides in Valdosta, Ga., although he has generally been regarded as a Floridian. He sent a mimeographed letter to many persons within our State imploring that the State not stand for the enactment of this particular legislation.

This writer says:

There is, at this time, a proposed amendment to the Railway Labor Act, that would, if made into law, compel all railroads to institute a closed shop for all employees in their service. This does not represent the desires of the ranks of the employees; it is merely a scheme to place the employees absolutely at the mercy of the officials of the labor unions.

In practice it would work something like this: On a railroad where the B. of L. E. represents the men running engines, if a fireman is promoted to a job running an engine, he would be compelled to join the B. of L. E., and then, if he is cut off as an engineer on account of slack business, he would be compelled to be a member of the firemen's organization in order to be allowed to take a job as fireman.

I must say by way of digression that the man who wrote this letter did not know, any more than did any Senator until the amendment was proposed today, with the blessing of certain of the railway labor organizations, that such an amendment would be proposed, providing, in effect, that membership in one union could be continuing, and could satisfy the requirements of the law.

I continue reading the letter:

Now, this will happen to him many, many times the first 20 years or so after he is promoted.

Under the closed-shop rule, a man could not work at all if he was not a member of the union representing his craft. If, at any time, some other member took a notion to "get his job," all he would have to do would be to get some trumped-up charge against him and get him expelled from the union, and the railroad would be compelled to dismiss him from the service, and he could never get his job back unless he could get reinstated into the union, and that would be virtually impossible, as it would have to be voted on by the members, and any of them who wanted his place on the railroad could vote not to let him regain his membership, and he would be doomed.

I wish to dwell just a moment on that part of the letter, with respect to which I should be glad to hear the position taken by the sponsors of the bill. This old railroad man says that in the event of a trumped-up charged which would result in the firing of a man from a union, he would consequently lose his job, and could not get back on.

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

Mr. HOLLAND. Let me complete my reading of this letter. Then the Senator may in his own time reply if he wishes to do so. I shall be glad to yield for a question as soon as I finish reading the letter.

I continue reading the letter:

In the early days of railroads, the men were absolutely at the mercy of the petty officials of the road for which he worked, and they suffered plenty. In those days most officals had their favorites or pets and these got the best of everything, regardless of ability, integrity, or seniority, and it was to rid ourselves of this very condition that we organized.

Now, if we get the closed shop, we will place ourselves right back in the same fix we were before we were organized, and it will be worse because the union officials do not have any stockholders nor board of directors to answer to, and their power will be absolute.

These railroad labor organizations were formed to better the condition of the men in the railway service, and they have done a good job in the past; they united into a brotherhood of men working under the fatherhood of God and no church, no fraternal society, nor any other religious sect has ever done more to improve the material, intellectual, or spiritual condition of the men they represent, nor can they ever do more.

I now stop to comment upon this portion of the letter, because it makes it crystal clear that to the writer of this letter, an old railroad union man, his brotherhood, his lodge, represents much more than a mere labor organization. As I suggested some time ago in the course of these remarks, to him it is a fraternal society. To him it is a brotherhood of members who are interested in each other, and who have confidence in each other. He does not want to see that sort of brotherhood broken up by a situation which will invite conspiring together on the part of some to get rid of someone else who has a job which is desired by one of the conspirators.

I continue with the reading of the letter:

So I urge all the people to write your Senators to work and vote against the closed shop for railroad employees, and let us retain our liberty, and be in a position to prune out and replace any of our railway labor executives that we find are not working for our best interest.

For the good of all of the people.

Yours truly.

The letter is signed by the gentleman who signs as an engineer of the Southern Railway.

The PRESIDING OFFICER. Does the Senator now yield to the Senator from Alabama?

Mr. HOLLAND. I yield.

Mr. HILL. With reference to the statement in the gentleman's letter that some railway employees might be fired from the union on some trumped-up charge and thereby lose his employment, I should like to call the attention of the Senator to the fact that under the bill no employee could be denied employment because he was turned out of a union on a trumped-up charge or any other charge, or for any other reason whatever, except and only if the employee failed to pay his dues, initiation fees, and assessments.

Mr. HOLLAND. Mr. President, I am glad the Senator brought that out, because I think it points up not only the portion of the letter to which the Senator was referring, but another portion of the letter in which this writer—and the statement is made by writers of other letters—makes it clear that this kind of legislation makes the members subject to assessments, and different kinds of extra charges in various fields. The Senator has just stated, if I understood him, that the failure to pay an assessment was one of the grounds for which a member could be fired, and that that is recognized as part of the policy of the bill.

Mr. HILL. The language is, "Periodic dues, initiation fees, and assessments." The Senator knows that assessments are levied by the membership of the union. For any other reason than failure to pay the normal fees and assessments one might be turned out of the union, but he could not be denied his employment with the railroad.

Mr. HOLLAND. However, I may say to the Senator that the text of the letter does not say, "unless permitted by the membership, at a meeting called for the purpose, or approved by a majority of the entire membership," or anything of that kind. Not once, but in several of the letters I have just read it has been made very clear that one of the grounds for fear and opposition on the part of these fine railroad men who are opposed

to the bill has been that it deals with the subject of assessment in various fields, in various amounts, not within their control or reach. One of them, if the Senator recalls, remarked that after having been a member of one of the old and most highly respected organizations of operating brotherhoods for many years—I believe he said 20 or 25 years—he resigned only last year, rather than pay a certain assessment which was imposed. Another one, who had been a member of the clerks' organization, that organization headed, I believe, by Mr. Harrison—so he refers to him in his letter—resigned for the same reason, or wants the right to resign rather than have to pay assessments which he feels are unreasonable.

Mr. President, this whole question runs right to the very heart of this inquiry. Are we going to give to any man, and assume for the time being that most of the men who are in high position in the railway organizations are sound citizens, and we have no assurance as to how that will go in years to come—are we going to give to them the power and the right and the privilege, through assessments voted or ordered under the provisions of their charter, the charter their organizations set up, to force their members either to pay or to be expelled, and suffer the pains and penalties of expulsion under this act?

Mr. President, coming from a State which has soundly declared its public policy, its judgment, to be that it should never agree to the imposition of a condition for either original employment or continued employment based on either union membership on the one hand or failure to have union membership on the other hand, I could never view with equanimity any such position. I certainly must listen with great sympathy to the clearly expressed fears of these men, many of them fine men, known to me to be fine men, home owners, heads of families and taxpayers and citizens of our State of many years standing, as good citizens as we have, who fear this setup and who, in my humble judgment at least, have put their finger on so many objectionable features in this legislation that I do not see how any Senator, coming from a State which has declared its public policy in this matter either against the closed shop or against the union shop, or both, could possibly be deaf to such complaints and such inquiries.

I may say to the Senator from Alabama again that I hope overnight he and those who with him are sponsors of the bill may again consider this situation, because the enactment of the bill in opposition to the announced public policy of so many States is an open invitation to continued opposition and to continued efforts to amend, or to emasculate, or to destroy the legislation.

Mr. President, speaking not only as a Member of the Senate, but as a citizen, I want to see whatever legislation comes out of here to be of such respectable quality, of such general acceptance, that it will have a chance to work out and will have a chance to preserve to the railroad employees the preferred treatment which they have been given ever since 1926, and which was rerecognized at the time we enacted the Taft-Hartley Act, in that they were specifically exempted from that portion of the act which made it possible to invoke the injunction against other Nation-wide industries whose uninterrupted operation was of vital importance to the whole Nation. And if there is a Nation-wide industry which is of vital importance to the whole Nation it is the railway industry. There can be no doubt about that. Yet preferred consideration has been given to this group of men, I think largely because of their very fine quality as a group and as individuals, and they express over and over again in these letters which I have read, and I have read only a portion of the letters in my file, those difficulties as being present now in their thinking. They are good citizens. They are thinking not only about themselves. They are thinking about the general public. They are thinking about the employer. They are thinking about the principles that are involved.

I want to say to my friend the Senator from Alabama that I hope he will reexamine this matter in the light of not only effectuating speedy enactment of the bill but also of getting an acceptable bill. So far as the Senator from Florida is concerned, he is going to be completely agreeable to speedy consideration of the measure when he completes his argument, which will not be long from now. There are other Senators, however, who feel keenly the importance of this position, and whose States have spoken authoritatively for them and their representatives in this particular field, either by the enactment of constitutional measures or by the enactment or statutes which have been upheld, not merely by their own courts but by the Supreme Court of the United States, as being valid exercise of the power of the several States within their several territorial limits.

Mr. WHERRY addressed the Chair.

Mr. HOLLAND. Mr. President, I had indicated that I would yield to the Senator from Alabama.

Mr. HILL. Mr. President, I had desired the Senator to yield, but frankly he has gotten away from the question to which I wished to address myself. I wanted to ask him about fees and assessments. I think the discussion of the Senator really goes to the whole question of whether or not one honestly favors unions. There can be an honest disagreement as to whether individuals favor labor unions. The question in this instance is whether those who enjoy the fruits and the benefits of the unions should make a fair contribution to the support of the unions.

Mr. HOLLAND. Mr. President, I desire respectfully to differ from my good friend from Alabama in his recent statement, because I think it must be very clear from a reading of the letters that many of the senders are consistent union men of lifetime standing, who believe in the unions, and who believe in the good that has been done by the unions, and who want to see unions preserved, but who believe also very conscientiously that unions will be harmed rather than helped by the enactment of the proposed legislation.

I may say to the Senator, to advert to a point which I made some time ago, that if he will read the hearings upon the original passage of the Railway Labor Act, he will find that the heads of all the brotherhoods at that time—well, the Senator from Florida will not say all, but he believes there was no disagreement among them at that time—insisted upon the inclusion of the open-shop provision. The Senator from Florida has not read that record at a late enough date to be sure that all of them, but I know that a large number of them insisted upon that position, and I know that that has been consistently the position of many of them, and that many persons writing these letters still maintain what used to be the soundest kind of fundamentals in the unionism of railroad brotherhoods. I express regret that it is not still the fundamental conviction of more of the leadership amongst the brotherhoods, because I think that their decision made at the time of the enactment of the law was wise. I believe that their policy as maintained from that time until now, or at least until recent days, has been wise. I believe that those men who are standing up to assert their fear of this type of legislation and their unwillingness to see it creep into the unions, into the brotherhoods, have made such fine records that we should sympathize with them and make some efforts to preserve to them what they regard as fundamentals in railroad unionism.

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

Mr. HOLLAND. I yield.

Mr. WHERRY. I thank the Senator for yielding? I should like to obtain the reaction not only of the distinguished Senator from Florida, but if possible also that of the Senator from Alabama. In Nebraska, in 1947, there was passed what is known as chapter 48, section 217. Following is the title: "Labor Organizations; No Denial of Employment; Closed Shop Not Permitted."

That is in bold type in the heading of the section. This is what the section provides:

> To make operative the provisions of sections 13, 14, and 15 of article XV of the Constitution of Nebraska:
>
> No person shall be denied employment because of membership in or affiliation with, or resignation or expulsion from a labor organization or because of refusal to join or affiliate with a labor organization; nor shall any individual or corporation or association of any kind enter into any contract, written or oral, to exclude persons from employment because of membership in or nonmembership in a labor organization.

I hope the distinguished Senator from Florida heard the provisions of the Nebraska statute.

Mr. HOLLAND. I was following the reading of the statute word by word because I happen to have a copy of it.

Mr. WHERRY. I did not know that. What I want to ask the distinguished Senator from Florida is this: Does he feel that if the proposed Federal legislation now before us, as amended, were

passed, it would override the provisions of chapter 48, section 217, of our Nebraska laws at this time?

Mr. HOLLAND. It would override those provisions, beyond any shadow of a doubt, and it is so intended. The colloquies prevailing here on the floor this afternoon have made it very clear that it is recognized by the sponsors of the legislation that in the failure of a clear declaration of Federal law which is contradictory to State constitutional and statutory provisions of the type quoted by the Senator, those provisions are operative. But when such a law as the one proposed here is enacted, they become inoperative, because the Federal Government then will have preempted that field.

Let me say to the Senator that the section he has read—and I followed with interest his reading of it—is a portion of the enabling act to give force and effect to a constitutional provision which was voted by his people.

Mr. WHERRY. Certainly.

Mr. HOLLAND. That was voted by his people in accordance with the provisions of the Nebraska Constitution.

Mr. WHERRY. Yes.

Mr. HOLLAND. And the Senator from Nebraska has read a portion of the enabling act.

Mr. WHERRY. That is correct.

Mr. HOLLAND. However, the constitutional provision appears in sections 13, 14, and 15 of the Nebraska State Constitution, and the general meat of it is given in section 13 of the Nebraska State Constitution, which was adopted in 1946. With the indulgence of the Senator from Nebraska, I shall read it into the RECORD at this point.

Mr. WHERRY. I should like to have the Senator do so.

The provision there is—

To make operative the provisions of sections 13, 14, and 15 of article XV of the Constitution of Nebraska.

That was enacted into law. I know what is contained in the Nebraska State Constitution, and that statute was passed to make that portion of its operative.

Mr. HOLLAND. Exactly. On the contrary, the purpose of the measure now before us is to make that portion of the Nebraska Constitution inoperative.

Mr. WHERRY. Yes; that is the point, as I have indicated.

Mr. HOLLAND. This measure would make that portion of the Nebraska Constitution inoperative, by contradicting it. Thus, this measure would completely defeat the intention of the good people of Nebraska, as expressed twice—first in a constitutional amendment; and, second, in the enabling act the Senator has read into the RECORD.

Mr. President, I was going to read into the RECORD the provisions of section 13 of the Nebraska State Constitution, adopted in 1946. It reads as follows:

No person shall be denied employment because of membership in or affiliation with, or resignation or expulsion from a labor organization or because of refusal to join or affiliate with a labor organization; nor shall any individual or corporation or association of any kind enter into any contract, written or oral, to exclude persons from employment because of membership in or nonmembership in a labor organization.

Mr. WHERRY. I was going to read that into the RECORD, and I am glad the Senator from Florida has done so.

Mr. HOLLAND. Mr. President, I am happy to say to the distinguished Senator that his amendment is almost identical with the one adopted in our own State, and it differs from that adopted in some other States, in that it looks in both directions. It is completely fair and impartial, in that it provides that neither membership nor nonmembership may ever be imposed as a condition applicable either to employment or continued employment.

Mr. WHERRY. That is correct; it works both ways.

Mr. HOLLAND. Apparently the enabling provision was either necessary to make the constitutional provision effective, or was thought to be necessary. So it was enacted. Both those matters were before the Supreme Court of the United States in the case of Lincoln Federal Labor Union, No. 19,129, American Federation of Labor, and others against Northwestern Iron and Metal Co., and others, which was appealed from the Nebraska courts to the United States Supreme Court.

Mr. WHERRY. That is correct.

Mr. HOLLAND. Let me say that the United States Supreme Court thought such a good job had been done by the Nebraska courts and by the Nebraska Legislature and people, that by a unanimous decision—of nine to nothing—of the Justices who then were members of the United States Supreme Court, they upheld the constitutionality, from the Federal viewpoint, of both the Nebraska Constitution and the Nebraska statutory expressions.

Mr. WHERRY. That is correct.

Mr. HOLLAND. But what is now sought to be done is that, notwithstanding the fact that the people of Nebraska have spoken at least twice—through a constitutional provision and through a statutory enactment—and notwithstanding that their own courts and the Supreme Court of the United States, by unanimous decision, have upheld that action, now some well-deposed citizens who are Members of Congress wish to prevent the operation of the Nebraska Constitution and of the Nebraska enabling act, and wish to prevent their receiving any confirmation or value from the approving opinions of the Nebraska courts of last resort and of the Federal courts of last resort, by entering into this field affirmatively, through the enactment of Federal legislation, in such a way as to completely knock down the effect of the spoken will of the people of Nebraska in the field covered by the measure which now is pending here in the Senate.

Mr. HILL and Mr. WHERRY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Florida yield; and if so, to whom?

Mr. HOLLAND. I am glad to yield to either of the Senators who now are on their feet and are addressing the Chair.

Mr. HILL. If the Senator from Florida will yield first to me, let me say that he expressed what I had in mind when he said, "In the field covered by the measure now pending." That is the field covered by the union shop. The reason I say "the union shop" is that the Senator realizes that there is a distinct difference between the union shop and the closed shop.

Mr. WHERRY. Certainly.

Mr. HILL. This bill applies only to the union shop.

Mr. WHERRY. My question was——

Mr. HILL. I understand the Senator's question. So far as the union shop is concerned, this proposed legislation, if enacted, will take priority over the enactment of a State.

The thought of the committee, in reporting the bill, was—as I said earlier, perhaps two or three times—that the labor-management relations in the railroad industry are so squarely in interstate commerce that the Federal Government is justified in asserting, and should assert, the jurisdiction which it has in this matter.

The fact is that since the employees of the railroads cross State lines—for instance in going from Nebraska to adjoining States—all the time, every day, the purpose of the bill really will be defeated if the Holland amendment is added to the bill. The Federal Government has to assert its jurisdiction in interstate matters.

Mr. HOLLAND. Mr. President, the Senator by his admission has admitted himself almost out of court, so to speak, because in the case of the Taft-Hartley Act, nothing but the union shop is involved. The closed shop is entirely banned by the affirmative provisions of the Taft-Hartley Act. The only thing that is legal in this field, as left by the Taft-Hartley Act, is the union shop; but in the field covered by the union shop and by the Taft-Hartley Act, the wisdom of the Senate, as it was expressed many times by decided majorities, has been to preserve and to respect the effect of constitutional provisions or statutory provisions, or both, such as those mentioned by the Senator from Nebraska in the case of the State of Nebraska.

So it is no answer at all to say that this provision applies only to the union shop, because we have debated all that before, in connection with the Taft-Hartley bill, now the Taft-Hartley law, which itself applies only to the union shop, because the closed shop is completely banned by other provisions of the Taft-Hartley law.

Mr. HILL. Mr. President, will the Senator yield at this point, to permit me to say a word?

Mr. HOLLAND. I should prefer to complete my statement, and then I shall be glad to yield again.

With reference to the last point made by the Senator from Alabama, I call the attention of the Senator from Nebraska to the fact that although the members of the operating brotherhoods of the railroads frequently cross State lines—they do not do so in all cases, but in many cases they do—the unions which have shown the great interest in con-

nection with this proposed legislation, and have been the only ones behind it—until today, when we had a change in front by at least some of them—have been those whose members serve in clerical positions or shop positions or maintenance-of-way positions, and are just as settled as to their locale as are the employees in any other industry which one can think of.

Secondly, if there are any industries which all the way through are engaged in interstate commerce, those industries include quite a group which are under the provisions of the Taft-Hartley Act, but not under the provisions of this one act, such as, for instance, radio industry and the employees of concerns or firms in that industry, the telegraphers, the operators of the various telephone systems in the United States, and the employees of the truck operators of the Nation—an industry which has grown to be a tremendous network of interstate traffic, as the Senator well knows.

In fact, I think—and without having any facts to support my opinion at this time, this is only an expression of my opinion—that a larger percentage of the persons actively employed in the motor-trucking industry actually cross State lines in the operation of those trucks than in the case of those who operate the railroads. Of course, only the facts themselves can prove that point; but the Senator from Florida thinks that the facts, when they are presented, will show that because the large number of the clerical employees, maintenance-of-way employees, shop men, and the like do have fixed positions, the group who come under the corresponding classifications in the motortruck industry will be found to include a much smaller number of persons, in my opinion—much smaller than the number of persons in similar classifications in the railroad industry.

Now I am glad to yield to the Senator from Alabama.

Mr. HILL. Mr. President, I think the Senator from Nebraska will agree that the field covered by the Taft-Hartley law is much more varied and, generally, much broader than the field covered by this measure. This measure is limited to railway employees. For instance, the Taft-Hartley law would cover the employees in an airplane factory. The airplanes they manufacture move in interstate commerce; but those who work in the plant and make the airplanes, do not move back and forth in interstate commerce, as do the railroad engineers, brakemen, firemen, conductors, and other persons who operate the railroads.

So the committee felt that the persons dealt with by this bill, and to which this bill is limited, are in a separate and different posture or position than that of employees in American industry generally, as covered by the Taft-Hartley law.

Mr. WHERRY. Of course, Mr. President, there is no way in the world we could actually exempt those who are engaged in working for the railroads in interstate commerce and those whose work is confined to intrastate operations; or at least it would be very difficult to establish the facts in that connection. But I certainly can see that a great number of railroad employees have permanent jobs within the State and are located just as definitely as are workers in airplane factories.

Mr. HILL. But the Senator can see there are large numbers of them moving. This question was very carefully considered by the committee, and the action taken had the unanimous support of the membership of the committee. I may say to my distinguished friend, as he, of course, well knows, being the minority leader, that the minority is well and ably represented on that committee, from the Senator from Ohio [Mr. TAFT] on down. There are many very able and distinguished men on that committee. We thrashed this whole matter out, I may say.

Mr. WHERRY. I am not questioning the ability of the members of the committee, and I deeply appreciate the answers given by the distinguished Senator from Alabama. But it looked to me as though the Senator from Florida clarified his amendment. I merely wanted to get information about the statute, because I recall the terrific debate which was held in the Nebraska State Legislature, in passing the enabling clause, to provide what the people of the State voted to place in their constitution. It behooves me as one representing that State to see to it that the will of the people is not invalidated through a Federal statute, if it encroaches upon the provisions they have placed in their constitution. I was asking for information, because the union shop is involved. I wanted to get the opinion of my good friend from Alabama and also the opinion of the Senator from Florida, both of whose answers I shall appreciate. I desire to get the different viewpoints. My question was, Does the Senator feel that the passage of this proposed piece of legislation would in any way override the provision of our State constitution and of the statute which has been enacted?

Mr. HOLLAND. Categorically answering that question, I may say the intention of this bill is to do just that, and to point up my remark, I may say that in three different ways this bill will take away something which belongs now to the good people of Nebraska, to the good people of Florida, and to the good people of some 18 or 20 States, all told, who, in their solemn judgment—and I am glad to say that there are still some questions as to which the people of the States do have a solemn judgment—they have held that they do not want this kind of bill to apply to them. I call the attention of the Senator to the fact that in three ways the State of Nebraska would have filched from it—well, I shall not use that word, because I could not use such a word when I am thinking about my friend from Alabama—but it is deprived, completely deprived, of three sound values belonging to it, and equally belonging to the good people of the State of Florida. I shall enumerate them. The first is that it deprives them of the fact that in the exercise of our own sovereign will, acting through our representative government, the legislature, and then through vote of our people in an election, and, in the case of Nebraska, through another act, still, an enabling act, a sound declaration, a dignified declaration of the judgment of the people of the Senator's State on a question of grave public policy affecting the living together of your people in harmony and with freedom of opportunity—that is lost, that expression of judgment through constitutional and Federal enactment, through all types of representative government which the people have in the State of Nebraska—while the Senator's people operate through one house, there, some of the rest of us operate through two houses; still the Senator's people in the legislature are the representatives of the folks back home in the several counties, and through them, by the vote of the people, and then again by the vote of the legislature, and the unicameral legislature carrying still further the intent of the people of Nebraska, they have claimed the right to protect themselves against a policy which is thought to be unsound in Nebraska. The people of Nebraska are deprived of that expression of their own will. Secondly, they are deprived of the fruits of their victory in the courts of their land, not only the courts of first resort and of last resort, in their own State of Nebraska, but of the court of last resort of the land, the Supreme Court of the United States of America, which has held that here is a valid exercise of the State jurisdiction, having so held by a nine to nothing decision in a matter affecting the very thing which we are talking about here, the expression by the State of Nebraska of its will in this field. The third thing which is done to deprive the people of Nebraska of a substantial value is that at least an entering wedge is offered here, a far-reaching wedge to deprive them of the value and protection flowing out of determinations made in the Congress of the United States in 1947, in 1948, and in 1949, when this specific question was debated—and debated, with the exception of the junior Senator from Florida, with ability and understanding—and when substantial majorities of the Senate, the Members of the Senate, expressed it as their will—and it is still their will, in connection with the entire field covered by the Taft-Hartley Act—that dignified expressions of the States, such as those referred to in the State of Nebraska, shall be respected, shall be confirmed, shall be enforced under Federal law. And so that third deprivation is the deprivation of the people of the Senator's State of the benefit of an act taken in part by the distinguished Senator from Nebraska. I do not recall offhand the position of the Senator, but here is the list of the yea-and-nay votes on the last issue voted upon by the Senate, which was on June 30, 1949, when certain amendments to the Taft-Hartley Act were being considered. I may say that this issue was voted upon at that time, and the Senator from Nebraska [Mr. WHERRY] and his colleague [Mr. BUTLER] both voted with the preponderant majority of the Senate, which cast 53 votes against 41 votes which were cast in favor of the other theory—the theory

which is sought to be imposed by the legislation now pending.

So that if the Senator went along on this legislation, he would in effect be undermining not only the first two values which I mentioned, but the third value, which flows from his own act, in part, as a participant in the enactment of the Taft-Hartley Act in 1947, and as a participant in the insistence of a strong majority of the Senate ever since that to keep in the Taft-Hartley Act this particular provision recognizing State laws.

I want to clarify my position by making it clear—and I am sure both Senators understand it clearly, but for the record—I am not claiming that the field of the Taft-Hartley Act is invaded by this particular matter, but I am stating that this measure operates in a field which is not to be differentiated by any kind of logic from the motor-vehicle business, which is covered by the Taft-Hartley Act, or from the telephone, telegraph, and radio businesses, which are covered by the Taft-Hartley Act, and that, in fact, the Senator standing upon a ground for differentiation, upon which, his more mature reflection as an able lawyer would make him, I think, refrain from standing because the measure of what constitutes interstate commerce is not whether one is actually crossing the State line; the question is whether he is in an industry whose products will cross the State line.

The same measure, under our Federal Constitution, applies to every industry covered by the Taft-Hartley Act, which applies to the two industries that are covered by this act. I am sure the Senator from Alabama would not want to have it even appear from the record that he was taking any different position from that. He seeks to differentiate the railway industry from certain others, because he says that more people in that industry actually cross from State to State, and my point on that is that that does not determine the question of whether it is within or outside interstate commerce. The question as to what is in interstate commerce, as the Senator well knows, is the question of whether the industry operates and exists interstate, and the man who is a clerk in the shipping offices at Jacksonville, of one of our great railroads, or who is a car knocker or boiler maker at Uceta or Tampa, far removed from the State line, or down at Miami, nearly 500 miles away from the State line, is just as fully in interstate commerce as is the man runing the train which happens to run from Jacksonville to Savannah; and that man is no more in interstate commerce than is the man who runs from Jacksonville down to Miami, because he is handling the mails that go out, he is handling the passengers who go out, he is handling the products which move out into interstate commerce. So I think that upon more mature reflection the Senator will come to the conclusion that the standard which he imposes is not a correct one, and that as a matter of fact, even if that incorrect one is imposed, there are numerous industries covered by the Taft-Hartley Act in which the actual engagement in interstate movement at all times is just as great as it is in the railroad industry covered by the Railway Labor Act.

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

Mr. HOLLAND. I yield gladly.

Mr. HILL. As has been said, there has been special legislation in this field since 1936, when the original National Railway Act was enacted by the Congress. This bill would apply only to the management and labor employed on the railroads and on the airlines, and, although the Senator does not agree with me on it, the fact that the railway men operate trains across State lines makes a vast difference as against an industry which is located at Topeka, Kans., and which operates a factory in but one place. If an employee of such a concern crosses the State line into Nebraska, can he, as a member of a union shop in Kansas, become a member of a union shop in Nebraska? This raises the entire question.

I hope to talk a little further on the pending measure tomorrow. The Federal Government was brought into being by the States. All the power possessed by the Federal Government was delegated and given to it by the States. There were two principal reasons for that. The States felt it necessary and saw fit in their wisdom to organize the Federal Government and to delegate powers to it in order to provide for the common defense and for the regulation of interstate commerce. In this particular instance, what we would seek to do by this bill—what the committee would do—is to exercise the power delegated by the States, feeling that this is a matter which so vitally affects interstate commerce and the activities involved are so squarely in interstate commerce that the job should be done. It can only be done by the exercise of Federal law.

Mr. HOLLAND. Mr. President, I do not like to continue to talk on a subject which has been so well discussed by both Senators who have participated in the colloquy. However, the Senator from Alabama [Mr. HILL] mentioned the airlines. For the RECORD and for any comment which he may care to make on it, I feel I should say that the point I made with reference to railroads not having any preponderant part of their personnel actually crossing State lines can be made with even greater force and effect with reference to airlines. I do not know whether the Senator from Alabama has been in any of the great shops maintained by airlines. We have in the city of Miami somewhere between eight and ten thousand employees, I am told, who are mechanics, clerical employees, and similar types of employees, who work for the great airlines which have their terminals in Miami. I should think that the proportion of the employees of the airlines who actually operate the planes and therefore cross the State lines or go out of the country would be so inconsiderable a proportion of the total number of employees of the airlines as to be vastly less than in the case of railroads, and of course even more vastly less than in the case of truck lines or other activities which may occur to the Senator. Therefore, it seems to be fair to state that under this proposed legislation, if deprived of the pending amendment, thousands of employees in one spot in my State would be exempt from the application of State constitutional and State statutory law, notwithstanding the fact that they are living with many thousands of their fellow citizens who would find it extremely difficult to understand why a different rule should be imposed on them than is imposed on this favored class of employees.

Mr. President, it seems to me that no clearer illustration could be made of the mischief that lies in this type of legislation. Almost a guarantee would be given by the enactment of this legislation, that we would soon have to forget about the safeguards of State legislation which appear in the Taft-Hartley Act as to all types of industry covered by that act, because in the very nature of things these people living together by the thousands will not be satisfied with being governed by different fundamental rules in the application of law to their relations with their employers.

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

Mr. HOLLAND. I yield.

Mr. WHERRY. If I understand correctly, a railroad engineer who crosses a State line would receive the benefit of the pending legislation. Likewise an employee who does not cross State lines, and who lives in a certain locality and performs work which does not require him to cross State lines, would also receive benefits, if there are any, of the pending bill, even though such an employee would not move from one State to another.

Mr. HOLLAND. The Senator is correct.

Mr. WHERRY. It seems to me that we would then have to determine in our own minds what proportion of employees cross State lines. My position in Nebraska in trying to represent the will of the people in protecting a provision of their constitution would become very greatly involved, because certainly, while it is true that trains run from Nebraska to other parts of the country, offhand I would feel that the preponderance of employees of railroads are local in character and do not cross State lines. Therefore, what the Senator is saying in effect is that the pending bill, if enacted into law, would be applied to employees of railroads who do not work in interstate commerce, and that if we start with railroads we will gradually go into other industries, and thus finally break down constitutional provisions of our States and enabling statutes.

Mr. HOLLAND. That is correct. In that connection, I wish to invite the attention of the Senator from Nebraska to the motor-trucking industry. I had the great pleasure of visiting the city of Omaha. My recollection is that there is a city in Iowa across the river from Omaha.

Mr. WHERRY. Council Bluffs, Iowa.

Mr. HOLLAND. With constant truck traffic back and forth.

Mr. WHERRY. Constant.

Mr. HOLLAND. Hundreds of trucks pass back and forth, perhaps even thousands.

Mr. WHERRY. There is no doubt about it.

Mr. HOLLAND. Under the differentiation which the Senator from Alabama is asking us to adopt it is difficult for me to understand how a railroad engineer taking the train out of Nebraska and going out through Iowa and other States and the people who get the train ready and the people who keep the books on the train should all be excluded from the protection of State law, whereas the people who are crossing by the thousands in truck traffic, not only from Omaha but from other parts of the State, should be covered by a different law. Mr. President, that does not make sense. That would not appeal to the people at large as making sense. As I see it, it is an opening wedge to the destruction of the salutary provisions of the Taft-Hartley law. I believe they are salutary because it recognizes the sovereignty of States on matters which govern the living together of their people, and the day-to-day existence of their people.

To go back to my illustration in Miami, does it make sense for the thousands of people who are employed in the aviation industry to be covered by one law, and to have the tremendous number of people in other industries covered by another law, when all the people are living together and meeting in every sort of relationship and in close daily juxtaposition? Would any satisfaction come out of such an operation? My observation and my strong feeling is that there would not. The sound thing we should do, if we are to stand by the expressions of the Senate as has been frequently made in connection with the Taft-Hartley law, would be to adopt the amendment I have proposed. If the amendment is adopted I intend to vote in favor of the legislation, because then we would place the pending bill on all fours with the Taft-Hartley Act. I would find it difficult to differentiate between my position on the Taft-Hartley Act and my position on the pending bill, if perfected by the amendment which I have offered. I will state the converse to that proposition. I would find it very difficult to vote in favor of the bill without the amendment in view of the fact that, along with a majority of my colleagues, I insisted upon having the amendment added to the Taft-Hartley law before voting in favor of it. I agree with the Senator from Nebraska when he took the position that commerce is something bigger than mere transportation of goods. It relates to people living together. There is no good reason why we should have one law operating as to one portion of our people and another completely dissimilar law operating as to another great portion.

Mr. WHERRY. Mr. President, I appreciate the observations made by both Senators. It is good to have their views.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Florida.

Mr. HOLLAND. Mr. President, I have not yielded the floor.

The PRESIDING OFFICER. The Chair wishes to apologize to the Senator from Florida.

Mr. HOLLAND. I understand how the Chair could have gotten such an impression. However, I have not had a chance to check on my notes. I did not know that the matter was coming up until shortly before we took it up this afternoon. I would very much like to not yield the floor at this time, with the understanding that I have no present intention of saying anything further in the morning, but that I shall have the right to speak if I desire to do so without again asking for recognition. I may wish to round out or complete my statement if I find that I have left out something.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

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

Mr. HOLLAND. I take this opportunity to say that I do not intend to filibuster. I have no present intention to speak in the morning, but I want to have the assurance that if I find some deficiencies of any kind in what I have said I can supply them with a few remarks in the morning. I should like to have that privilege before another Senator is recognized.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida?

Mr. HILL. Mr. President, reserving the right to object, I wonder if we could reach an agreement as to when we may vote on the amendment as presented. Would it be possible to reach an agreement as to a time tomorrow when we could vote on it? I can well understand the position of the junior Senator from Florida with reference to his desire to make a few remarks tomorrow if he finds it necessary to do so. The distinguished senior Senator from Florida [Mr. PEPPER] informed me that he wishes to say something on the subject tomorrow. The Senator from Alabama would like to make a few remarks. I wonder if we could not agree on a definite time tomorrow when we could vote on the amendment offered by the Senator from Florida. It usually takes 15 or 20 minutes to attend to routine business and insertions in the RECORD and to have a quorum call. I wonder if we could not agree on a definite time to vote on the amendment. The senior Senator from Florida wishes to speak for 15 or 20 minutes. The Senator from Alabama will not need more than 10 or 15 minutes.

Would it be agreeable to the junior Senator from Florida and the distinguished minority leader if we voted on the amendment as offered at 1:30 p. m. tomorrow, with the time after the quorum call to be divided equally and controlled, respectively, by the distinguished junior Senator from Florida and the Senator from Alabama?

Mr. HOLLAND. I regret not to be able to give agreement to such a request. My reason has nothing to do with my own position. At the time the matter was debated in September, six or seven other Senators expressed the desire to be heard. They wanted to make clear their position on this bill must be consistent with the position that they had taken on the Taft-Hartley law. I do not know whether all of them are of the same feeling at the present time. I know that the senior Senator from North Carolina [Mr. HOEY] will not be present. He has informed me that he had to go home. I do not know about the others. Therefore, I would not be willing to now set an arbitrary time to vote. I hope by the time we resume in the morning I shall have had an opportunity to talk to the other Senators to find out whether they wish to be heard. If they wish to be heard, I will so state to the Senator from Alabama. The Senator from Florida hopes that he will not have to say anything further on the subject. If he does, it will not take more than a few minutes, and will be only to round out a few of the deficiencies in what he has said already.

Mr. HILL. As I understand it, the Senator is not in a position to agree to any unanimous-consent agreement at this time as to when a vote could be had?

Mr. HOLLAND. No, except that I would hope that a vote could be taken sometime tomorrow.

Mr. HILL. I am sure that the Senator heard the distinguished Senator from Illinois [Mr. LUCAS] express great hope that the Senate might consider tomorrow a bill reported from the Senate Foreign Relations Committee, authorizing a loan to Yugoslavia. I do not know how long that bill will take, but it is certainly very much to be desired that we conclude consideration of the pending bill as early tomorrow as possible, so that the other bill may be taken up.

I am sure that the distinguished Senator from Florida will agree with the Senator from Alabama that, since it is now before the Senate, we want to finish the bill, and not temporarily lay it aside and then go back over it again, at which time the Senator from Florida might feel that he had to make his speech over again, and I might feel that I had to make my speech over again. If we can conclude the consideration of this bill at an early hour tomorrow, I think we shall have better assurance that we can dispose of the bill. Unless I am mistaken, or unless something unforeseen should occur, after the amendment of the Senator from Florida is disposed of I think we should be able to move rather rapidly toward final disposition of the bill.

Mr. HOLLAND. So far as the Senator from Florida is concerned, he has no intention of speaking on the bill after the amendment is disposed of. He will vote for the bill if his amendment is adopted, and vote against it if it is not. He does not expect to make further remarks. He does not know whether any of the seven or eight other Senators who had strong feelings on this measure in September, and whose names, by the

way, appear in the debate as of that day, will wish to be heard tomorrow. But since he knows that they did have such feelings, he would not be willing to agree now to an arbitrary time for the vote. The Senator from Florida makes that statement without any expression of a desire on his part to make a second speech. He wishes to avoid the necessity of visiting such an affliction upon his friend from Alabama. He is quite willing to listen to a second speech by the Senator from Alabama, because his mellifluous tones always bring great enjoyment not only to the Senator from Florida, but I am sure to all others who are privileged to be present and hear what he has to say.

Mr. HILL. Mr. President, I return the tribute to my friend from Florida.

As I understand, if the Senator from Florida wishes to speak at all, it will be only to conclude, and finish off any rough edges which may remain.

Mr. HOLLAND. That is correct. However, the Senator from Florida does not foreclose himself as against answering anything which he feels is new which may be brought up. He has no intention whatever of making another speech, but he is not willing to tie his hands in such a way that he cannot defend himself if he should be assaulted tomorrow by the Senator from Alabama.

Mr. HILL. The Senator knows that if he concludes his speech now, under the rules of the Senate he is entitled not only to another speech on the amendment if he wishes to make another speech, but also to two speeches on the bill if he sees fit to make two speeches.

Mr. HOLLAND. The Senator from Florida has no intention of thus imposing on the Senate.

Mr. HILL. Knowing the capability and resourcefulness of my friend, I know that he could perhaps make some motion which would allow him two more speeches.

In the first place, the Senator from Alabama has no disposition to shut off his friend from Florida. In the second place, the Senator from Alabama has been in the Senate long enough to understand well the futility of any attempt to shut off any other Senator. I will say to the Senator from Florida that I do not believe in shutting off Senators. However, I believe that when we can unanimously agree to cut off debate, it is greatly to be desired.

Does the Senator wish to retain the floor tomorrow?

Mr. HOLLAND. Yes. The Senator from Florida knows perfectly well that he can speak at least three more times on this subject, but that is not his desire. His only purpose in asking that he retain the floor is that he would like his speech to be a single statement. If he finds—which he probably will—that it needs some polishing, and has manifest deficiencies, he would like to patch it up before it is assaulted by the Senator from Alabama tomorrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE—EXTENSION OF RENT CONTROL

During the delivery of Mr. HOLLAND'S speech,

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947 as amended, with an amendment; that the House insisted upon its amendment to the joint resolution, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SPENCE, Mr. BROWN of Georgia, Mr. PATMAN, Mr. MONRONEY, Mr. WOLCOTT, Mr. GAMBLE, and Mr. KUNKEL were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5967) to amend the Interstate Commerce Act, as amended, to clarify the status of freight forwarders and their relationship with motor common carriers.

EXTENSION OF RENT CONTROL

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

Mr. HOLLAND. The Senator from Florida understands that the Senator from South Carolina, chairman of the Committee on Banking and Currency, desires to complete the work of the Congress upon the measure providing for extension of rent control, and if he may do so without losing his right to the floor, he will be glad to yield to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, that is my request.

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair) laid before the Senate the following amendment of the House of Representatives to the joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended, together with a message from the House insisting upon its amendment and requesting a conference with the Senate thereon:

Resolved, That the joint resolution from the Senate (S. J. Res. 207) entitled "Joint resolution to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended," do pass with the following amendment: Strike out all after the enacting clause and insert: "That section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out 'December 31, 1950' in each place it occurs therein and inserting in lieu thereof 'March 31, 1951'."

Mr. MAYBANK. I move that the Senate disagree to the amendment of the House, agree to the request of the House for a conference on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

Mr. President, I appreciate the fact that I have the privilege of suggesting the conferees. I would only suggest who should be appointed as conferees, because this matter was just called to my attention, and I have not had time to confer with the Presiding Officer. I would suggest that the ranking Democratic members of the committee—myself, the Senator from Idaho [Mr. TAYLOR], and the Senator from Arkansas [Mr. FULBRIGHT], and on the Republican side of the committee the Senator from New Hampshire [Mr. TOBEY] and the Senator from Indiana [Mr. CAPEHART] be considered by the Presiding Officer for appointment as the conferees.

The PRESIDING OFFICER. The first question is on agreeing to the motion of the Senator from South Carolina. Without objection, the motion is agreed to; and the Chair appoints as the conferees on the part of the Senate the Senators just named by the Senator from South Carolina, namely, the Senator from South Carolina [Mr. MAYBANK], the Senator from Idaho [Mr. TAYLOR], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Indiana [Mr. CAPEHART].

Mr. MAYBANK. Mr. President, the Senator from Vermont [Mr. AIKEN] has just called my attention to the fact that the Senator from New Hampshire [Mr. TOBEY] may not be here. Therefore, I suggest that in the absence of the Senator from New Hampshire, the Presiding Officer appoint the next ranking Republican member of the committee, if the Chair so desires.

The PRESIDING OFFICER. The Chair appoints the Senator from Vermont [Mr. FLANDERS], instead of the Senator from New Hampshire [Mr. TOBEY], as one of the conferees on the part of the Senate.

EXECUTIVE SESSION

Mr. HILL. Mr. President, I move that the Senate proceed to the consideration of executive business, for the consideration of new reports on the Executive Calendar.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. Reports of committees are in order. If there be no reports of committees, without objection, the clerk will proceed to state the nominations newly reported to the calendar.

Mr. WHERRY. Mr. President, I have no objection at all, except that I wish to restate what I said last night, that there is no objection on this side of the aisle to considering nominations passed over, or any nomination on the calendar.

Mr. HILL. The only nomination passed over is one now under consideration by a Senate committee, and we would not desire to have that taken up when the committee is considering it.

Mr. WHERRY. I did not know whether the Senator knew that I stated last night that there was no objection on this side of the aisle to considering any nomination on the calendar if it were seen fit to do so.

The PRESIDING OFFICER. Without objection, the clerk will proceed to state the nominations newly reported.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Walter S. Gifford, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Howard H. Tewksbury, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Sidney H. Browne, of New Jersey, to be a consul general of the United States of America.

The PRESIDING OFFICER. The Chair requests that that nomination be passed over, and, without objection, it will be passed over.

The legislative clerk read the nomination of Robert Y. Brown, of Alabama, to be a consul general of the United States of America.

Mr. HILL. Mr. President, the nominations commencing with that of Robert Y. Brown appear to be routine nominations. Therefore I ask unanimous consent that they be confirmed en bloc.

Mr. WHERRY. Mr. President. now that the Sidney H. Browne nomination has been passed over, there is no objection to considering the other routine nominations en bloc, so far as the Senator from Nebraska is concerned.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none, and the routine nominations in the Diplomatic and Foreign Service are confirmed en bloc, with the exception of the one passed over.

INTERNATIONAL DEVELOPMENT BOARD

The legislative clerk read the nomination of Nelson A. Rockerfeller, of New York, to be Chairman of the International Development Advisory Board.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ECONOMIC COOPERATION ADMINISTRATION

The legislative clerk read the nomination of William C. Foster, of New York, to be Administrator for Economic Cooperation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Richard M. Bissell, Jr., of Massachusetts, to be Deputy Administrator for Economic Cooperation.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

TECHNICAL COOPERATION ADMINISTRATOR

The legislative clerk read the nomination of Henry G. Bennett, of Oklahoma, to be Technical Cooperation Administrator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed. That completes the Executive Calendar.

RECESS

Mr. HILL. Mr. President, as in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 19 minutes p. m.) the Senate took a recess until tomorrow, Friday, December 8, 1950, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 7 (legislative day of November 27), 1950:

DIPLOMATIC AND FOREIGN SERVICE

Irving Florman, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Bolivia.

INTERSTATE COMMERCE COMMISSION

The following-named persons to be Interstate Commerce Commissioners for the terms expiring December 31, 1957 (reappointments):

Hugh W. Cross, of Illinois.
John L. Rogers, of Tennessee.

IN THE ARMY

The following-named officers for appointment in the Regular Army of the United States to the grades indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be major generals

*Maj. Gen. Albert Cowper Smith, [redacted] Army of the United States (brigadier general, U. S. Army).

*Maj. Gen. William Frederic Marquat, [redacted] Army of the United States (brigadier general, U. S. Army).

*Maj. Gen. George Anthony Horkan, [redacted] Army of the United States (brigadier general, U. S. Army).

*Maj. Gen. Jerry Vrchlicky Matejka, [redacted] Army of the United States (brigadier general, U. S. Army).

Maj. Gen. William Herschel Middleswart, [redacted] Army of the United States (brigadier general, U. S. Army).

To be brigadier generals

*Brig. Gen. George Bittmann Barth, [redacted] Army of the United States (colonel, U. S. Army).

*Brig. Gen. Howard Louis Peckham, [redacted] Army of the United States (colonel, U. S. Army).

*Brig. Gen. Urban Niblo, [redacted] Army of the United States (colonel, U. S. Army).

*Brig. Gen. Wayne Cliffton Zimmerman, [redacted] Army of the United States (colonel, U. S. Army).

*Maj. Gen. Francis Henry Lanahan, [redacted] Army of the United States (colonel, U. S. Army).

*Brig. Gen. Halley Grey Maddox, [redacted] Army of the United States (colonel U. S. Army).

Brig. Gen. Cortlandt Van Rensselaer Schuyler, [redacted] Army of the United States (colonel, U. S. Army).

The following-named officers for temporary appointment in the Army of the United States to the grades indicated under the provisions of subsection 515 (c) of the Officer Personnel Act of 1947:

To be major generals

*Brig. Gen. Ira Platt Swift, [redacted] United States Army.

*Brig. Gen. Walter Joseph Muller, [redacted] United States Army.

*Brig. Gen. Julian Wallace Cunningham, [redacted] United States Army.

*Brig. Gen. Rex Webb Beasley, [redacted] United States Army.

*Brig. Gen. John Lloyd McKee, [redacted] United States Army.

*Brig. Gen. John Stewart Bragdon, [redacted] United States Army.

*Brig. Gen. David Lewis Ruffner, [redacted] United States Army.

*Brig. Gen. Paul Wolcott Rutledge, [redacted] United States Army.

*Brig. Gen. Albert Pierson, O11838, United States Army.

*Brig. Gen. Robert Miller Montague, [redacted] United States Army.

*Brig. Gen. Courtney Whitney, [redacted] Army of the United States.

Maj. Gen. Kenneth David Nichols, [redacted] Army of the United States (colonel, U. S. Army).

To be brigadier generals

*Col. Orlando Clarendon Mood, [redacted] United States Army.

*Col. Richard Brown Thornton, [redacted] United States Army.

*Col. John Francis Uncles, [redacted] United States Army.

*Col. Robert Nicholas Young, [redacted] United States Army.

*Col. Eugene Ware Ridings, [redacted] United States Army.

*Col. Elwyn Donald Post, [redacted] United States Army.

*Col. Robert Leroy Dulaney, [redacted] United States Army.

*Col. Edwin Britian Howard, [redacted] United States Army.

*Col. Gordon Edmund Textor, [redacted] United States Army.

*Col. Armistead Davis Mead, [redacted] United States Army.

*Col. Raleigh Raymond Hendrix, [redacted] United States Army.

*Col. John Murphy Willems, [redacted] United States Army.

*Col. Mason James Young, [redacted] United States Army.

*Col. Basil Harrison Perry, [redacted] United States Army.

*Col. John Tupper Cole, [redacted] United States Army.

*Col. Sterling Alexander Wood, [redacted] United States Army.

*Col. Clare Hibbs Armstrong, [redacted] United States Army.

*Col. James Francis Brittingham, [redacted] United States Army.

*Col. James Gasper Devine, [redacted] United States Army.

*Col. Marcus Brenneman Bell, [redacted] United States Army.

*Col. Theodore Francis Wessels, [redacted] United States Army.

*Col. Walter David Luplow, [redacted] United States Army.

*Col. Arthur Richard Walk, [redacted] United States Army.

*Col. Guy Orth Kurtz, [redacted] United States Army.

*Col. Frank Huber Partridge, [redacted] United States Army.

*Col. Theodore Leslie Futch, [redacted] United States Army.

*Col. Albert Carl Lieber, [redacted] United States Army.

*Col. Donald Sutter McConnaughy, [redacted] United States Army.

*Col. Boniface Campbell, [redacted] United States Army.

*Col. Merle Halsey Davis, [redacted] United States Army.

*Col. Charles Clifton Blanchard, [redacted] United States Army.

*Col. Eugene Vincent Elder, [redacted], United States Army.
*Col. Frank Needham Roberts, [redacted], United States Army.
*Col. David James Crawford, [redacted] United States Army.
*Col. Frank Sayles Bowen, Jr., [redacted] United States Army.
*Col. Victor Allen Conrad, [redacted] United States Army.
*Col. Ralph Irvin Glasgow, [redacted] United States Army.
*Col. Richard Givens Prather, [redacted] United States Army.
*Col. Rinaldo Van Brunt, [redacted] United States Army.
*Col. Charles Ernest Loucks, [redacted] United States Army.
*Col. John Alexander Klein, [redacted] United States Army.
*Col. John Bartlett Hess, [redacted] United States Army.
*Col. William Henry Maglin, [redacted] United States Army.
Col. Elbert DeCoursey, [redacted] Medical Corps, United States Army.

The following-named officer for appointment in the Regular Army of the United States to the grade indicated under the provisions of title V of the Officer Personnel Act of 1947:

To be brigadier general, Medical Corps

Brig. Gen. Maxwell Gordon Keeler, [redacted] Army of the United States (colonel, Medical Corps, U. S. Army).

NOTE.—Those officers whose names are preceded by the symbol (*) were appointed during the recess of the Senate.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 7 (legislative day of November 27), 1950:

DIPLOMATIC AND FOREIGN SERVICE

Walter S. Gifford, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Great Britain.

Howard H. Tewksbury, of New Hampshire, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Paraguay.

To be a consul general of the United States of America

Robert Y. Brown

To be Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America

Charles C. Adams
John A. Baker, Jr.
Michael P. Balla
Harry G. Barnes, Jr.
Alf E. Bergesen
Lawrence H. Berlin
James R. Billman
Vincent S. R. Brandt
Samuel C. Brown
Frank N. Burnet
Pratt Byrd
Thomas A. Cassilly
Christian G. Chapman
John M. Cluff
Carleton S. Coon, Jr.
Frank J. Curtis, Jr.
Richard C. Davis
Arthur R. Day
Jonathan Dean
Dexter W. Draper, Jr.
Walter H. Drew
William L. Eagleton, Jr.
Carl J. Erickson, Jr.
Richard D. Geppert
Herbert I. Goodman
Lindsey Grant
James C. Haahr
Roland F. Haney
Gordon G. Heiner 3d.
William A. Helseth
Benjamin C. Hilliard 3d.
Max E. Hodge
Roscoe L. Hoffacker
Robert A. Hurwitch
Walter E. Jenkins, Jr.
James R. Johnston
William M. Kahmann
Lowell Bruce Laingen
Paul Baxter Lanius, Jr.
John C. Leary
Philip M. Lindsay
Leo Michael Linehan
Walter M. McClelland
Edward E. Masters
Milton W. Meyer
Kermit S. Midthun
Lawrence C. Mitchell
Benjamin R. Moser
Jacob M. Myerson
Harry I. Odell
Peter J. Peterson
H. Earle Russell, Jr.
David T. Schneider
Ernest E. Schneider
Peter A. Seip
Robert Wade Seward, Jr.
John J. Shea
John W. Simms
Herman T. Skofield
Richard E. Snyder
William F. Spengler
Robert J. Tepper
William N. Turpin
Peter C. Walker
Bradford Wells
Robert F. Weltzien
Merrill A. White
Frank S. Wile
Arthur I. Wortzel

To be consuls of the United States of America

James G. Evans
George A. Mann
Edward C. Webster, Jr.

To be a secretary in the diplomatic service of the United States of America

Willard F. Barber

INTERNATIONAL DEVELOPMENT ADVISORY BOARD

Nelson A. Rockefeller, of New York, to be Chairman of the International Development Advisory Board.

ECONOMIC COOPERATION ADMINISTRATION

William C. Foster, of New York, to be Administrator for Economic Cooperation.

Richard M. Bissell, Jr., of Massachusetts, to be Deputy Administrator for Economic Cooperation.

TECHNICAL COOPERATION ADMINISTRATOR

Henry G. Bennett, of Oklahoma, to be Technical Cooperation Administrator.

DEPARTMENT OF THE NAVY

DIRECTOR OF BUDGET AND REPORTS

Rear Adm. Edward W. Clexton, United States Navy, to be Director of Budget and Reports in the Department of the Navy, with the rank of rear admiral, for a term of 3 years.

IN THE ARMY

APPOINTMENTS IN THE REGULAR ARMY OF THE UNITED STATES

The nominations of Benjamin H. Inloes, Jr., et al., and the nominations of Robert F. Bell et al., for appointment in the Regular Army, which were confirmed today, were received by the Senate on November 30, 1950, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Benjamin H. Inloes, Jr., appearing on page 15993, and ending with the name of Raymond D. Henley, which appears on page 15995.

IN THE UNITED STATES AIR FORCE

PROMOTIONS IN THE UNITED STATES AIR FORCE

The nominations of Vivian M. Gersema et al., and the nominations of Louis Charles Adams, Jr., et al., for promotion in the United States Air Force, which were confirmed today, were received by the Senate on November 27, 1950, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Vivian M. Gersema, which appears on page 15785, and ending with the name of Hugo Zimmermann, appearing on page 15789.

IN THE NAVY

Vice Adm. Jerauld Wright, United States Navy, to have the grade, rank, pay, and allowances of a vice admiral while serving as Deputy United States representative to the Standing Group of the North Atlantic Treaty Organization.

TEMPORARY APPOINTMENT TO THE GRADE OF REAR ADMIRAL

Thomas B. Williamson
Aaron P. Storrs III
Richard M. Watt, Jr.
Wilson D. Leggett, Jr.
Marion E. Murphy
Howard E. Orem
Sherman R. Clark

Vice Adm. Edwin D. Foster, Supply Corps, United States Navy, when retired to be placed on the retired list with the rank of vice admiral.

The following-named officers of the Navy and Naval Reserve on active duty for permanent appointment in the grade and corps indicated, subject to qualification therefor as provided by law:

For permanent appointment in the Navy:

Lieutenant commander, Medical Corps

William K. Hall

Lieutenant, Medical Service Corps

Sylvester H. N. Zumbrun

Lieutenant (junior grade), line

Victor D. Brockmann
Jack M. Stufflebeam

Lieutenant (junior grade), Civil Engineer Corps

William M. Johnson
Robert D. Darragh, Jr.

Lieutenant (junior grade), Nurse Corps

Floy G. Mangold
Mary V. Mele

Chief carpenter

Bruce A. O'Neal

Chief machinist

Walter W. Rickett

Chief pay clerk

Edward D. Verell

For permanent appointment in the Naval Reserve:

Lieutenant (junior grade), line

Philip Steinberg

The following-named officers of the Navy for permanent appointment to the grade of lieutenant in the corps indicated and to correct spelling of name as previously nominated and confirmed:

Line

Hubert Glenzer, Jr.
Jene L. Leslie

Medical Corps

Donald J. Nollet

Supply Corps

Carl J. Stringer, Jr.
Armand E. Wulffaert

The nominations of Ernest P. Abrahamson et al., for appointment in the Navy, which were confirmed today, were received by the Senate on November 29, 1950, and appear in full in the Senate proceedings of the CONGRESSIONAL RECORD for that date, under the caption "Nominations," beginning with the name of Ernest P. Abrahamson, which is shown on page 15962, and ending with the name of Tad Stanwick, which appears on page 15964.

The nominations of Albert O. Momm et al., for appointment in the Navy, which were confirmed today, were received by the Senate on December 4, 1950, and appear in full in the Senate proceedings for that date, under the caption "Nominations," beginning with the name of Albert O. Momm, which appears on page 16072, and ending with the name of Roman L. Kledzik, which is shown on page 16074.

HOUSE OF REPRESENTATIVES

THURSDAY, DECEMBER 7, 1950

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the Supreme Ruler of the Universe and the guiding intelligence in the life of men and of nations, we pray that we may now be inspired with a reassuring sense of Thy greatness

and goodness, Thy presence and power, Thy love and care.

We humbly confess that we feel so insignificant and helpless when we think of ourselves in our relationship to the many difficult problems in this time of national and world crisis.

There seems to be so little that we can do, individually, to direct the fateful course of human events. Even the wisest know so little. The odds against our moral and spiritual idealism appear so great.

Help us daily to encourage ourselves and one another with the glad assurance that in all our desires and struggles to champion and serve the cause of freedom against tyranny, of right against wrong, of good against evil, we are not alone, for the Lord of righteousness is with us.

May this assurance be our strength and the climax of our praise and the grand crescendo in all our thoughts and feelings.

Hear us in the name of the Christ who is the captain of our salvation. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Woodruff, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5967. An act to amend the Interstate Commerce Act, as amended, to clarify the status of freight forwarders and their relationship with motor common carriers.

PERMISSION TO ADDRESS THE HOUSE

Mr. JENKINS. 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 Ohio?

There was no objection.

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

CONGRATULATIONS, BOB DOUGHTON

Mr. COOPER. 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 Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, the members of the Committee on Ways and Means, together with the Speaker of the House of Representatives, the minority and majority leaders, and the Parliamentarian assembled at breakfast this morning at 8:30 in the Speaker's dining room in honor of our beloved and distinguished chairman of the Committee on Ways and Means, the gentleman from North Carolina [Mr. DOUGHTON], marking his twenty-fifth anniversary as a member of the Committee on Ways and Means.

I felt sure that the Members of the House would be glad to join the members of the Committee on Ways and Means and officials of the House in paying this deserved tribute to our distinguished and beloved chairman, and to join in wishing him many happy returns.

FISCAL PHILOSOPHY IN VERSE

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

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

There was no objection.

Mr. RICH. Mr. Speaker, while I sat in committee this morning I was handed a little verse. I added a couple of lines to it. Now, I do not want you to think that I am a poet, but I just want to read these few lines:

We must balance our budget
And conserve our cash,
Or we will meet the same fate
As Truman's haberdash!

Now do you not think
Before it's too late,
If our country does not stop spending
It will meet the same fate?

My colleagues, look into the need
Of this European and Asiatic blending,
It's your duty to heed—
Little lending, no giving, and less spending.

DEAN ACHESON, SECRETARY OF STATE

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

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

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, 9 years ago today the Japanese air force struck the infamous blow against our people in Hawaii, a blow which will be characterized as an infamy as long as history is read.

Today we are faced with the possibility of an even greater danger than December 7. The United Nations is fighting for its life. Unless it lives, the peace of the world may die.

A stanch defender of that United Nations organization, and a man who has done much to promote its growth and solve its problems, is under attack here in our Nation's Capital. The man I speak of is Secretary of State Dean Acheson.

His great record in formulating and implementing the Marshall plan, the Atlantic Pact, the Western Hemisphere mutual defense agreement, and his latest attempt to correct the obstructive use of the veto by a single member of the Security Council, are now forgotten by those who seek to destroy this great public servant.

At a time when it is most urgent that the hands of our Secretary of State be upheld in international councils, at a time when the prestige of the United States depends upon the respect of other nations for our No. 1 foreign relations representative, we see the sorry spectacle of men who fail to see the significance of their actions in attempting to discredit our Secretary of State, and who fail to see that the goal of national security can only be attained through unity.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include a newspaper editorial.

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

There was no objection.

Mr. CELLER. Mr. Speaker, we are not in the midst of an election campaign; gentlemen, we are in the midst of a war.

Therefore, there is a complete lack of responsibility in the partisan attacks aimed at our Secretary of State, Dean Acheson, as are being presently formulated not distant from here. The Members of Congress of both Houses must soberly review and evaluate the possible consequences of such conduct. This immaturity in political thinking plays directly into the hands of Communists. Nothing would suit the enemy's purpose more than the breaking down of the people's faith in the conduct of our foreign affairs. That, together with the rift that such idle and reckless talk can cause between us and friendly nations, makes the leaders of Communist aggression wring their hands in glee.

This is a time for sobriety. I emphasize that such loose talk can do nothing but cause friendly peoples soon to lose faith in the efficacy of the United States in the role of world leadership.

Wild, unsubstantiated charges against our Secretary of State, I repeat, reassure our enemies and dismay our friends.

I repeat the first paragraph of a pertinent editorial in today's New York Herald Tribune:

REPUBLICANS AND MR. ACHESON

It would be difficult to imagine a more inopportune moment for Senator IVES to have lent the prestige and influence of his name to the list of those calling for Secretary of State Acheson's replacement. The Secretary is in the midst of negotiations of the most delicate and far-reaching kind. The country is in a crisis which demands of everyone a readiness to pull together for large ends. It was perhaps too much to ask that those who have been assailing Secretary Acheson for months as a personal devil should forbear in the hour when so much goes ill, but it would have seemed more in character for Senator IVES, whose statesmanship has been of the highest order, to choose some other timing for his intervention. His words will carry a large, and conceivably a decisive, weight in today's meeting of the Senate Republican Policy Committee, where the question of making Mr. Acheson's resignation a matter of party policy will be under discussion.

DEAN ACHESON, SECRETARY OF STATE

Mr. BOLLING. 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 Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, at the most critical time in our country's history, when the fate of freemen everywhere may depend on the steadiness, wisdom, and unity of the American people, we find short-sighted individuals attacking the character and integrity of our Secretary of State, Dean Acheson. The purpose of this attack is clear and clearly political. The real result may

not be understood even by the attackers themselves. But the fact is that the half-truths and untruths uttered with respect to Dean Acheson are having the effect of confusing and disuniting the American people. It is imperative today that all individuals who occupy positions of responsibility behave in a responsible manner.

Dean Acheson's record is clear. His world-wide reputation among the free peoples as an outstanding champion of freedom is enormous. He and his accomplishments will live in history long after the names of his detractors are forgotten.

Among his many great accomplishments as Secretary of State is the welding together in the Western Hemisphere of the organization of American States.

Our active cooperation with the other American Republics in the construction of dependable machinery for maintaining peace and security in the Western Hemisphere is a part of the fundamental policy of the United States to seek constantly and energetically the world-wide organization of peace in a free and stable world. The Secretary of State, Dean Acheson, personally has contributed enormously to the success of this policy in the Western Hemisphere. The Rio Pact and the Organization of American Republics represent real progress toward mutual understanding, mutual defense, and mutual assistance in this area of the world. To Mr. Acheson must be given much of the credit for this success in American foreign policy.

Mr. HUBER. 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 Ohio?

There was no objection.

Mr. HUBER. Mr. Speaker, unlike the gentleman from Mississippi [Mr. RANKIN], I am unable to find anything amusing in the sincere statements of the gentleman from California [Mr. HOLIFIELD] and the gentleman from New York [Mr. CELLER] upholding the hand of Secretary of State Acheson during this period of emergency. I want to compliment them for their patriotism and their unwillingness to engage in demagoguery when all Americans should be united regardless of political affiliation or geographical origin. If every Member of this House had voted for as much legislation designed to stop the ungodly hordes of communism as the gentleman from California [Mr. HOLIFIELD] and the gentleman from New York [Mr. CELLER], we might not be in the critical world position in which we find ourselves today. I only hope that more Members will join unselfishly to support our President, our Cabinet officers, and all those who are trying to protect us from the grave danger that threatens our country.

ANNIVERSARY OF ATTACK ON PEARL HARBOR

Mrs. ROGERS of Massachusetts. 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 gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, today is the anniversary of the attack on Pearl Harbor. I well remember the day the Japanese struck. I also remember the warnings I had given to the House against arming Japan.

Japan fought and used our materials of war against the United States forces. The Congress today should insist, Mr. Speaker, that we stop arming hostile communistic nations. The war matériel that has been used against our boys in Korea and the arms and munitions the United States sent to Russia and to other Communist countries should never have been sent. I warned against that also. Korea was another Pearl Harbor. Does America never learn?

Mr. Speaker, my gratitude goes out to those men who gave their lives at Pearl Harbor and those men who are giving their lives for us in Korea. The least we can do for them is to see to it that we do not give arms and ammunition to hostile governments to use against our boys. To arm our enemies is a crime against America.

DEAN ACHESON

Mr. HUGH D. SCOTT, JR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

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

There was no objection.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, the gentleman from Missouri [Mr. BOLLING] says: "The record of the Secretary of State is clear." It is. Nine years have passed since Pearl Harbor and we have lost every diplomatic contest in our dealings with the nations of the world. It is important that we shall not lose this one, and that there shall be no surrender or appeasement to communism. The record of the Secretary of State is clear. That is why he should resign forthwith.

TURKISH SOLDIERS IN KOREA

Mr. KENNEDY. 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 Massachusetts?

There was no objection.

Mr. KENNEDY. Mr. Speaker, reports from Korea have indicated the tremendous fortitude and gallantry of the Turkish troops who are fighting side by side with the other nations in Korea. Turkey occupies a most strategic place bordering on the Mediterranean, defending the Dardanelles and being situated on the border of Russia. For over 1,000 years the Turkish Army has shown its courage, and we are fortunate to have Turkish soldiers fighting side by side with us in Korea.

EXTENSION OF REMARKS

Mr. DOLLIVER asked and was given permission to extend his remarks and include a statement on conservation by Paul A. Johnson, secretary of the Iowa State Watershed Association.

Mr. PRICE asked and was given permission to extend his remarks and include an editorial.

Mr. WALSH asked and was given permission to extend his remarks and include a letter.

Mr. HARRISON asked and was given permission to extend his remarks and include an article.

Mr. O'SULLIVAN asked and was given permission to extend his remarks in two instances.

Mr. KEOGH asked and was given permission to extend his remarks and include an article.

Mr. TAURIELLO asked and was given permission to extend his remarks.

Mr. PATTEN (at the request of Mr. MCSWEENEY) was given permission to extend his remarks.

Mr. NORBLAD asked and was given permission to extend his remarks and include extraneous material.

Mr. WILLIAMS asked and was given permission to extend his remarks.

Mr. HOWELL asked and was given permission to extend his remarks and include an editorial.

Mr. LATHAM asked and was given permission to extend his remarks in two instances and include extraneous material.

AMENDING THE HOUSING AND RENT ACT OF 1947

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 876 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

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. 9763) to amend the Housing and Rent Act of 1947, as amended. 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 Banking and Currency, 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.

Mr. LYLE. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and I now yield myself such time as I may require.

Mr. Speaker, this resolution makes in order the immediate consideration of H. R. 9763. H. R. 9763 is by no means an extension of rent control, and, in my judgment, this measure has stirred up an unnecessary amount of agitation. The last Rent Control Act provided the date of December 31, 1950, for automatic decontrol in the event various States or political subdivisions thereof did not take affirmative action to extend rent control until June 1951, the date all rent control on a Federal level was to

cease. That bill also authorized the States or political subdivisions thereof to decontrol by affirmative action. The present measure does not change the basic provisions of the bill; it simply extends the automatic decontrol date until March 1951. It cannot be rightfully said, Mr. Speaker, that we do violence to any democratic process when we require affirmative action rather than silence or no action at all. I am of the opinion after discussing this matter with many Members that they are unhappy over the circumstances which place rental property under controls and at the same time permits full freedom for unlimited profits in all other fields of economic endeavor. That is not, however, the question before us at this moment. The question of the extension of rent control will not be before this body until the next session. Each of us will have an opportunity then in the light of our own experiences and in the light of the circumstances in our own communities to determine the advisability of such legislation. I believe this resolution should be adopted.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve my time.

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. SPENCE. Mr. Speaker, I 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. 9763) to amend the Housing and Rent Act of 1947, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 9763, with Mr. WHITTINGTON in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. SPENCE. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, the present bill does but one thing. It strikes out the expiration date of the present Rent Control Act, December 31, 1950, and inserts in lieu thereof March 31, 1951. It continues the existing act for 3 months, in order that the next Congress may consider the matter.

I am not an advocate of controls. I do not believe in the regimentation of free people, but the necessity for a continuation of this act is now just as great as the necessity for the original enactment of the act providing for rent control.

Our great Nation, which has been the leader of the world for 161 years, is in peril. This is a critical time. On the ice-covered, wind-swept hills of Korea our fine boys are fighting a desperate battle, a battle for the rentention of our liberties. We are fighting a great sinister force in the world. At a time like this men must give up some of their rights in order that others may be preserved. Men must forego some of their profits in order that they may retain the things that we have cherished for a century and a half.

Housing is a difficult thing to obtain. We may have a lack of food today, and tomorrow we may have plenty, but housing is something that it takes a long time to produce. By reason of the present hostilities there is bound to be a shift in the population of our people. There is bound to be great necessity for housing. There is an opportunity for some to impose on others. This act is no reflection on the good landlord. There are many good landlords, and there are some bad tenants. But it is a condition that confronts us now and one that I think we must meet.

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

Mr. SPENCE. I yield to the distinguished gentleman from Mississippi.

Mr. COLMER. I asked the distinguished chairman of the Banking and Currency Committee to yield to me for the purpose of making a brief statement. First, I wish to say that the gentleman from Kentucky is making a very able statement and a very true statement.

On the day before yesterday when application was made for a rule for the consideration of this bill, I was inclined to go along with it. I voted against it, not because I did not think we needed rent control. I do think we need rent control, but because I think that we need all other controls, across-the-board controls, and a general mobilization of the efforts of this country to meet the impending disaster that faces us. I hope the distinguished chairman of the committee, and the members of the committee, for whom I have a profound respect, will do everything within their power to see to it that we do have these all-out across-the-board controls, because, I repeat, again and again, that you cannot control one commodity without controling the other. The power in this bill should be continued, but we ought to, and the administrative should have it brought most forcefully to its attention that we should have these across-the-board controls.

I thank the gentleman for yielding to me.

Mr. SPENCE. The President has the power now to impose controls.

Mr. COLMER. But he does not use it.

Mr. SPENCE. It is a poor citizen in this time of peril to the country who will not willingly submit to controls that are aimed at the survival of our institutions and our economy. I expect that as time goes on and the need exists there will be general controls imposed. But housing is the thing before us now. Materials are being channeled into the war effort that are necessary for the building of houses; the control of credit has made those who were desirous of constructing homes less able to do so. The necessity for rent control is as strong now as it ever has been, but in this bill we are not foreclosing that question at all; we are not settling the question of rent control; we are merely by this act sending it to the next Congress to consider whether or not we need rent control and what character of rent control we do need.

The cities now have the power to decontrol; many of them have exercised it. But if we do not pass an act such as this, the local machinery that has regulated rents will have been dissipated and destroyed, and it will be necessary to set up new machinery; it will be necessary to consider this matter anew. The enactment of this act will leave matters in statu quo so that the next Congress can consider it carefully, will have the opportunity by reason of time and other things to go into the details of the matter and will consider it in relation to the conditions that exist at that time.

Mr. COLMER. Mr. Chairman, will the gentleman yield to me briefly?

Mr. SPENCE. I have only 10 minutes but I will yield for a brief question.

Mr. COLMER. I thank the gentleman. I agree again with what the gentleman says, and, as the gentleman will recall, I pointed that out in the Rules Committee hearing, but what I want to know now is whether the distinguished chairman of the committee can tell us if the powers that be are ready to impose these across-the-board controls that the country needs?

Mr. SPENCE. I cannot speak for the President; I do not know what his intentions are. I assume he is going to do the things that are necessary to stabilize the whole economy and to strengthen us in order that we may meet the great problems that present themselves to us, but it is inconceivable to me that a Congress would say in the light of our present conditions, in the light of the necessities that present themselves, in the light of the need for housing—for civilized man cannot live without housing—that they would not consider this bill, would vote it down, and by that means let rent control expire in many sections where it is needed and where it has not been continued by reason of the procrastination, indecision, or doubt of the local governing body.

I ask the House to vote this bill out in order that we may carefully and prudently consider what is needed in the way of rent control in the early part of the next session.

Mr. WOLCOTT. Mr. Chairman, I yield myself 13 minutes.

Mr. Chairman, on June 23, 1950, just about 6 months ago, we provided for the orderly decontrol of rents. We decided as a matter of policy at that time that the question of rent control was no longer one for the Federal Government, that it was strictly a local matter and should be treated as a local matter. We set up the machinery at that time by which municipalities could either continue control beyond December 31 or not in their discretion. We provided that any incorporated city, village, or town which desired to continue rent control beyond December 31, 1950, could do so by passing a resolution.

In light of the controversy in the Supreme Court today in the Los Angeles case, may I say that we did not provide that they should pass an ordinance. The law expressly says that they may declare their intent by resolution. Just to carry that thought a little further, and perhaps be a little ridiculous in order that we may see what the intent of Congress was at that time, we might have theoretically, and within our legislative

rights, said that a city could continue rent control beyond December 31, 1950, if the clerk of the city wrote to the chairman of the committee down here, or if any person in the United States in a civilian capacity or otherwise declared that rent control should continue in that city. We said "resolution" and we meant what we said and we did not say or mean "ordinance" when we said "resolution."

So any city that desires the continuance of rent control beyond December 31 may by resolution continue it. The only reason, Mr. Chairman, this bill is before us today is because so many of the cities and municipalities have indicated by their failure to take action to continue rent control up to the present time that in Tighe Woods' opinion rent control at the Federal level is going out the window. The only pressure for discontinuance of these controls beyond December 31 and the only justification for it is Tighe Woods.

Do we want to keep the promise which we made to the muncipalities 6 months ago that they could by certain action or failure to take action, simple as the action might be, continue rent controls in their localities or not as they saw fit?

Is there any justification for the continuance of the automatic decontrols beyond December 31? None whatsoever, excepting to keep Mr. Tighe Woods in office. There is no economic justification for this resolution. There is a political justification for it, because let me charge without fear of successful contradiction that this resolution is sponsored by those who want to continue controls for control's sake.

Let me point out that there is no economic justification for this. The Government gets out every month—and you probably get it—a document entitled "Economic Indicators." It is a splendid authenticated document. The Bureau of Labor Statistics and all the rest of them contribute to it. It is an official document, originally gotten out for the Joint Committee on the Economic Report and later, under resolution, made available to all Members of Congress. You will have in mind that last year we passed a control bill; a production-control bill, so-called. It was predicated upon the desirability of giving the President the authority to control prices and services if and when he found that prices and services had increased or threatened to increase disproportionately, and that there would be danger to our economy unless prices and the cost of services were controlled. Now there has been a great deal of discussion as to why the President has not exercised controls over food prices, over the cost of services, over the cost of heating, over the cost of all other essentials, but, at the same time, comes in here and asks for this continuance of one category of services, namely, rent.

Let us look at the Government record in this respect. On the 1940 average monthly basis the cost of all items has increased 73.6 percent. The cost of food has increased 112 percent. The cost of apparel has increased 89 percent. The cost of fuel, electricity, and refrigeration has increased 42.1 percent. House furnishings have increased 95 percent. In contrast, rent has increased only 20.2 percent. There is the official Government record. Now, I say that there is not an economic problem confronting this Congress at the present time insofar as this resolution is concerned. If there is this emergency, which my worthy and very highly esteemed colleague, the chairman of the commitee, says exists today, then there is such an economic emergency as to compel the President to use the powers which we gave him this last year to control these prices which in all instances have increased more than three times the amount which rent has increased. So there is no economic justification for this. Yes; there is a political justification for it. There is a political justification for it because the forces which dominate the policy of this Government, which are in the driver's seat, want rent control. They are not the home owners. They want to buy their goods at low prices and sell them at high prices. They are not being fair, they are not being equitable. They are not viewing this as an economic problem, or they could not stand on their own two feet. It is a political problem.

This bill is indicative of the extent to which these forces will go to show that they do dominate Government policy, and we are expected to swallow it in the name of emergency.

No opposition witnesses were allowed to appear on this bill. We had three Government witnesses before the committee. Two of the Government witnesses showed by their testimony that they knew absolutely nothing about the situation. They talked of continuing controls in Biloxi, Miss., when controls have never been taken off in Biloxi, Miss. They used Detroit, Mich., as an area that was getting short, and in which rent control should be continued. Rent controls have never been discontinued in Detroit, Mich. This shows how little these Government people knew about the situation.

No, there are a few top brass who insist upon taking their families with them into war, who want rent control continued in the areas adjacent to the installations where they are serving. The only justification for the continuance of rent control, the only justification for the denial to the localities of the right to discontinue rent control, is that these top brass want rent control continued so they can take their families with them into war.

They tell us that in the vicinity of these camps rent control is necessary because of a housing shortage. That is a question of policy which this Congress or somebody has to solve finally. It is simply this: Do we encourage the families of men who are being sent into these camps temporarily for training to take their families with them into war? It has never been done before.

The problem here in Camp Pickett, which has caused the two United States Senators from Connecticut to raise their voices in favor of increased housing facilities, lies only in the fact that the families of those men from Connecticut insist on living in the vicinity of Camp Pickett, where their men folks are training. What is going to happen when after the 90-day training period or the 120-day training period the men move on to Korea? What happens to these families? Are they going back to the areas from which they came, or are they going to insist upon their right to stay in the vicinity of these camps and multiply this problem a hundredfold, because the new families will come in with the new men and, so long as we adhere to that as a matter of policy, we are going to have housing shortages in the vicinity of these camps. That is a problem which this Congress or the top brass in our military will have to solve outside this bill.

Let me reiterate that there is no economic justification for this bill. You are not keeping faith with the localities which have crystallized these issues within their municipalities, who have made up their minds either to continue rent control beyond December 31 or to let it die.

There are 3,250,000 units in these areas which would go out of control at the discretion of the governing bodies of these municipalities on December 31, 1951. Therein lies the necessity they claim for continuing these controls because if these areas are decontrolled, Tighe Woods will lose his job. That is the only justification for continuing rent control.

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

Mr. SPENCE. Mr. Chairman, I yield such time as he may require to the gentleman from New Jersey [Mr. ADDONIZIO].

Mr. ADDONIZIO. Mr. Chairman, while the continuation of rent control is a matter of primary importance to the 660,000 renters of housing units in northeastern New Jersey, it is also a matter of primary importance to the Nation's expanding military and defense production needs.

We are faced today with a situation not contemplated when the present Rent Control Act was drafted. Since 1947, Congress has each year modified the rent-control law to bring about the earliest possible decontrol of local communities. As a matter of fact, the Congress has made it so easy, that the present rent-control law could more properly be considered a rent-decontrol law. Basically, the theory behind the present easy decontrol procedure is that we are at peace and that if some local community took premature decontrol action, it would be a calculated risk which would affect only that community.

However, since the Rent Act of 1950 was passed, the North Korean forces brutally and without provocation invaded southern Korea. With the expansion of our military plant since that date and with the contemplated increases in necessary production of war material, what had been formerly a matter of strictly local concern has become a matter of national concern. Many local communities have recognized their responsibilities to the Nation and, where a housing shortage has existed, have resolutely asked for continuation of Federal

controls. In other communities, however, you have a sorry record of local governing bodies putting local greed before the interests of national defense and going ahead to take advantage of easy decontrol procedure in the face of a mounting housing shortage in their communities and the prospects of a still tighter housing shortage in the future. In some instances the pleas and representations of the military and naval forces representatives have been brushed aside or ignored.

On November 7, after less than an hour's consideration, the city council of Pensacola, Fla., voted to end controls on December 31 despite evidence presented by the Military and Naval Establishments that the housing situation in Pensacola is critically acute.

Lt. Col. C. J. Baldrick, representing General Boatner, told the city council that more than 300 civilian and military personnel were awaiting a chance to rent homes and that many of the military personnel were forced to leave their families because of the shortage of housing in Pensacola and the high rents charged for new construction.

Lt. Comdr. George S. Robinson, representing the naval air basic training unit, revealed to the city council that a survey of 2,400 housing units revealed only 15 vacancies and that the Pensacola Housing Authority had 1,350 units with no vacancies and a waiting list of 950.

The commander further told of the Navy's investigation of 112 places listed for rent in the local newspapers. Eighty-three of the 112 places were contacted. Fifty-six were rented before his phone call had reached the landlord or rental agent. Sixteen were still available but three of these were of a flophouse variety and five were out of the city. Five of the sixteen would permit no children; five had no central heating and in others the occupants had to share a bath with other families.

In spite of this testimony the Pensacola City Council voted for decontrol December 31. The councilman who made the decontrol motion expressed the opinion that Congress had passed the city council a "hot potato" and he was in favor of tossing it back to Congress.

Under the present rent act there is no way in which the newly developed needs of vital defense areas for rent control can be met. In San Diego, which was decontrolled on September 1, the recall of Navy Reservists and expansion of fleet and shore activities is daily increasing the shortage of housing. In the Navy housing in San Diego, families needing larger quarters cannot be shifted to larger quarters because the shift itself would keep badly needed housing from being used for a precious day or two. The situation is particularly bad in San Diego for fleet-based personnel. The permanently shore-based personnel quite naturally and understandably gets first call on the available housing. At present neither the city council nor the Office of Housing Expediter can do anything to bring Federal rent control back to this area which is vital to the needs of national defense. The situation will have to be met either at this session or early in the next session of the Congress.

Many charges and complaints have been made as to the bureaucratic administration of the rent-control law, as to the arbitrary rulings of officials with no knowledge of local conditions, and so on. We are all familiar with them. However, the truth of the matter is that every effort has been made to decontrol wherever possible, and to decentralize operations so as to provide for local administration. I am personally well acquainted with the administration of this law in my State, and I have been particularly impressed with the devotion to civic duty shown by the members of the Northeast New Jersey Rent Advisory Board. Included as members of this rent advisory board are such distinguished Americans and citizens of New Jersey as Dr. Eugene E. Agger, dean of department of economics, Rutgers University; A. N. Lockwood, past president of the New Jersey Association of Real Estate Boards; and the Honorable George R. Morrision, judge of the Middlesex County District Court.

Such distinguished citizens as these have given freely of their time and intelligence to make rent control both humane and workable in the nine counties of the northeastern New Jersey area. These are independent local citizens whose recommendations are made without a tinge of obligation to the Office of the Housing Expediter except to render to the OHE the best possible advice both as regards individual cases and general administration of rent control in the area.

Here, on the local level, a tenant representative, a landlord representative, and public interest representatives work together to resolve differences in viewpoints. These men—and women—consider not only the general problems of the landlords and the tenants in their area but they handle the individual appeals parties who feel that the decision of the area rent office was not just. The landlord and tenant can be assured that their problem will receive individual attention and the benefit of a group decision of civic-minded local citizens who are in constant contact with their problems.

To an amazing extent, apparently impossibly conflicting viewpoints are reconciled and both landlord and tenants leave with the knowledge that their cases have received the maximum consideration possible.

The Office of the Housing Expediter is to be commended for its fostering and encouraging the maximum of local administration of a Federal regulation.

The Northeast New Jersey Rent Advisory Board is democracy at work. As its members quietly go about their work, they are once again proving the strength of democracy's political institutions.

Any future rent-control legislation should be designed to strengthen and extend the influence of these local groups in administering rent control on the local level.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman, the gentleman from Michigan [Mr. WOLCOTT] with his great ability and ingenuity always endeavors to impress the Members with the importance of some of the so-called objections to rent control which come to his mind. In this instance, of course, ever since 1947 he has been against rent control. Only yesterday during the hearing before the Committee on Rules, I asked some of the witnesses whether they could tell me of a single income-property owner who lost his property because of rent control. The fact is that the owners of property have been the beneficiaries of this law because ever since rent control went into effect they have had their apartments and houses occupied 100 percent. The owners are not obliged to make improvements on the premises and all the landlords have made money. Certainly there were some small real-property owners who did not receive increases which they thought they were entitled to. But when they made application for hardship increases or an adjustment and showed the need for such increase, same was granted in 84 percent of the cases, so I am informed.

Let us be candid. I know and you know that most of the opposition to rent control emanates from men who acquired the big tenement and apartment buildings after the crash for 15 and 20 cents on the dollar. These men and the real-estate lobby, as we all know, spent over a million dollars in its attempt to defeat any rent-control law. They are the most avaricious crowd I have ever come across. These men, who are so anxious to do away with all rent-control legislation in this emergency, are not satisfied with 50- to 100-percent return on their investment; they want 200 to 500 percent on the properties they acquired during the depression. They are the men who, whenever they had the chance to boost the rents, have done so. What chance do the poor tenants have who find it so hard with the high cost of living to pay these increases? I tell you we will have a great deal of trouble in most of the cities of the country if this extension is not granted. It is only for 3 months.

The gentleman has also called for controls over everything. Well, I have personally urged and advocated control ever since last June 1, when the steel, lumber, and other industries started to increase their prices from 30 percent to as much as 75 percent. But the President feels that he should not recommend or issue an Executive order putting on controls until he has fully studied the facts involving the imbalance in the national economy.

He is for control of prices where it is necessary, but he does not wish to impose controls where it is not necessary. This legislation is necessary. It only extends the decontrol provisions of the present act for 3 months, in cases where the cities have been unable to get together and legislate on this important subject. In view of that fact, I hope that you gentlemen who have a heart and a conscience will support this bill and vote for it so as to make it possible for these

tenants to have a roof over their heads, at reasonable rentals.

In the city of Chicago we have extended rent control for 6 months but there are many other metropolitan areas where action has not been taken, although needed, first, because of continued pressure by the vicious and powerful real-estate lobby, and secondly, because many local governing bodies have been confronted with various legal technicalities as a result of the Federal court decision in Los Angeles.

What is the situation in Chicago today? Rental housing is virtually not available. Of the small number of dwellings actually produced for rent in the past several years, the lowest rentals were from $85 to $115 per month. However, of the 270,000 dwellings necessary at this moment to adequately house low-income families, 87,000 are needed at rentals of less than $43 per month. Another 24,000 units are needed at rentals between $43 and $49.

The present occupancy figures for Chicago are 99.2 percent. The figures for other major population areas all show vacancies of less than 2 percent, and these percentages cover all types of vacancies. With the rapid expansion of industrial activity in these large centers of population under the defense program, with the need for workers mounting and families moving into cities at a rapid pace, the situation will become infinitely more critical in the next 2 or 3 months. These workers, giving their all in the defense effort, must have the protection of rent control against the unscrupulous landlords who are ready to bleed them white, as I said before. Consequently I urge a favorable vote on this meritorious and humane bill. I am confident this bill will pass.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. SABATH] has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Chairman, this bill is born in a fog of political expediency. It was conceived during the last political campaign, when the President of the United States felt it was necessary, by some means, fair, and, I say advisedly, foul, that he might stem the tide which was about to overwhelm the Democratic Party. He announced that it might be necessary for him to call a special session of Congress, at which time we would consider extension of rent control. So since that time it has been necessary for the President of the United States to sustain his idea that we need an extension of rent control.

The newspapers have been full of the fact that this bill calls for an extension of rent control. A radio commentator the other night, if you please, said, "Here in these dire days, unity between the great parties is needed, and we should have bipartisan enactment of this bill for the extension of rent control."

I have before me the bulletin of the national committee of the Democratic Party, Capital Comment. It contains this statement made December 2, 1950:

> Federal rent controls will expire on December 31 unless Congress extends them.

This is a patent misrepresentation.

That, Mr. Chairman, seems to be the issue today as presented by the President, the Democratic Party, and by some newspapers which have misunderstood the issue, and by other people who want the issue to be misunderstood.

Mr. Chairman, we must not make a mistake. As the gentleman from Texas who proposed the resolution adopting the rule said, this bill is not to extend rent control, and it is not. What is the issue here? The only issue presented by the bill as said by every Member of this House, in the committee, and on the floor today, is the extension of the automatic decontrol provision of the present law. In other words, one method of decontrolling rentals is eliminated by this bill. It leaves two other methods of decontrolling rentals; namely, rentals may be decontrolled by affirmative action of the municipality, or they may yet be decontrolled by action of the Expediter. Rent control, then, does continue until next year, the middle of 1951, irrespective of whether or not this bill is passed. Rent control will continue in more than 800 cities and municipalities irrespective of whether this bill is passed, and rent control will continue in every other municipality now under control and which believes that it needs it. No area, no city, no municipality, no State can be decontrolled if that particular area believes that it requires rent control.

So, Mr. Chairman, in the beginning of my statement I wish definitely and positively to clarify the fact that this issue is not the extension of rent control.

The other argument made in favor of this bill is also a phony one. Witnesses appeared before our committee, and those speakers who have already appeared before the House in favor of the bill, have said that it is a war emergency proposition. They have said that the bill is a necessary part of our defense and stabilization program. I want to quote what the President has said about it. He said:

> To carry out this program successfully and to safeguard our economy it will be necessary to keep rents in the vital defense areas from raising to unreasonable heights.

All right, if the President is sincere in that statement, if rent control is needed today as a safeguard to our economy, if the Democratic Party is sincere in that statement today, then I say to the President and to the Democratic Party that the power they now have to control prices and wages should be used.

Does this bill do anything to promote defense or economic stabilization? The answer, of course, is "No." And why is that? Because there are 1,000 areas in the United States which are now decontrolled but which formerly were under control. Those localities are in former and present defense areas. Those areas which are now decontrolled are adjacent to and near Army installations. They have been decontrolled irrespective of whether or not at the present time great numbers of workers are moving into the areas. They are decontrolled irrespective of whether or not bases are being reactivated; they are decontrolled irrespective of whether or not it is causing inflationary trends in the Nation.

Mr. Chairman, the only reason we have control today is because about 1,600 areas have not taken the step to decontrol. Will they take the step to decontrol? Or will they not take the step to decontrol? If they take the step to decontrol, it will not be decided upon the need to promote our national defense or economic stability. It will be taken upon a local determination of a local need.

Thus, on examination of the operation of the present rent-control law, as amended by this present bill, we find that both controlled and decontrolled areas have attained that status irrespective of our national defense or national economic needs. This is true today, and will be true afterward if the bill is passed.

Mr. Chairman, I challenge the supporters of this bill, its proponents, to show how this legislation can promote the national defense activities or economic welfare of this Nation.

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

Mr. COLE of Kansas. I yield to the gentleman from New York.

Mr. KEATING. In connection with any one of these areas which have already decontrolled, this bill would not give them authority to recontrol, would it?

Mr. COLE of Kansas. Absolutely not.

Mr. KEATING. Even if we extend this law?

Mr. COLE of Kansas. Absolutely not.

Mr. KEATING. And any one of these areas which has not yet decontrolled can act today or at any time up to December 31 to extend control or decontrol?

Mr. COLE of Kansas. That is definitely right.

Mr. Chairman, I have not attempted to argue the right or wrong of rent control. I have supported rent control in the past; I have fought rent control in the past. I have done that because I believe that in times of great emergency controls which I abhor may be necessary. But apparently our emergency is not that extreme. The President does not believe it is or we would have price and wage control. However, if the extreme emergency has arrived, if you believe that it is here, this is not the bill to carry out the program, as I have previously shown.

In the Washington Daily News of December 5 appears a very interesting picture of a charming individual by the name of Alan Valentine. Underneath the picture it is stated that he was unanimously approved by the Senate Banking and Currency Committee as head of the Economic Stabilization Administration. He said that "group prices and wages

should be stabilized with general controls when a certain economic plateau is reached."

Mr. Chairman, this apparently is the attitude of the administration in asking for this bill. First, political expediency, and, second, a desire to reach a plateau of economic inflation before controls are placed upon all commodities.

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

Mr. WOLCOTT. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. COLE of Kansas. Mr. Chairman, but below that plateau is a group of "second-class" citizens, to borrow a word I have heard used here sometimes. Those second-class citizens are apparently the home owners and the landlords of America. Prices have risen, wages have risen, the economic structure has been boosted to an alarming height, with one exception. The one exception are those people who have the commodity, "houses," to lease to their neighbors.

Mr. Chairman, this bill does nothing to correct the economic instability in which this country finds itself, this bill does nothing to further the defense efforts of America, this bill does nothing to help those people who may be called upon to move from one community to another and enter into defense work. This bill, Mr. Chairman, does nothing but pull the President of the United States out of the political hole in which he found himself last November. If it passes, he can say, "I have accomplished something." The truth is, it accomplishes nothing. I repeat, in spite of the fact of political propaganda claims that the bill provides rent control extension, I hope I have shown to you that this is rent control detraction.

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

Mr. COLE of Kansas. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Will this legislation permit the communities that have not taken action on rent control up to December 31 to consider it further after December 31?

Mr. COLE of Kansas. Yes.

Mr. AUGUST H. ANDRESEN. That is the only thing it will do?

Mr. COLE of Kansas. That is right.

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

Mr. SPENCE. Mr. Chairman, I yield such time as he may desire to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I am opposed to the passage of this bill. On June 13, 1950, we passed in this body a bill extending rent control until December 31, 1950.

That bill, as it was finally enacted into law, contains a provision that any municipality desiring to remain under rent control after December 31, 1950, may vote through its governing body to do so, and continue rent control in that municipality until June 30, 1951.

It is not necessary at all that this bill be enacted in order to let municipalities which desire to continue rent control after December 31 have the right to do so. They have that right under existing law.

All that is necessary to be done is that the governing body of the municipality vote before December 31, 1950, to continue rent control until June 30, 1951. When that vote is taken, rent control automatically continues under existing law until June 30, 1951, in that area. The machinery for enforcing rent control in such areas continues to exist. The present law contains all necessary machinery, both local and national, to continue rent control until June 30, 1951, in each and every jurisdiction which desires to continue it. There is, therefore, no basis for the argument which has been advanced that this present bill is necessary to hold together rent control enforcement machinery until such time as the Eighty-second Congress can examine the situation and determine whether or not the Korean crisis requires a further extension of rent control.

For the past 2 years I have voted against continuation of rent controls. It is utterly unfair to the citizen who owns a dwelling house and desires to entr it to say to him "you must pay increased carpenter wages, you must pay increased plumber's wages, you must pay increased cost of lumber, cement, roofing, paint and all other materials. All these you must pay for at the 1950 rate, but you can only charge rent at the 1942 rate." This is unjust. It is not democratic.

In addition to this, a great part of the rental housing in this country is not under rent control, and never has been. New construction has been erected upon which the owners are at liberty to charge whatever rate is fixed by competition. There may be dwelling houses on the same street, one of which is under rent control, and the other not under it. The problem has grown into a hodgepodge of inequities and unfair situations.

Congress made it clear when the law was extended this year that it would finally expire on December 31, 1950, except as to such cities and areas as took affirmative action to continue it for 6 months until June 30, 1951.

If the Korean war has changed the situation to such an extent that rent control again is necessary in the war effort, then let controls be placed on everything else at the same time, and do not make the owner of rental dwelling property the goat for another period while the powers that be play politics with controls on all other necessities of life and with wages.

If the war effort requires rent control, it certainly requires controls on food and the other necessities of life. Also if the war effort requires rent control again, then let an equitable bill be worked out—and there is plenty of time to work it out between now and June 30, 1951—which will place rent control on a 1950 basis and take it off the 1942 basis.

For these reasons I am opposed to any extension of this legislation at this time.

Mr. SPENCE. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. BROWN].

Mr. BROWN of Georgia. Mr. Chairman, the Members of this House know how I feel generally on any kind of controls. I am against all controls except in emergencies. We passed the defense-production control bill a few months ago. If the President undertakes to carry out the intention of Congress and wants to place controls on some commodities and wages or across the board on everything tomorrow, he can do it. But, he cannot put controls on rents. Now, the purpose of this bill is not to take away the States rights provisions incorporated in the present law. Any city, community, or State automatically gets rid of Federal rent control under present law, unless affirmative action is taken by such body prior to December 31 to continue rent control.

The gentleman from Kansas intimated that politics entered into this bill. Gentlemen, this is no time to play politics on either side. How can you say that there is any politics in this bill? It contains only 6 lines. It just extends the operation of the present law 3 months so that we can consider, when we come back here, whether or not we need rent control, if we are going to have controls on all other commodities. Now, you think about this seriously. Yes, you saw what the Committee on Rules did. You saw them change their minds upon further consideration and investigation and vote out the rule. The able Congressman from Mississippi [Mr. COLMER], a member of the Committee on Rules, previously voted against it. He said a few minutes ago on the floor he was now convinced that this bill should be passed under present circumstances and he expected to vote for it.

You know I advocated all along and introduced an amendment a year or two ago to the effect that every land owner was entitled to a reasonable profit on his investment. About 2 years ago the House adopted this amendment, but the conferees of the House and Senate changed it to the point where it was not effective and I did not support the conference committee report. I have not been pleased at all with the way the rent-control laws have been administered. I took the position then and feel the same way now that every land owner is entitled to a reasonable return on his investment. I venture to say to the gentleman from Michigan and the gentleman from Kansas that if we had tried to change the present law by this bill we would encounter difficulty. We do not know whether or not circumstances will justify us in extending rent control next year or not.

This bill does but one thing: It gives us time to consider whether or not world conditions justify rent controls of any kind. Gentlemen, do not engender politics in this. I made a fight some time ago against cross-the-board controls, because there were only 12 or 15 commodities out of line at that time. I thought

we ought to have controls on those commodities out of line at that time as well as on wages for producing those commodities, and if necessary later on controls across the board on prices and wages. Should we have controls across the board on commodities and wages we probably would be forced to have controls on rent.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. BROWN of Georgia. For a question.

Mr. CASE of South Dakota. If this bill is not passed, could local communities between now and the 31st of December on their own initiative extend rent control?

Mr. BROWN of Georgia. Yes; they can by affirmative action, but unless they take affirmative action, under the present law, they will be out from under control. You will have no machinery; you will have no local board or rent control office of any kind. There will be 25,000 cities and communities out from under Federal control, which affects 7,500,000 rental units. That is what you will have without affirmative action by the communities and States to continue rent control. All this bill does is to extend the present law for three more months so it can be determined whether or not another law is necessary. Under the law, you have to take affirmative action if you have controls any longer.

Mr. CASE of South Dakota. That is what I was asking. Can local communities take affirmative action between now and the 31st of December?

Mr. BROWN of Georgia. Absolutely, every local community in the land between now and December 31, or between now and March 31 under this bill, can meet and say, "We want controls." What is in this bill? How can anybody oppose a bill of this kind? If you were to try to load it down and change the policy from a States' rights policy it would be a different proposition, but we are only trying to get a little time to say whether or not we want to continue controls under present war conditions, and also in the event controls are placed on prices and wages. That is all it means.

Today it looks very much as if controls will be placed on commodities and labor soon, and if this is done, we will not have the machinery and cannot place controls of any kind on rent unless Congress passes this bill. We will have time in the next session to consider whether or not we want any type of rent control. That is all there is to it.

Wherever a State or local community has voted to do away with rent control, under the bill we are considering now it cannot be recontrolled. How can anybody oppose the bill?

The gentlemen on the other side who spoke against this bill are mighty fine and able men. They say this bill does not give you anything. It does extend the present law 90 days, and this is the reason I am going to vote for it. I am sure these gentlemen would not support a stronger rent-control bill at this time. We do not know whether or not we want further rent control next year, but if this law is not extended, we will not have any machinery to put on rent controls if controls are placed on every commodity in the United States and all of labor. Do you want to be caught in that position?

All you are doing is just saying, "Let us extend this States' rights rent-control bill for three more months so that the new Congress can determine whether or not we want any form of rent control." You cannot reinvoke rent control anywhere. You who do not have it in your States or in your communities will not be affected by this bill, but, on the other hand, you can take controls off in any community that wants to do it, or any State that wants to do so, not only from now to December 31 but, if this bill passes, for three more months.

I do not see how anybody can oppose a bill like this.

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

Mr. BROWN of Georgia. I yield to the gentleman from New York.

Mr. KEATING. Is there not one exception to the rather sweeping statement that the gentleman made that this bill is needed to continue the machinery of Federal rent control? Is it not a fact that if this bill is not amended the machinery of Federal rent control will have to be continued anyway in order to take care of those communities which have already passed resolutions and which may hereafter pass resolutions to extend rent control?

Mr. BROWN of Georgia. Only to a limited extent.

Mr. KEATING. I thought that if they had passed that resolution, then Federal rent control was in those communities until June 30.

Mr. BROWN of Georgia. Every community in the United States that now has rent control, unless it takes affirmative action before December 31, will be out from under rent control, but that does not apply to those that do take affirmative action. Therefore, the argument of the gentleman from Kansas and the gentleman from Michigan that this proposed legislation is just to pay the expenses of Tighe Woods does not hold water, because Tighe Woods will have to be paid anyhow.

We will not know until the first of the year whether we will need rent control or not. If so, we may want a different form of rent control. It depends altogether on the critical war situation and whether or not controls are to be placed on commodities and labor. We will be in position to know early next year whether or not conditions and circumstances will justify the extension of control on rent. I do not mean to say that I will support rent control next year, but I do want time in the face of world conditions today to give it consideration since it appears now that we are going to have controls soon on everything else.

Mr. KEATING. If the gentleman will yield further, to a degree I agree with him. I would be hesitant at the moment to cut off all Federal rent control because of the possibility that we might need it later as a part of general control. But I understand there will be machinery for Federal rent control continued anyway so that we will be in a position even without this legislation to meet that problem, together with the problem of other controls early in the next session. Am I correct in that statement?

Mr. BROWN of Georgia. You will be giving the communities three more months to decide whether or not under present world conditions they want rent control. They certainly ought to have that.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. WOLCOTT. Mr. Chairman, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I asked a question of the gentleman from Georgia, and I am not sure whether he understood me correctly because his answer did not correspond to what I thought I had read in the committee report. I would like to ask the gentleman from Michigan this question: Between now and the 31st of December can any community continue rent control by affirmative action of the governing body?

Mr. WOLCOTT. All that any municipality has to do is to pass a resolution containing the fact that it is desired that rent control continue in that municipality. Rent control then will automatically continue in that locality up to the minute of time as provided in the Federal act which is June 30. Therefore, any community that wants to continue rent control beyond December 31 merely has to pass a resolution under existing law which will automatically continue rent control beyond December 31 until June 30 of next year.

Mr. CASE of South Dakota. Then if one believes that the local community is the best judge of whether it wants rent control or not, the conclusion is that we do not need to pass this law to permit them to exercise their judgment?

Mr. WOLCOTT. The gentleman is correct. We do not need to pass this law at all.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. WOLCOTT. Mr. Chairman, I yield the balance of the time to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, I was greatly interested in the discussion in reference to whether or not the governing body of a municipality had the right to pass a resolution to decontrol rent under the present law until December 31. Apparently there is a loophole in the present law, because at least in two communities in my district which have acted to decontrol rents they found that their resolution was not all that was required. They discovered it was necessary to obtain approval or confirmation of that resolution by the Rent Administrator, Tighe Woods. At least in one instance the Administrator saw fit to place such resolution in a pigeonhole to delay it or forget it. Rent control makes its own problems. Hardly anyone is silly enough

to build anything for rent while rent control is in force.

I want to read a telegram received just a little while ago from the city attorney of Pontiac, Mich., a city of nearly 80,000 people. Here it is:

PONTIAC, MICH.,
December 7, 1950, 9:54 a. m.

Pontiac acted on rent decontrol by resolution. This action should not be invalidated by amendment. Oppose any change in rent law which would allow the term "resolution" to be construed as requiring or meaning an ordinance.

Signed, "William E. Ewart, city attorney, Pontiac, Mich."

This may not have any direct relation to the resolution before us today, but I believe it worth while to present to the House and the country a case where fear is expressed that the will of the people at the grass roots will be defeated and the action of the local governing body destroyed after they have acted upon and desire decontrol of rent.

I have consistently voted against the extension of rent control since the end of the war. I am opposed to this resolution and shall vote against it. The administration of rent control as I have observed it in my congressional district, and particularly as it applied to the small property owners, has been to force such owners to sell their property. This has added to the scarcity of units for rent. In too many cases rent control resulted in legalized robbery. The right to acquire and own property is an American right. To deprive people of that right is un-American and a direct blow to free government.

The CHAIRMAN. The time of the gentleman from Michigan [Mr. DONDERO] has expired.

Mr. SPENCE. Mr. Chairman, I yield myself 1 minute.

If a city has decontrolled, it remains decontrolled, and the passage of this act has no effect upon it. This bill merely gives it the opportunity until March 31, next, to decontrol if it desires to do so, but every city that has decontrolled remains decontrolled.

Mr. Chairman, I yield the remainder of the time to the gentleman from New York [Mr. MULTER].

The CHAIRMAN. The gentleman from New York [Mr. MULTER] is recognized for 5 minutes.

Mr. MULTER. Mr. Chairman, I wish to try to clear up some of the confusion that has been created, not intentionally but nevertheless created, by those who are opposing the enactment of this very simple bill. It does nothing but change the date December 31, 1950, to the date March 31, 1951, in the existing law. In doing so it extends the law, it continues it as it exists today for another 90 days, without in any way affecting any locality's right to decontrol if it wants to decontrol, as set forth in the existing law. It does not and will not reimpose controls upon any area which has heretofore decontrolled. It will keep the status quo. Conditions as they exist today will be continued for another 90 days after December 31 of this year, so that when we come back in the Eighty-second Congress we can then review the entire situation and hear everybody who wants to be heard on the subject and come in here and tell you what, if anything, should be done about the continuance of rent control.

We gave the President the right to control prices and wages, and everyone I am sure knows that he is now in the process of setting up machinery to control prices and wages. I think we were told when we had the bill before us for consideration that it would take anywhere from 6 months to a year to set up the proper machinery under which the Government could properly function in controlling those items. It would be absurd, I say, to ask us to wait until the President moves to control prices and wages before we continue or extend existing rent controls.

The argument that rents have not risen as much as other commodities or as much as wages is quite beside the point if we agree that we must control inflation. It is not a question of whether one commodity rose more than another or whether rents have kept pace. If a landlord feels he is not getting sufficient rent he can get relief and the landlords have been treated very well under the existing bill. If the landlord feels that he did not get a fair deal he has the right to appeal and present his case again and get what he is entitled to. In most instances, as I say, the landlords have been treated very fairly. The important thing to bear in mind now is that the police action in Korea as it was called when we passed this law 6 months ago has now, in the language of General MacArthur, developed into a new war. We are mobilizing for war and for all-out war. Steps must be taken and will be taken to channel material and necessary items into the war effort, into the mobilization for all-out war. Housing will necessarily have to take a back seat as mortar, and stone, and steel, and other items that go into housing must be channeled into the war effort. This situation as to housing must necessarily get worse and not better, unfortunately, in the years ahead. All we are trying to do by this bill is to keep the situation exactly as it is now until we can review the entire picture next month and come back to you with a complete report and tell you exactly what must be done and how it will have to be done. This business about the top brass, or Mr. Woods' wanting this bill extended is just nonsense. Mr. Woods is going to remain in his job until June 30, 1951, even if we do not pass this bill. What will happen is that if we do not pass this bill, in some 1,700 communities where live in excess of 25,000,000 people the rent machinery will immediately disappear; there will be no means of continuing control there at all, and if we then decide we must reimpose controls after December 31, if we should let them die now, Mr. Woods will have the necessity of building another organization. All we are asking is that you preserve this as it is now.

Mr. WOLCOTT. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and thirteen Members are present, a quorum.

The Clerk read as follows:

Be it enacted, etc., That section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out "December 31, 1950" in each place it occurs therein and inserting in lieu thereof "March 31, 1951."

Mr. POULSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman from New York [Mr. MULTER] just made the statement that all this pending resolution does is change a date, and that is a correct statement. It extends the Rent Control Act for another three months, it extends for another three months the power and authority of the bureaucrats and the hold they have upon the throats of a certain segment of our population.

It also continues in power these bureaucrats with full authority. It does not give the people of the United States any more rights than they now have through their duly elected bodies. Under the existing law their city councils, or other elected organizations, can protect them so far as rent control is concerned, if they need protection, by an affirmative vote to extend this for 60 days or 6 months. If the particular bodies referred to feel that their communities do not need rent control, and they certainly know this better than anybody here in Washington, they can by lack of vote release the people from the control of these bureaucrats. So, either by affirmative action or by lack of affirmative action the duly elected representatives in each community can determine for the particular community involved whether the people shall have rent control or not.

Let us see what happens if this resolution is passed. Are the proponents of this measure anxious to give the people any additional rights? Let us refer for a moment to the city of Los Angeles. The local authorities of that city under their conception of the law voted decontrol last July. Mr. Tighe Woods refused to sign the necessary documents and used all of the tricks known to attorneys and to bureaucrats to postpone action. He was rejected in several courts and finally in a district court they ruled that the action of the Los Angeles City Council was not legal.

The provisions of the bill which we recently passed said that the people in any community could determine through their duly elected bodies whether or not they should have rent control. Mr. Woods was not going to pay any attention to that. He actually said they needed rent control.

Let us see whether these various communities need rent control or not. Look at the "for rent" ads in any Los Angeles city newspaper. There are hundreds and hundreds of places for rent. That situation also exists in all the surrounding territory.

Let me give you an example of what this rent control has done. A young man in my acounting office came back from the service and had to pay $75 a month rent in a city adjoining Los Angeles, while others who had not been in the service and were earning high wages in a factory were only paying $35 a month.

What happened when they permitted rent decontrol in that city? The veteran's rent went down to $50, and the others who had not served in the Army and who had benefited from high wages and from rent control had their rent raised to $50.

Mr. Chairman, if we need rent control within 90 days, Congress can pass such a law, but in the meantime there will have been an opportunity for rents to adjust themselves and level off so that new rent controls, if needed later, can start from the proper base. As the situation exists now some rents are unfair, some are out of line—some too high, some too low. Without this 90-day extension they can be adjusted equitably.

If we pass H. R. 9763 it means that Tighe Woods, the most power-hungry bureaucrat in Washington, will use every legal technicality to absolutely thwart the intent of the city councils. This will certainly not give the people decontrol. His actions will be the same as those in the case of the city of Los Angeles. I say defeat this resolution at this time.

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

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

Mr. DONDERO. Did they use the tactics on Los Angeles by telling your city commissioners they should have passed an ordinance instead of a resolution?

Mr. POULSON. Yes; they took advantage of every technicality and tried to interpret the law as they saw fit, in order to defeat the intent of the city council of Los Angeles. Tighe Woods wanted to be the one to determine whether or not Los Angeles should have rent control, rather than the residents of Los Angeles through their duly elected representatives, the Los Angeles City Council.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. JAVITS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am for this resolution and I think a majority of the Members of the House ought to be for it. I think it ought to pass, and for this reason. We are in one of the grimmest emergencies our country has ever known. We had rent control throughout the war, we had rent control subsequent to the war for 5 years up to now, and now when we are on the threshold of the greatest effort which we are asking the American people to make in respect to mobilization, for their own security, we propose to take it off.

This is not a question of what each local community does. The local communities have power to decontrol in an affirmative way under the bill as it stands and under the bill as it will be extended. The only difference is that instead of a resolution of the governing body of the local community itself duly adopted after hearing, the resolution has to be approved by the State's Governor. This bill continues the law as it stands today, so that it does not take away from the local community the power to decontrol if it wants to. A community can decontrol if it wants to, with the permission of its State government; if we did not pass this resolution it would have to act affirmatively to keep controls. I think that is the fundamental issue we have here, shall we extend this for 90 days, on the threshold of a gigantic mobilization, continuing the policy we pursued throughout the war, and during the postwar period up to now? We do not want to rock a very important boat before we actually pass into the mobilization effort.

The people of New York are now protected by an effective State rent-control law, but they nevertheless continue deeply interested in Federal rent control, for New York makes and sells in goods and services over $20,000,000,000 a year to the rest of the country; hence, inflation in the country and a breakdown in standards of living due to runaway rents have a direct and immediate effect on the people of New York.

The ranking minority member on the Committee on Banking and Currency just told us that most other things have gone up about 100 points in the index since pre-World War II, and that rents have only gone up about 20 points. Certainly, the reason for that is that rents have been controlled. The extent of the rise is no indication whether Federal rent control is fair or unfair. The question is what happened to the landlords in the country. Constant surveys have shown that they fared quite well. The answer is that the Congress has continued rent control year after year, because this thesis that the landlords were losing all kinds of money could not stand up.

What we are doing today is a very simple thing. We are trying to keep from rocking the boat—suspending rent control—which represents in the area of 25 percent and more of the normal family's outgo for the basic things of life, at a time when we expect the greatest mobilization effort that the American people have ever made, a mobilization program heroic in its proportions—at a time when the American people are facing the grimmest alternative which the American people have ever faced in peacetime.

I have been urging the President to utilize the powers given him in the Defense Production Act of 1950 to immediately impose price controls on basic cost-of-living items to halt the runaway inflation in the cost of living—a factor basic to mobilization in the present situation. I have urged also that the whole Congress demand that the President exercise this power. We must continue to make this demand, but here in rent control we can ourselves help to halt inflation in a critical and material area of the cost of living. It certainly is our clear duty to do so by passing this resolution.

I think we have to practice what we preach. If we expect the American people to do this great job of mobilization then we have to keep them covered by the protection of rent control which we have given them heretofore and which we were convinced was necessary to enable them to see that the job is done.

One other word. The question of the localities being able to vote their own control is a trying one, in the face of the present mobilization situation. The chairman of the Committee on Banking and Currency in the other body in a speech on the floor there on December 1, said there would be a shift, he estimated, of 7,000,000 people in the United States in connection with military and defense activities and in connection with other requirements of the mobilization program. Therefore we can hardly expect a town or locality to pass now before December 31, prospectively on the situation which it will face with respect to retaining rent controls a few months from now. We have to keep the Federal umbrella over the whole situation until we see where this mobilization problem is pinching housing and where it does not pinch, I think it is little enough to ask that the present law be continued for 90 days in view of the sacrifices we are asking of the American people, of American troops and their families, and the emergency which we see existing.

Gentlemen, I think it is purely a question of practicing what we preach. If we do not pass this resolution we are unlikely to be taken seriously on the whole issue of halting the runaway cost of living.

Mr. JACOBS. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I rise in support of this bill. I wish to leave a thought with you which has not yet been expressed. I will illustrate it by a true example of a community where such conditions obtain.

I understand what the gentleman refers to when he talks about freedom. The Keystone Division from Pennsylvania, though, did not have much freedom when they were loaded on a train and taken out to Camp Atterbury, Ind. Camp Atterbury is located in a territory where there are some housing facilities under rent control and there are some housing facilities that are not under rent control. Those communities where there is not rent control are, by and large, small communities.

My colleague, Mr. NOLAND, from the Seventh Indiana District, and I inspected that territory around Camp Atterbury. I will give you two examples of what we found in a decontrolled area. A 14 x 14 sleeping room was renting for $90 per month to a soldier who was not enjoying all of the traditional freedom we talk about but who was beckoned by Uncle Sam to leave Pennsylvania and go out to Camp Atterbury and train to serve his country on the field of battle.

A cottage that might have sold for $800 or $900 during the 1930's, heated by a heating stove in the parlor, was renting for $85 per month; unfurnished.

The people that will be gouged for rents in that general community that has become heavily populated by virtue of these soldiers having their families come down to be near them—perhaps for the last time—will not be voters for the city councilmen who will either take action or, as in this case, will no doubt neglect

to take action, to continue rent control. They are there, and they are paying the rent, and they will pay any rent they possibly can in order to have their loved ones near them during this period they are being trained perhaps to be shipped overseas.

Therefore, because I know and you know, everyone of you know, that in those conditions those city councils will not act on behalf of the strangers that happen to be within their gates temporarily, this becomes a national issue, because it was not the city of Franklin or the city of Columbus, Ind., or Martinsville, Ind., that brought those soldiers from the Keystone State out there, it was the Federal Government, and it is a Federal question. This body cannot dodge its responsibility in that regard, because those city councilmen that must pass upon the resolution to extend rent control, being human, are going to think more of the fellow that lives on Main Street and votes in the next election than they are of this soldier that we saw paying $90 a month for a 14 x 14 room or $85 a month for an old cottage, unfurnished, and heated by a pot-bellied stove.

Yes, I know what you are talking about when you talk about freedom. So, for the boys who are at Camp Atterbury and in the many other camps throughout the country, let me say this; freedom is a two-way street. He who by virtue of war or national emergency is called away to camp and this applies not only to tenants, but to landlords, too, has to have a facility where he can live. The housing shortage was created because men and materials went to war in defense of landlords and tenants alike. Let me tell you that you should remember our war-displaced citizen too, because he is entitled to a little freedom. One person who is opposed to rent control wrote me and told me he was in favor of freedom. So he proposed we forbid the soldiers the right to bring their families into the area of the training camps. A heap of freedom for the soldier, would not you say?

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. McDONOUGH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am opposed to the resolution on the ground that it will only extend bureaucratic control over local government to an extent which is not necessary under the circumstances. If we pass this resolution, we are in effect saying that we have no confidence in the integrity and ability or belief in the right of the local governments to determine for themselves whether rent control should exist in their jurisdictions.

I further believe that no bureaucrat not elected by the people should be placed in a position by the Congress or the Government of having authority which exceeds the right of the elected representatives of the people and responsible to the people to act for them. I say that in reference to the distressing experience we have had in the last several months in connection with rent control in Los Angeles. The City Council of Los Angeles, made up of 15 elected officials in that city, held hearings and proceeded to consider the question of decontrol of rents. The council chamber holds about 380 people. It was filled to capacity. As a matter of fact, under affidavit the sergeant at arms of the City Council of Los Angeles said there were 450 people in the council chamber. Both sides were given a full hearing. Previous to the action which the city council took, there was a survey as to whether rent control was necessary in the city of Los Angeles. The report indicated that vacancies existed which would justify the decontrol of rents. The city council voted by a vote of 10 to 4 in favor of decontrol and submitted the resolution of their action to the Housing Expediter. While he was considering the resolution passed by the Los Angeles City Council, he became influenced by hearsay and by those who were opposed to the action taken by the Los Angeles City Council.

In the Los Angeles city attorney's review of Tighe Woods' letter to the Los Angeles City Council in which he informs them that he will not approve the resolution they passed by 11 to 4 to decontrol rents in Los Angeles, the city attorney said, and I quote:

> The Housing Expediter has gone beyond all accepted concepts of judicial or administrative practice and has introduced a new type of administrative procedure, namely, review by rumor. The Housing Expediter chooses to rely on asserted information of a hearsay nature, the source of which he does not disclose. It is interesting to note that the language used by the Housing Expediter in making these charges is identical with the allegations found in the papers filed in the case of *Miller* v. *Woods*.
>
> The Housing Expediter refers to, "a petition from a group purporting to act on behalf of 300,000 tenant families in the city, requesting that I withhold action on the resolution until inquiry had been made in the certain matters raised in the petition." The Housing Expediter states that, "among these was the charge that the city council action was in complete disregard of available and known evidence of an already existing shortage of rental housing accommodations, which would be further aggravated by the expected influx of large numbers of aircraft workers."
>
> Reference is made to a copy of the housing survey conducted at the request of the city council by the Peacock Research Associates. The Housing Expediter further states, "This impartial survey, completed in April 1950, shows a vacancy factor of 2.6 percent for all dwelling units in Los Angeles and, in units having monthly rentals up to $57.49, the vacancy factor ranges from 1.4 to 3.5 percent." What he neglected to point out is that in the rental bracket between $57.50 and $64.99, the vacancy factor shown by the report is 5.4 percent. From the Peacock report, it can be determined that the vacancy factor, based on total rental housing accommodations, is slightly in excess of 4.5 percent. Be that as it may, the Housing Expediter states in his communication that "I felt it my duty as a public officer to take whatever steps my best judgment dictated to guard against decontrol which might result from hasty and uninformed action."
>
> In short, it is clear that the Housing Expediter is attempting to substitute his judgment as to what he believes should be done, for that of the city council. The Housing Expediter, in so determining, has resorted to information which does not appear to be a part of any record made before the council in this matter.

The upshot of the whole thing is that up to now the case has gone through several courts and finally an opinion was rendered by the District Court of Appeals in the District of Columbia to the effect that a simple resolution is not the intent of the Congress and that an ordinance must be passed in order to decontrol rents. I called the Expediter's office the other day in reference to that and found that he does not agree with the District Court of Appeals that an ordinance must be passed but that he believes a simple resolution is all that is necessary. The reason he does not believe an ordinance is necessary is because a thousand cases have already been passed upon by the Housing Expediter on the basis of a simple resolution by the local government in various parts of the Nation and such a holding would nullify the action taken on those thousand cases. The question now before the Supreme Court is whether the cases already passed upon by the Housing Expediter are legal and according to the intent of the Congress. Why should not the Expediter sign the decontrol order? I am for protecting this Nation in the event of any armed conflict, and in the conflict in which we are now engaged, to the ultimate extent. And I believe that we can put our confidence in the local governments to protect our country in the event of any armed conflict. I certainly think the defiant, prejudicial, arrogant attitude of the Expediter in the case of Los Angeles is sufficient example to show that this Congress cannot afford to delegate its power to any Washington bureaucrat who will nullify its intentions and attempt to subordinate local government by the maladministration of an act of Congress.

In the city of San Diego, which is a very congested area, and where there are more people employed in the Armed Forces of the United States than in any other part of California, rents were decontrolled. I am informed they are getting along very nicely. The situation in Los Angeles has been fraught with prejudice, with feelings, with animosities, to the point where the Housing Expediter has subordinated the action of the elected legislative body, the city council, and taken instead hearsay and rumor, stood on that rather than the public record. I maintain we should not continue that authority any place in the United States. Because of the experience we have had in Los Angeles, I recommend that you vote "No" on the resolution.

The CHAIRMAN. The time of the gentleman from California [Mr. McDONOUGH] has expired.

Mr. MULTER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Now, Mr. Chairman, let us stop calling names and discuss this bill on its merits. You can call Mr. Woods arrogant, and everything else you like, but

when you get down to what happened in Los Angeles you will find that the court said that Mr. Woods was right in rejecting the action of the Los Angeles City Council but that he was wrong in the reason he assigned. The court said that any locality might decontrol if it will adopt a resolution in accordance with the local applicable law. The Council of Los Angeles did not do that. It is quite right that Mr. Woods said they did not have enough evidence before them. The court said to Mr. Woods: "You have no right to review that. What the local council does on the question, regardless of evidence, is binding upon you. The only thing you can do is to look to see whether or not the local council acted in accordance with applicable law."

Now, what is the applicable law? Here it is.

Mr. McDONOUGH. Do you know the charter of the City of Los Angeles?

Mr. MULTER. Yes. As the Court of Appeals of the United States says, it is this:

> You can adopt a resolution and put it into effect immediately if it is an administrative matter, but if it is a legislative matter, if it is going to enact a law such as rent control, if it is going to repeal a law such as rent control, if it is going to deal with policy, that is, whether there will be rent control or no rent control, that is a legislative act, and then it must be passed by the city council, and before it can become effective 30 days must elapse, and during that 30 days the people of Los Angeles have a right to petition for a referendum to review what the city council has done.

That was not done in Los Angeles. The council tried to make the law effective without the right of the people to a referendum. They deprived them of the 30 days within which to act. With reference to that, the Circuit Court of Appeals has said this:

> The use of the word "resolution" instead of "ordinance" in a Federal statute is of no importance. Congress was enacting a statute applicable to scores of cities, towns, and villages, and many different procedures, restrictions, and terminologies. The Congress intended that each community should determine by its own local method an issue of importance to the community.

In effect the Circuit Court of Appeals said, "You do that in accordance with local law. Give your people in Los Angeles the right to a referendum if they want it. If they do not want it, the law becomes effective." But if they do, you must permit them to vote upon it. If they say "No rent control," there will be none; if they say "Rent control," there will be control. That is what we in this Congress said they should do. Now, I am glad to yield.

Mr. McDONOUGH. The gentleman referred to the District Court of Appeals.

Mr. MULTER. No; the United States Court of Appeals.

Mr. McDONOUGH. All right, the United States Court of Appeals, in which an ordinance with the right of referendum within a 30-day period should occur before the action was conclusive.

Mr. MULTER. Yes.

Mr. McDONOUGH. Does the gentleman know whether or not that was the reason why Tighe Woods refused to sign the resolution or to permit it to come up for action?

Mr. MULTER. Yes; I know that. Mr. Woods did not give that reason.

Mr. McDONOUGH. I have evidence to the effect that that was not the reason, and furthermore that Tighe Woods does not agree with the Court of Appeals of the District of Columbia that an ordinance is necessary in order to decontrol either in Los Angeles or in any other city.

Mr. MULTER. The gentleman and I have disagreed with courts before, but as good citizens we abide by their decisions.

Mr. McDONOUGH. But the administration does not.

Mr. MULTER. Mr. Woods is abiding by the decisions of all courts. The court said:

> Mr. Woods, do not review any of the facts, but only if the council acted legally.

Mr. Woods said that hereafter he would only look to the legality of the enactment of the resolution and not go beyond that.

Mr. McDONOUGH. If Mr. Woods had signed the resolution which was passed by the city of Los Angeles, no question would have been raised.

Mr. MULTER. Mr. Woods based his decision on the illegal action of the Los Angeles council.

Mr. McDONOUGH. But he did not in a thousand other cases.

Mr. MULTER. That is not so.

Mr. POULSON. Why, then, did he wait 3½ weeks before he acted?

Mr. MULTER. Are we not quibbling when we ask whether it was days or weeks before he acted? He was required to look into the legality of the action of the Los Angeles Council. The court has held the action illegal. Enact a proper law, give your people the right to be heard. After they vote on the question, their will will be done.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the first period.

Mr. Chairman, if the country must be afflicted with a majority on the right made up of Jeffersonian Democrats, of New Dealers, Fair Dealers, and some others, it is unfortunate, I would say, that the gentleman from Indiana [Mr. JACOBS], who has the respect of us all, is not going to be with us next session. It is my understanding that he came here as a representative of either the CIO or the A. F of L. or of both; and if I get his record right, he has served those organizations as well as others in his district faithfully and well as he has seen the issues. Just why those organizations should have deserted him at the last election I do not understand.

If I might be permitted to express a wish, it would be that the gentleman move to some district now represented by some rabid New Dealer, there be elected and come back to the House, because I am sure that his influence would be stabilizing, constructive, and helpful to the country as a whole.

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

Mr. HOFFMAN of Michigan. Yes, but this is not for a speech.

Mr. JACOBS. Then the gentleman does not want to yield?

Mr. HOFFMAN of Michigan. Just for a question.

Mr. JACOBS. I should like to make the observation——

Mr. HOFFMAN of Michigan. Cannot the gentleman get his own time for that?

Mr. JACOBS. No; I have already struck out my word. Does the gentleman yield?

Mr. HOFFMAN. Certainly.

Mr. JACOBS. I just wanted to say with reference to my future that in the days of my youth my father used to tell me that in town there were two men; one of them was rich, the other was poor. He said that the poor man made a fortune tending to his own business, and the rich man lost a fortune by tending to other people's business.

Mr. HOFFMAN of Michigan. I knew that story was to be a gentle hint to me. It might comfort the gentleman to learn that by trying to attend to the business of the people of my district and expose the fallacy of the New Dealers my constituents retained me while the gentleman is out. Nevertheless, I thank him for his advice.

Now, about this rent control: In answer to the gentleman from New York [Mr. JAVITS], the fact, if it be a fact, that some in his district are profiteers and are oppressing tenants is no reason why other honest, reasonable landlords should be penalized. The gentleman from Indiana [Mr. JACOBS] cited an example where landlords were imposing upon tenants. We can cite examples on both sides.

Let me give you one illustration on the other side, not about rent control, but about the Government handling of property. In my district there is a maiden lady, Miss Hoppe, some 87 years old who supplements her income by selling Christmas gifts or cards on the street from a little wagon. She owned a piece of property that the Government wanted to use when the war came on; so she signed a lease with the Government giving it possession of that property for a nominal rent in order that it might erect one of these housing projects—just temporary shacks that were to be removed in a year or two under the terms of the lease, except that the lease carried the provision that the Administrator might in an emergency by order extend the lease. She is still being deprived of the use of that property by the order of a bureaucrat. She is forced from time to time to supplement her income in order to eat. She does not wear a great many clothes. A lady of that age does not have to dress up much and she has given up all hope, I understand, of trying to attract a husband or obtain the means of support through marriage. She is not on relief, either. She just refuses charity from either State, Nation, or friends. But the Government will not give her back that little piece of property. That is the way it treats an honest, worthy citizen.

Mr. Chairman, this legislation is the most vicious piece of legislation, the

most unfair, that so far as I know, has ever been enacted by the Congress. The farmers get a subsidy, the workers have a minimum hours-and-wage law, and the cost of those two programs is paid either by those who hire or by those who consume the farmers' products, ultimately by all of us. But what does this control law do? It puts the whole cost on the property owner. If we desire to help tenants, if that is our desire, if that be necessary, and we want to be fair and decent about the thing, why do we not have a law under which all the taxpayers contribute to the tenants' subsidy, permit the property owners to have a fair and reasonable income from their property? Just what have we got against the property owners that we want to soak them for a special benefit to their tenants? Is is because there are more tenants than there are property owners?

Mr. TACKETT. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, during peacetime I have never favored nor voted for rent control or any other controls of the normal operation of our private enterprise system.

I do realize that peacetime legislation for the operation of our democracy must be considerably distinguished from legislation for the operation of our Government during wartime. I have always advocated States' rights and administration of even Federal legislation by the local affected people at the grass-roots level. However, during wartime every one of us should contribute to the defense effort; therefore, we must have controls of wages, sales prices upon commodities, rents, et cetera, if we expect to preclude inflation, the unbalancing of our economy, and war profiteering by some while others sacrifice—even their lives.

While opposing this bill, the gentleman from Michigan [Mr. HOFFMAN], highly criticizes the argument of the gentleman from Indiana [Mr. JACOBS], upon the basis that Mr. JACOBS was unsuccessful in his reelection efforts some few days ago. I have never yet found it necessary for a Member of this House, who has recently been successful in a political election, to criticize the arguments of another Member upon the basis that his adversary to the proposal under discussion has been unsuccessful in his political efforts to return to Congress. Every single, solitary one of us is subject to removal from political life every time there is an election wherein he or she has opposition. Some of those men who take up the time of this body boasting over their reelection could fail to be so fortunate at the next election. Every once in a while people change their minds about the advocacies and activities of their respective representatives in Congress. The fellow who feels himself indispensable and with a cinch on continued political office is just in the proper frame of mind to discover that he has been existing in an atmosphere of illusion.

Oh, yes, I was one of the lucky candidates during this last election, maybe because I did not have an opponent; but I am indeed grateful that I can fully realize the possibility of a defeat every time I put my name on the ballot.

I do sincerely hope that I shall never find myself in the predicament of having so little for argument concerning any legislation under discussion as to criticize and denounce my adversary's argument solely upon the basis that he was unsuccessful in his reelection. Many smart people, considerably smarter than a lot of us, have been defeated in political elections.

The gentleman from Michigan [Mr. HOFFMAN] says that the CIO and the A. F. of L. sent the gentleman from Indiana [Mr. JACOBS] to Congress and that he has done a fair job of representing no one except the members of those organizations. If that accusation be true, it is my sincere opinion that it would not hurt anything for these labor organizations to send a lot of such people with the caliber, the honesty, the integrity, and the ability of ANDREW JACOBS to Congress. Allow me to remind the gentleman from Michigan that back during the early days of the Eighty-first Congress when we were considering the Lesinski labor bill, the Sims substitute labor bill, and the Wood labor bill that the gentleman from Indiana was as fair as could be expected of any man who ever represented any group of people during the entire deliberation of this body upon legislation affecting labor and management.

Surely you will recall that the gentleman from Indiana pointed out what he considered the good features of the Wood bill which was disliked by the labor leaders. You will further recall that he pointed out to this body what he considered the bad features of the Lesinski bill which was so highly favored by the labor leaders. Then I shall never forget his fairness in pointing out what he considered to be the good and bad provisions of the Sims substitute.

It cannot be successfully contended by the gentleman from Michigan [Mr. HOFFMAN] or any other person that the gentleman from Indiana [Mr. JACOBS] has acted in a biased and prejudiced manner on behalf of any select group. As a parochial-school man, he has been able to see and advise this Congress of the necessity for public-school assistance.

There has never been a fairer, a more honorable or conscientious gentleman in this Congress than ANDREW JACOBS, of Indiana, who was unsuccessful in his reelection efforts. His qualifications, ability, and statesmanship are undeniable; his efforts as a good American on behalf of the people of the United States are highly commendable.

Mr. HOFFMAN of Michigan. Mr. Chairman, will the gentleman yield?

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

Mr. HOFFMAN of Michigan. Apparently the gentleman who is now speaking did not understand what I did say. I attempted to praise the gentleman from Indiana [Mr. JACOBS]. He then came back at me with a statement that a fellow got wealthy by attending to his own business. Naturally I had to answer that.

Under the permission given to revise and extend the remarks made when the gentleman from Arkansas [Mr. TACKETT] yielded to me, permit me to add that he is completely mistaken when he said that I charged as said that the gentleman from Indiana [Mr. JACOBS] when he came to Congress did not represent anyone except those people. "Those" being used for the CIO and the A. F. of L. I said and the stenographer's minutes will bear me out, that I understood that the gentleman from Indiana [Mr. JACOBS] was sent here by the CIO and the A. F. of L. but I could not honestly say, nor did I say he represented no one else. The gentleman from Indiana, while a labor attorney before coming to Congress, and many times speaking for labor, has in my opinion, fairly and honestly expressed his own views on labor legislation, in fact unless I am mistaken he has sometimes spoken and voted in opposition to expressed views of the CIO. Nor did I, as stated by the gentleman from Arkansas, criticize the argument of the gentleman from Indiana [Mr. JACOBS] "upon the ground that the gentleman from Indiana [Mr. JACOBS] was unsuccessful in his reelection efforts." My reference to Mr. JACOBS' unsuccessful effort was made only after he had by a story intimated that I might well profit by attending to my own business in my own district. My reply was, it seemed, an appropriate one to the story the gentleman told.

The gentleman admitted to me he did not hear what the gentleman from Indiana [Mr. JACOBS] had said. He might have avoided error in his statement had he known what had been said.

Mr. TACKETT. During my tenure in Congress, I have never heard the gentleman from Michigan praise anybody except himself.

Mr. JACKSON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, since I have been a Member of this body, I have consistently been an opponent of Federal rent control. I have not opposed Federal rent control because I felt that no shortage of housing existed at any time. I have not opposed Federal rent control because I did not want to see our citizens in decent housing. I have not opposed Federal rent control because I desired to abet or aid rent gougers or that small minority of any citizenry who take advantage of any situation whenever possible. I have opposed Federal rent control because I consider it and will always consider it an unreasonable and illegal restriction upon the right of American citizens as guaranteed under the Constitution of the United States to own and control real and personal property. I have felt that such methods as those pursued in rent control evade the Constitution and are not in keeping with our traditions, our institutions, and our ideals. If we are going to deprive the American citizen of his right to control and to own personal or real property, let us do it by a constitutional

amendment through the front door. Let us not do it by using a legal blackjack upon him.

So far as the Los Angeles situation is concerned, I believe that the actions of Mr. Woods were the capricious and arbitrary actions of a third-rate bureaucrat with altogether too much power. The wording of the Housing and Rent Act of 1947 was surely clear enough, and the intent of the Congress was equally unmistakable. The law was so clear that many hundreds of communities throughout this country acted in good faith through their local legislative bodies in ordering decontrol by resolution. They took the Congress at its word and decontrolled in the manner provided by law. There was no question raised at that time by Mr. Woods as to the legality of the acts of those city councils. It was only when a great metropolitan area of this country took the step that Mr. Woods took impassioned umbrage.

It was in spite of the act, in spite of the step taken by the Los Angeles City Council in good faith and predicated upon the words contained in the law. Mr. Woods refused initially to take any action at all, and then took recourse by every devious means at his disposal to evade the clear intent of the people of the city of Los Angeles as expressed through their legal legislative body.

The danger inherent in the Los Angeles rent-control fiasco is frightening. It simply means that any appointed bureaucrat sitting here in Washington, D. C., or anywhere else throughout the Nation, can deprive the citizens of this country of their lawful right to decide at least a few of the important fundamental issues at the local level. There are very few of those prerogatives left to the communities today. Their taxing powers have been almost entirely taken away from them, until we find that today 75 cents of every tax dollar is diverted into Washington. There are only a few simple privileges left to them. If the acts of a man like Tighe Woods are to be supported, if this petty dictator is to be backed in his defiance of the Congress of the United States and of the people of the United States, then we have indeed reached a sad state.

The bill under consideration states:

That section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out "December 31, 1950" in each place it occurs therein and inserting in lieu thereof "March 31, 1951."

There are hundreds of thousands of people in Los Angeles who believe the bill should read like this: "That section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out the powers of the people and of the Congress in each place it occurs therein and inserting in lieu thereof 'Mr. Tighe Woods.' "

Mr. CRAWFORD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, during the campaign of a few weeks ago this proposition of Federal rent control was a rather hot issue in my district, especially in my home town, where Federal rent control has been removed in the last few days.

During the campaign I appeared at the office of the city council and made it very clear to my people that I would not support an extension of Federal rent control. Therefore, I am absolutely opposed to this bill. I think those who are promoting this extension are primarily seeking to make this a permanent policy of our Federal Government and to embrace rent controls permanently in the economy of the people of the United States. I have no patience or sympathy for such a proposition. I have asked for this time simply to make my position very clear to the people in my district, who are sometimes interested in what I do and what I do not do.

Mr. JUDD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it may be remembered that when we had the rent control bill before us last summer an amendment was submitted by me and adopted by the House which would have fixed the date of expiration of the rent-control law as of January 31, 1951, instead of December 31, 1950. Unfortunately, that amendment was removed in the conference with the Senate; otherwise we would not have had this troublesome problem with us today. It was submitted primarily in order to allow time for the State legislatures when they meet in regular session in January to act upon the matter and thus have genuine decentralized decisions as to whether and when control is to be continued.

Inasmuch, however, as the terminal date was fixed at December 31, 1950, and the bill before us would extend it for 3 months, I am going to vote for it for the same reason I submitted that amendment when we were considering this subject before. But I have to add this further statement, that unless by the time this bill expires the President of the United States has moved to stabilize the other elements of our economy, there cannot be any justification for putting this one element, rent control, on a permanent basis, that would freeze one segment of our economy, while at the same time other elements are actually being encouraged by the administration to seek higher wages or increased profits and to use the emergency to better their standards of living.

It just is not right to freeze these people, the owners of rental housing, who have been held down the longest and tightest while encouraging other groups which have had the greatest gains to press for still further gains. The President ought to fish or cut bait. He ought to freeze the whole price, wage, and rental structure, as we tried to get the administration to do last July, right after the emergency arose in Korea, or he ought to unfreeze those people who have been held down the longest.

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

Mr. JUDD. I yield.

Mr. JAVITS. It is a fact that this is one thing that we can do here. This is one thing that those of us can do who agree that there should be all-out controls which may point the way for the President to do it. This resolution is something that we can do, and very importantly, in that general direction.

Mr. JUDD. Yes; and I am going to vote for it, but I am serving notice now that I am not going to vote for extensions again, unless in the meantime the President of the United States moves to get real stability in our economy instead of playing politics with particular groups that have the most votes at the expense of those who do not have so many votes.

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

Mr. JUDD. I yield.

Mr. McDONOUGH. I am interested in that statement which the gentleman just made. I think for the benefit of the Committee we ought to know what groups the President is encouraging not to apply controls to. Who are they?

Mr. JUDD. You know the groups.

Mr. McDONOUGH. Well, who are they?

Mr. JUDD. You know which groups are gaining wage and price increases, while people who own rental property, often have their life savings invested in a little fourplex or duplex, have been frozen. Most of them have not received more than a 20 or 25 percent increase over what they got in 1942 whereas wages have gone up 65 percent and 75 percent and with recent increases even more than that.

Mr. McDONOUGH. Should they not receive more at this time so that those who have been held down to a 20-percent increase since 1942 will be given a chance to come up at least to a level with those who are not now being controlled?

Mr. JUDD. Yes. If you look back on it, I think that if the House had known when it extended this act the last time that the Korean situation was going to develop, the chances are the House would have allowed the bill to expire in order to let all elements of the economy sort of reach their own level as prices and wages had done, before another freeze was put on. It is unfair that parts of the economy have been free to seek their proper level while other parts have not been able to do so. Now we are putting on a new freeze on rents, or we may be doing that, when they have been held in artificial unbalance, rather than at a period when things have reached by a process of natural adjustment a reasonable equity and balance between prices, wages, profits, and rents and all the other factors that go into the cost of living.

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

Mr. JUDD. I yield.

Mr. REGAN. Would it not be fair, then, to let this present rent-control act expire on December 31 and after the first of the year the Eighty-second Congress can consider all of the various problems of control of prices and wages and rents and so forth, and place them altogether under the same umbrella if the Eighty-second Congress elects to do so?

That would give everyone a fair and even break.

Mr. JUDD. It would not quite do to remove the restrictions at this particular time when we are right on the verge of

new housing shortages which we know are going to develop in certain parts of the country as a result of the expanding defense effort. That would be taking action at the least advantageous time. What I want is to get the President to come along with suitable action on the other elements rather than let the Congress just hold the line on one segment of the economy while other parts of the economy are still turned loose.

Mr. REGAN. I think that is right.

Mr. SPENCE. Mr. Chairman, I ask unanimous consent that all debate on the bill and all amendments thereto close in 30 minutes.

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

Mr. HOFFMAN of Michigan. Mr. Chairman, reserving the right to object, does not the gentleman believe that we should have enough time on this so that the other body can express their own will uninfluenced by anything that we do?

Mr. SPENCE. Mr. Chairman, we are not going into that question.

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

There was no objection.

Mr. RAINS. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. RAINS: After line 6, add the following new section:

"SECTION 2. Section 204 of the Housing and Rent Act of 1947, as amended, is hereby amended by adding at the end thereof the following new subsection:

"'(k) No resolution adopted before or after the date of the enactment of this subsection by any local governing body for the purpose of making the declaration specified in section 204 (f) (1) or for the purpose of terminating rent control as provided in section 204 (j) (3) shall be ineffective for such purpose solely because under applicable local law legislative action cou'd not be taken by such resolution.'"

Mr. DEANE. Mr. Chairman, I ask unanimous consent that the time allotted to me may be granted to the gentleman from Alabama.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. RAINS. Mr. Chairman, I have no intention of taking part in the argument with reference to the case pertaining to the city of Los Angeles. That is not my purpose.

First, I would like you to remember that in the Senate report which accompanied the Rent Control Act of 1949 were these words:

In other words, the action of the local governing body would be final and not subject to review, appeal, or change by any other authority.

The House report, which went with the bill we passed, the same as this one, says:

In other words, the action of the local governing body in the matter would be final and not subject to review, approval, or change by any other authority.

That was stated in our report. The adoption of this amendment which I have offered will prevent the invalidation of the actions of more than 1,000 cities which acted by resolution, in compliance with the exact congressional mandate in the Housing and Rent Act. It is those cities which acted in accordance with the mandate set out in the law with which I am concerned, and not some legal technicality involving referendum. In other words, in light of the court opinion which has been discussed, if your city decontrolled by a resolution, even though this Congress said it was an administrative act, that decontrol action may be illegal. So simply to validate the decontrol resolutions of more than a thousand cities, who acted in good faith, in compliance with the instructions and regulations set out in this bill, I ask you to adopt this amendment. I do not think this amendment affects one way or the other the case of the city of Los Angeles; I think that has to do with the referendum and not with the adoption of a resolution. We provide that the city shall follow the method prescribed by law for the particular city in adopting a resolution. If Los Angeles did not follow it, that is a matter for the courts. But in these cities which did follow it and where it turns on the use of the word "resolution" or "ordinance" they should not be penalized by that kind of decision. Simply because of those cities I ask for the approval of this amendment.

The CHAIRMAN. The gentleman from California [Mr. JOHNSON] is recognized.

Mr. JOHNSON. Mr. Chairman, I do not like rent control any more than any man in this room, but sometimes conditions dictate what your decisions in these matters shall be. I can look at this specific proposal best by looking at my own congressional district. In it are 10 Army and Navy installations; the Armed Forces of the United States are doubling their numbers in a very few months. We are not in a normal condition, and it looks as though it will be a long time before the country would be in a normal condition.

I can just see it as plain as day: In my crowded district of 665,000 people with all these military installations, that if we lift rent controls the rents will go up very rapidiy. The demand for houses is excessive there. There will not be enough places for these people to be taken care of. Every military person you add to the Armed Forces means another person added to the civil service. The law of supply and demand will be disjointed as there will be much more demand than there will be supply.

Right now a large part of the personnel at these posts live outside of the post.

Much as I hate rent control I do not think we can avoid the facts that are before us. We are in an acute emergency. Vast numbers of people will again go into California to become members of the Armed Forces and to work in the various military establishments as civilians. All of them must have a place to live and again we will be caught acutely short of houses. We may be forced into an all-out war and this will bring other workers to the vast war industries of California.

I do not want to impose a general rent-control law on the whole country, as in many places it is not needed. We have permitted the local governments to decontrol and certainly they will know how to handle the situation, if no rent control is necessary. Some have already done so, but I can see some spots that I think will need help and if I am mistaken the local community can decontrol. All I want to do is to hold the status quo until the next Congress can have time to look into the matter, in view of the fact that we are in an acute emergency, which might become more widespread. We yet cannot see what is going to happen.

If the emergency declines, which we all hope will happen, I will want to get rid of this control. Also, I wish to concur heartily in what my colleague from Minnesota [Mr. JUDD] said, namely, that the President and his departments should do something about the inflationary trends that are rampant due in part to loose fiscal policies. If controls are to come they should go across the board and effect all parts of our economic system and not alone be directed at the people who furnish housing to those who do not own a home.

If this resolution is not passed, we will lose control on December 31, 1950. Rents will spiral and if the emergency should get worse, which looks probable now, we would lose much time getting controls back, which all seem to agree will be necessary in case of a war. Then we will have higher costs all across the board and the dollar will become cheaper than it now is and persons with a fixed income such as pensioners, civil-service workers, teachers, Army and Navy personnel and so forth, will again get a financial beating. Those localities that do not wish to control will continue under control and nothing will be required to be done there in case a full-scale emergency dictates that the country must again have war controls. If things level off we can then get rid of the whole control problem before the end of this extension, which should not be more than 90 days and maybe only 60 days as the Senate agreed upon.

The CHAIRMAN. The gentleman from Illinois [Mr. O'HARA] is recognized.

Mr. O'HARA of Illinois. Mr. Chairman, like my distinguished and really beloved friend from Indiana [Mr. JACOBS], I shall not be returning to the Eighty-second Congress. I am sure that the gentleman who represents the district in Michigan where I was born and spent my childhood did not intend in his reference to the gentleman from Indiana anything except a facetious pat on the back. No one in this body has been more highly esteemed by his colleagues, and no one has combined in greater measure brilliant eloquence in debate with warm endearing charm of personality than the gentleman from Indiana. No defeat at the polls can taint the purity of such a character nor detract from the reputation he has established on a national level and in his one term in the Congress as a great and outstanding statesman. I am sure that in this appraisal of ANDY JACOBS, the gentleman from Michigan,

will concur, and that the reference to the circumstances of November 7 last was not intended to have either personal sting or partisan gloat. The district now represented by Mr. HOFFMAN and wherein I was born and grew up was represented in this body for 11 terms by the Honorable La Rue Hamilton, now buried in Niles, Mich., the city of his nativity. Although he was a Republican, and my family was devoted to the cause of democracy, and contested with him on the hustings, I think of La Rue Hamilton as a great statesman and a great American. The differences in party affiliations and in ways of thinking and of philosophies do not determine the measure we place upon the attributes of ability, the qualities of character and the sincerity of public service of our colleagues.

But because some reference has been made to the defeat of the gentleman from Indiana, and because the circumstances of November 7 last in the second congressional district of Illinois might be argued as having some bearing upon the matter of rent control now before us, I wish to assure my colleages that my support of rent control and other liberal legislation in the Eighty-first Congress was not a factor in the circumstance that, as the returns at this time and prior to further examination that may be made show. I will not be seated in January next as a Member of the Eighty-second Congress.

In the elections in Chicago there was injected a local issue that had not the slightest bearing upon the work of the Congress or the policies and achievements of the national administration. In the intensity of the feeling on this matter, strictly local, all consideration of national issues was completely erased. This was the reason—and everyone in Chicago, both Democratic and Republican, is thoroughly familiar with the fact—for the defeat of four Democratic Congressmen as well as the senior Senator from Illinois.

The fact that in the face of this tremendous and unprecented landslide built entirely upon one local matter having not the remotest connection with any national issue, I polled in the second district in excess of 35,000 more votes than the candidate who was the target of the attack, is conclusive proof, at least to my satisfaction, that my actions and my votes in the Eighty-first Congress met with the overwhelming approval of the people of the second district.

The difference of 35,000 votes had to be accounted for in split votes. That tells the story. I bring this to the attention of my colleagues in no sense of making excuse or giving explanation for a personal defeat. My sole motivation is a desire to keep the second district of Illinois in the right light. It is, and will remain, a liberal district.

The tremendous vote it cast for my reelection, giving me an overwhelming majority of the split votes, clearly and undeniably proved that the electorate of the second district of Illinois approved of my support of continuing rent control, of decent housing for all of our people and within their means, for extended social security, for a higher minimum wage, for fair labor legislation, for the crushing of the ugly head of discrimination wherever it showed itself, and for the right of the common man to enjoy his share of the sunlight in a land of plenty and of equality.

The difficulty of splitting a ticket, especially in the precincts where machines were used in voting, combined with other circumstances later to be established and upon which work is now being industriously pursued accounted for the narrow gap apparently shown in the canvass.

The men and women of my district, I have not the slightest doubt, think that it would be an inexcusable folly if at this time we did not extend rent control for a period sufficiently long to give the Eighty-second Congress ample time to reexamine the housing shortage in the light of conditions existing in the early months of 1951. I heard in this chamber just a day or two ago a Republican member and a Democratic member of the Rules Committee describe this as the darkest and most dangerous hour in American history. We are in a fight for survival. Whether world war III comes or does not come, there is ahead a long stretch of terrific expense for defense. We must pay as we go. Ahead is a long stretch of high taxes, a decade of sacrifice and sacrifice and sacrifice if we are to survive. Does anyone think that in such a time, and under such a stress, the domiciles of American families can be abandoned to the insecurity of chance and to the operation of a cruel and unrestrained law of supply and demand?

My responsibility as a Member of this body ends with the third session of the Eighty-first Congress. As a member of the Committee on Banking and Currency and on the floor of this Chamber I have actively and with complete sincerity supported the extension of rent control until such time as the easing of the housing shortage permitted a return to normal conditions. I am happy that I was privileged, as a member of the committee, the only member from the large city of Chicago, to play some part in giving protection to the tenants of Chicago until June 30 of 1951. The great Governor of Illinois, the Honorable Adlai E. Stevenson, and the great mayor of Chicago, the Honorable Martin Kennelly, with the members of the General Assembly of Illinois and the City Council of Chicago, faithfully cooperated, first, by the passage of the necessary enabling legislation in Springfield, sections 23–111 of the Cities and Villages Act, which removed any possible question of the validity of the later resolution of the City Council of Chicago; and, second, the resolution of the City Council of Chicago which, in effect, extended controls in Chicago until June 30, 1951. Thus through the teamwork of the senior and junior Senators of Illinois, the Democratic Members from Illinois in this body, the Governor of Illinois, and the mayor of Chicago, with the cooperation of the General Assembly of Illinois and the City Council of Chicago, the people of Chicago are assured the protection of rent control until June 30, 1951, come what will.

I hope that the Eighty-second Congress, in its reexamination of the problem under the conditions resulting from the international involvement, will act with the same concern for the welfare of our people as has the Eighty-first Congress.

There is one other phase I would like to touch upon, Mr. Chairman. This has to do with the hotels. When we were considering the rent-control bill of 1949 in this committee, I offered an amendment to include housing units in hotels, and the committee voted down my amendment and adopted an amendment offered by the gentleman from Alabama [Mr. RAINS] which excluded the hotels. I opposed the Rains amendment on the floor of the House and demanded the yeas and nays. The roll call, No. 31 of the first session, appears on page 2544 of the CONGRESSIONAL RECORD of March 15, 1949.

It shows the adoption of the Rains amendment by a vote of 237 to 175. I led the fight, both in committee and on the floor of the House, to include permanent residents in hotel accommodations within the definition covering housing units under rent control. But after our defeat in the House, the junior Senator from Illinois [Mr. DOUGLAS] succeeded in saving the permanent hotel residents in Chicago by working out in conference a compromise by which hotel rent control was maintained in cities of 2,500,000 population and over. This meant, of course, its restriction to Chicago and New York. Later, New York went out of Federal rent control, so that the hotel control was restricted solely to the city of Chicago.

When we were considering the rent-control bill of 1950, my colleagues will recall that, although the other body had voted to remove the hotels, and, as I have pointed out, that applied only to the hotels in Chicago, the House voted to keep the controls on, and that I supported this action in the House; and certainly no Member was any more active in advocacy, which, of course, would be natural, since the provision affected only the hotels in the city from which I came. The point now is, as I see it, that we have in the rent-control law a hotel provision that applies only to the city of Chicago. It did not originate in Illinois. It is the child of our own creation, and I must acknowledge that no one in the House has a greater share of responsibility for it than have I.

Since then we have had an election, and the plain fact is that a great majority of the hotel tenants in my district, and I am informed in similar hotel precincts in other districts in Chicago, voted for the opposition. If this were intended by them to be an index of their sentiment as tenants in hotels on a matter in which they have a personal interest, it should receive proper consideration. I am not attempting to interpret. If there is no longer a shortage of housing accommodations in the hotel field, and if, instead, there is a percentage of vacancies insuring against the possibility

of unnatural rental increases and assuring a stabilization in rents measured by normal considerations, it would be expected that the tenants would not feel that they had any personal interest in rent control being continued in the class of habitations occupied by them.

This I brought to the attention of the Honorable Tighe Woods when he appeared before our committee. Whatever my own position had been, or whatever were my own views, when the voters had spoken, I accepted their voice as that of my master; and certainly, if both the hotels and their guests had no desire for continuing rent control for permanent hotel guests, I would have no desire to force upon them the control neither wanted. Furthermore, while I have always fought and voted for rent control when I honestly believed from the facts available to me that such control was necessitated by a continuing housing shortage, I have always maintained, as have my colleagues, that, when the shortage was relieved, controls should go.

Frankly, as the only Chicago member of the committee, I do not relish the thought that any industry in Chicago should be under restrictions not placed upon a similar industry in other cities. If the contention of the hotels in Chicago is based upon the fact, and if that contention is supported by the sentiment of the hotel guests, as might constructively be presumed from the voting on November 7, I would say that a reexamination of the present situation by the Housing Expediter as it applies to permanent residents in hotel accommodations would be justified. I am not attempting to pass upon the facts. As a matter of honor, as I see it, and in compliance with the will of the people as voiced in the polling places, and with a keen sense of my responsibility as the only member of the committee from Chicago to all the people of Chicago and all the industries in that great city, I am laying before my colleagues such information as I possess. I repeat, I am attempting no interpretation and I have no personal knowledge of the facts.

Whether Chicago, which now is the only city in the country where hotel accommodations are under rent control, should remain so, or whether the controls there should be lifted to conform with the pattern in all other cities, is to be determined by the Housing Expediter on the facts as they actually exist, whether the demand for housing in that class has been reasonably met. I quote from Mr. Woods' testimony before our committee:

> Mr. WOODS. Mr. O'HARA, I can say this: That under the present act it would still be possible to decontrol the Chicago hotels as a class of accommodations, if the one standard were met, that the demand for housing in that class had been reasonably met. We have not attempted a survey. Knowing your interest in this legislation and your vital interest in Chicago, I can assure you that as fast as I can put a team in there we will start a survey to determine whether that point has been reached. If it has been been reached, the answer is obvious. We do not want to control any class where the demand is not there because, I agree with you, it would certainly lift a headache off our shoulders and especially our local office if we could get out of that class, because the present legislation has not been designed to take care of hotel problems.

It was the understanding of our committee, I believe I can state, that the Expediter would conduct this study and act immediately upon such facts as the study should develop and the equities should demand. Mr. Chairman, I am voting for the present measure, as I have supported and voted for all of the rent-control measures previously presented in the Eighty-first Congress by the great and beloved chairman of the committee, under whom I have had the honor of serving in the Eighty-first Congress, and memories of whom I shall cherish always with the warmest glow of affection.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Chairman, I want to express my regret at the reception I received from the gentleman from Arkansas [Mr. TACKETT] who sits on the majority side just a while ago. It is very, very seldom indeed that I attempt to praise any New Dealer or any Fair Dealer or even any Democrat who has not been certified here as being a Jeffersonian or Jackson Democrat, what might be termed "an old-style reactionary Democrat." On the other hand, I have never criticized any Member on either side as the gentleman would know had he paid attention to the record. So it is unfortunate, it is discouraging, at least to me it seems unfortunate and terribly discouraging to note that attitude when I try to say something in praise of the gentleman from Indiana [Mr. JACOBS], and I think I went just as far as any one Republican could. I expressed my opinion that the gentleman from Indiana [Mr. JACOBS] was a good legislator.

Then look what I get. The gentleman from Arkansas [Mr. TACKETT] comes along and makes a statement which was neither a just nor accurate interpretation of my remarks. He admitted a moment ago he had not heard what the gentleman from Indiana [Mr. JACOBS] had said to me and to which I naturally replied in kind. So, of course, the gentleman from Arkansas [Mr. TACKETT] did not know what he was talking about when he jumped on me. He did not say anything about rent control. So perhaps he had no real argument. However, he did say I was boasting about my reelection. That statement is not in accord with the fact. I am not that dumb. I may stand for reelection again. The fellow who brags about himself, at least up in my district, is just as sure of being defeated as that daylight follows darkness. Do not make any mistake about that.

If on some occasion hereafter I should inadvertently reply to a criticism from the majority side and attempt to word a phrase of praise, please be a little more charitable. Do not discourage me in that effort, because whether it is laudable or not, I know you like it.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. MITCHELL].

Mr. MITCHELL. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Alabama [Mr. RAINS]. As I read his amendment it would curtail the rights of the people of the State of Washington who have the power of referendum. If the gentleman's amendment is adopted, it is my understanding that the people of Seattle would not be able to file a referendum petition in opposition to whatever action the city council might take, and, therefore, the people would be foreclosed from taking full advantage of local applicable law.

The United States Court of Appeals for the District of Columbia, in the Los Angeles rent-control case, interpreted the present act as intending "that each community should determine by its own local methods an issue of importance to the community."

In the State of Washington our local method would include a referral to the people if a sufficient number of people so petitioned.

The United States court of appeals decided, in the case mentioned, that the city council rent-control resolution was a legislative action and, therefore, could properly be referred to the people. The court said:

> But if an action is the declaration and adoption of a policy and program by which affairs of general public concern are to be controlled, the action is a legislative act.

It goes on to say that this act can be properly referred to the people. I do not believe that this body desires to change that to circumvent local law. I do not believe it seeks to say that a piece of legislation cannot be referred to the people, if referral represents full utilization of local applicable law.

Mr. Chairman, I hope the amendment will be defeated.

The CHAIRMAN. The Chair recognizes the gentleman from Kansas [Mr. COLE].

Mr. COLE of Kansas. Mr. Chairman, I want to address myself to those Members who are disturbed about this bill by reason of the fact that we are in a critical war situation, and they desire to do everything possible to further the mobilization effort. Some of those Members on my side particularly said that they must vote for this bill because it is an extension of rent control and a part of the mobilization effort. I want to reiterate that this legislation does not extend rent control. There are now in America 1,000 cities of 1,000 population or more still under rent control. There will be cities under control after this bill has been passed upon, whether the bill is enacted or not. If the situation in your particular locality is so critical, may I say, it will still remain under rent control, if they so desire. After the next Congress is in session, and it becomes necessary for the Congress to determine whether or not we shall have rent control, it will not make the slightest whit of difference whether this bill is passed. The new Congress must determine then, at that time, what is a fair rent-control law for all cities, for all areas, for all municipalities, whether

they are now under rent control or whether they are not now under rent control. All will be reexamined, and the rights of tenants and landlords fixed. They will be fixed upon a national basis of equality, in view of the national stabilization program. They will not be fixed upon a basis of whether they are, or are not, now controlled.

Therefore, your vote today will not affect a mobilization effort today or tomorrow. I say that a vote against this measure merely is a vote against the political expediency which has brought forth this proposed legislation.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. McKINNON].

Mr. McKINNON. Mr. Chairman, I would like to call your attention to two basic facts right now. One is on this amendment that has been offered. If that amendment is adopted, what we are going to do in effect is to legislate nationally and try to tell our city councils what they can or cannot do locally in the way of their own city ordinances and city resolutions and take away, possibly, the rights of some of the people in some communities to have a referendum. I think it would be far better if we defeat the particular amendment and stay with our present bill. I think the court of appeals has clarified that somewhat.

The second part to bear in mind is that this bill is not a declaration of renewed faith in rent control but merely a continuance for a brief 90-day period to require affirmative action before decontrol can be had. Any community that wishes may secure decontrol.

In fact, the record shows that there have been 991 decontrol actions in the United States since April of 1949.

It is not difficult for a city council to decontrol if it wishes to, and if that action meets with the favorable opinion of the community affected. No community is tied down by this extension. On the other hand, we are facing a different international situation today than we faced 6 months ago. We will probably come under all-out controls in a little while. For that reason, I think it is very reasonable and very necessary for us to continue this rent-control organization in the various communities that are affected until such time as we can have a real appraisal of our national and international situation and determine whether we are going to have all-out controls or are going to have no controls. If we go into an all-out control period, then this rent control setup will save unnecessary confusion and expense and will be most helpful to our communities.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, I offer a substitute for the Rains amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER as a substitute for the amendment offered by Mr. RAINS: "The word 'resolution' as used herein shall include resolution, law, or ordinance, but shall not be effective unless adopted in accordance with local applicable law."

Mr. MULTER. Mr. Chairman, unfortunately the amendment offered by the gentleman from Alabama was not considered by our committee. It came to us for the first time on the floor here. I am very much afraid that the effect of it would be to change local laws.

When we passed the law originally 6 months ago we provided that localities should decontrol either by action of their local governing body or by popular referendum. In many States, like Washington and California, the locality has the right by referendum to review and reverse, if necessary, the action of their local council. If you adopt the Rains amendment you will take away from the people in those localities the right to review the action of their local council either to have or not to have rent control, in accordance with what they want.

What I have done is offer a substitute so as to take away any possibility of anybody in the future claiming that when we used the word "resolution" we were using it in its technical sense. My substitute will provide that the word "resolution" shall mean a resolution, law, or ordinance, provided only that it is adopted in accordance with the local applicable law, so that we will not change anything insofar as each locality is concerned. They will still have the right to act in accordance with their local law, either by referendum or by the action of their governing council or by review by the people if the people desire it within the limited time. I urge that the substitute be adopted.

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

Mr. MULTER. I yield to the gentleman from Colorado.

Mr. CARROLL. Let us assume that the city and county of Denver decided by resolution to abandon rent control, and that resolution was acted upon by the city council. What would be the effect of the gentleman's amendment?

Mr. MULTER. If the local law says that that is the way you adopt the law, that is the end of it, but if your local law gives the people the right to petition for a referendum to review that action of your council, they will have the right to do so under my amendment.

Mr. CARROLL. In other words, they could resort to the city charter if necessary?

Mr. MULTER. They must follow the city charter, under my amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. WOLCOTT].

Mr. WOLCOTT. Mr. Chairman, if I understand the substitute offered by the gentleman from New York correctly, it says that the word "resolution" will mean an ordinance. The law at the present time does not say that the resolution shall mean an ordinance. That question is now pending before the Supreme Court of the United States in the case of the city of Los Angeles and others against Tighe Woods and others. It is expected that the Supreme Court of the United States will hand down a decision in the matter next Monday. If they do not hand down the decision on Monday, they will not be able to act until January, because I understand the Court is to be in recess until January. It seems to me both amendments, the amendment offered by the gentleman from Alabama [Mr. RAINS] and the substitute amendment offered by the gentleman from New York [Mr. MULTER] should be defeated because all we can possibly do by adopting either the one or the other of them is to confuse the issue which is now pending in the Supreme Court of the United States. The issue is very clearly framed as to whether it was the intention of the Congress for the municipalities to go through the procedure which under their charter would be necessary in the enactment of an ordinance when a resolution is mentioned in the law which the Congress passed. Either one of these amendments which have been offered would merely confuse the issue, because, if we accept that interpretation, then that is the interpretation only as of today and does not mean that that interpretation should be placed on the law as our intention as of last June. If the Supreme Court holds that the action taken by the city of Los Angeles is invalid for any reason, then, immediately following that, this Congress must take cognizance of the situation and pass legislation in order to do equity to the people who will be affected in cases where they have acted in good faith in order to protect them against suits for treble damages, criminal prosecutions, and so forth. Therefore, we might have to have legislation early next week in case the Supreme Court holds the action illegal. For that reason I think we should keep the matter in status quo until the Supreme Court acts.

The CHAIRMAN. The Chair recognizes the gentleman from Kentucky [Mr. SPENCE] chairman of the committee, to conclude debate.

Mr. SPENCE. Mr. Chairman, I have just been informed that the other body has passed the rent-control extension bill by a vote of 55 to 28.

Mr. Chairman, it always gives me pleasure to agree with my good friend the gentleman from Michigan [Mr. WOLCOTT]. We do not agree very often, but I do now have the distinct pleasure of agreeing with him in what he says. I am heartily in accord with the objectives sought to be achieved by the gentleman from Alabama [Mr. RAINS]. I feel the Expediter should without hesitation act upon resolutions which are passed by municipalities in conformity with local law. His amendment provides that a resolution shall not be ineffective because it does not comply with the local law. The local law exists to protect the rights of the citizens. If the governing body does not act in conformity with local law, its action is absolutely void. A municipality speaks by its record, and its record must conform to its charter provisions. When we pass an amendment like the proposed amendment, it seems to me we are endeavoring by a Federal act to take away rights which are guaranteed to the citizens by the constitution and laws of a State.

Municipal law is the result of experience. A city's charter is created by the legislature of the State, and the provisions in that charter are made to protect the rights of the citizens. However much I think it desirable for the Expediter to act promptly on the resolution of the governing body, if that body does not act in conformity with the law, it does not express the will of the city. The only way the governing body can express the will of the city is to act in conformity with the charter. In many instances the charter gives the right of referendum and other rights which would be taken away if it is enacted otherwise.

I am opposed to both of the amendments.

The CHAIRMAN. The time of the gentleman has expired. All time has expired.

The question is on the substitute amendment offered by the gentleman from New York [Mr. MULTER], for the amendment proposed by the gentleman from Alabama [Mr. RAINS].

The question was taken; and the substitute amendment was rejected.

The CHAIRMAN. The question now recurs upon the amendment offered by the gentleman from Alabama [Mr. RAINS].

The amendment was rejected.

The CHAIRMAN. Under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WHITTINGTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 9763) to amend the Housing and Rent Act of 1947, as amended, pursuant to House Resolution 876, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The question is on the passage of the bill.

Mr. WOLCOTT. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. WOLCOTT. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion offered by the gentleman from Michigan [Mr. WOLCOTT].

The Clerk read as follows:

Mr. WOLCOTT moves to recommit the bill H. R. 9763 to the Committee on Banking and Currency.

The question was taken; and on a division (demanded by Mr. WOLCOTT) there were—ayes 73, noes 89.

Mr. WOLCOTT. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The roll call is automatic. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 153, nays 223, not voting 53, as follows:

[Roll No. 292]

YEAS—153

Allen, Calif.	Gossett	Norblad
Allen, Ill.	Graham	O'Hara, Minn.
Andersen, H. Carl	Gross	Passman
	Guill	Patterson
Anderson, Calif.	Gwinn	Phillips, Calif.
Andresen, August H.	Hagen	Pickett
	Hale	Poage
Angell	Hall,	Potter
Arends	Leonard W.	Poulson
Auchincloss	Halleck	Rankin
Barden	Hand	Reed, Ill.
Barrett, Wyo.	Harden	Reed, N. Y.
Bates, Mass.	Harris	Rees
Battle	Harvey	Regan
Beall	Hébert	Rich
Bennett, Mich.	Hill	Richards
Bishop	Hinshaw	Rivers
Blackney	Hoeven	Rogers, Fla.
Bolton, Md.	Hoffman, Ill.	Sadlak
Bolton, Ohio	Hoffman, Mich.	St. George
Bramblett	Holmes	Sanborn
Brehm	Hope	Scrivner
Brown, Ohio	Horan	Scudder
Burdick	Jackson, Calif.	Shafer
Burleson	James	Short
Byrnes, Wis.	Jenison	Simpson, Ill.
Carlyle	Jenkins	Simpson, Pa.
Chiperfield	Jensen	Smathers
Clevenger	Jones, Hamilton C.	Smith, Kans.
Cole, Kans.		Smith, Va.
Cole, N. Y.	Kilburn	Smith, Wis.
Colmer	Kilday	Stanley
Cox	LeCompte	Stefan
Crawford	LeFevre	Stockman
Cunningham	Lichtenwalter	Taber
Curtis	Lovre	Talle
Dague	Lucas	Teague
Davis, Ga.	McConnell	Towe
Davis, Wis.	McCulloch	Velde
D'Ewart	McDonough	Vorys
Dolliver	McGregor	Vursell
Dondero	Mack, Wash.	Wadsworth
Ellsworth	Mahon	Weichel
Elston	Martin, Iowa	Werdel
Fellows	Martin, Mass.	Wheeler
Fenton	Mason	Widnall
Fisher	Merrow	Wigglesworth
Ford	Michener	Wilson, Ind.
Gamble	Miller, Nebr.	Wilson, Tex.
George	Morton	Wolcott
Gilmer	Murray, Wis.	Woodruff
Golden	Nelson	
Goodwin	Nicholson	

NAYS—223

Abernethy	Cooper	Gregory
Addonizio	Corbett	Hall, Edwin Arthur
Albert	Cotton	
Allen, La.	Crook	Hardy
Andrews	Davies, N. Y.	Hart
Aspinall	Davis, Tenn.	Havenner
Bailey	Dawson	Hedrick
Baring	Deane	Heffernan
Barrett, Pa.	DeGraffenried	Heller
Beckworth	Delaney	Herlong
Bennett, Fla.	Denton	Heselton
Bentsen	Dollinger	Holifield
Biemiller	Donohue	Howell
Blatnik	Doughton	Huber
Boggs, Del.	Douglas	Hull
Boggs, La.	Doyle	Irving
Bolling	Durham	Jackson, Wash.
Bonner	Eberharter	Jacobs
Bosone	Elliott	Javits
Breen	Engle, Calif.	Johnson
Brooks	Evins	Jones, Ala.
Brown, Ga.	Fallon	Jones, Woodrow W.
Bryson	Feighan	
Buchanan	Fernandez	Judd
Burke	Flood	Karst
Burnside	Fogarty	Karsten
Burton	Forand	Kearney
Byrne, N. Y.	Frazier	Keating
Camp	Fugate	Kelley, Pa.
Canfield	Fulton	Kelly, N. Y.
Cannon	Furcolo	Kennedy
Carnahan	Garmatz	Keogh
Carroll	Gary	Kerr
Case, N. J.	Gathings	King
Celler	Gordon	Klein
Chelf	Gore	Kruse
Christopher	Gorski	Kunkel
Chudoff	Granahan	Lane
Clemente	Granger	Lanham
Combs	Grant	Larcade
Cooley	Green	Latham
Lind	O'Sullivan	Staggers
Linehan	O'Toole	Steed
Lodge	Pace	Stigler
Lyle	Patman	Sullivan
McCarthy	Patten	Sutton
McCormack	Perkins	Tackett
McGrath	Peterson	Tauriello
McKinnon	Philbin	Thomas
McMillan, S. C.	Phillips, Tenn.	Thompson
McSweeney	Polk	Thornberry
Mack, Ill.	Preston	Tollefson
Madden	Price	Trimble
Magee	Priest	Underwood
Mansfield	Rabaut	Vinson
Marcantonio	Rains	Wagner
Marshall	Ramsay	Walsh
Miles	Rhodes	Walter
Miller, Calif.	Ribicoff	Welch
Mills	Riehlman	White, Calif.
Mitchell	Robeson	White, Idaho
Monroney	Rodino	Whittington
Morgan	Rogers, Mass.	Wickersham
Morris	Rooney	Wier
Moulder	Sabath	Williams
Multer	Sadowski	Willis
Murdock	Sasscer	Wilson, Okla.
Murphy	Saylor	Winstead
Murray, Tenn.	Scott, Hardie	Withrow
Noland	Scott, Hugh D., Jr.	Wolverton
Norrell		Woodhouse
Norton	Secrest	Yates
O'Brien, Ill.	Shelley	Young
O'Brien, Mich.	Sikes	Zablocki
O'Hara, Ill.	Sims	
O'Neill	Spence	

NOT VOTING—53

Abbitt	Hays, Ark.	O'Konski
Bates, Ky.	Hays, Ohio	Pfeifer, Joseph L.
Boykin	Herter	
Buckley, Ill.	Hobbs	Pfeiffer, William L.
Buckley, N. Y.	Jennings	
Case, S. Dak.	Jonas	Plumley
Cavalcante	Jones, Mo.	Powell
Chatham	Kean	Quinn
Chesney	Kearns	Redden
Coudert	Kee	Roosevelt
Crosser	Keefe	Sheppard
Davenport	Kirwan	Smith, Ohio
Dingell	Lynch	Taylor
Eaton	McGuire	Van Zandt
Engel, Mich.	McMillen, Ill.	Whitaker
Gavin	Macy	Whitten
Gillette	Marsalis	Wood
Hare	Miller, Md.	
Harrison	Morrison	

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Redden for, with Mr. McGuire against.

Mr. Wood for, with Mr. Abbitt against.

Mr. Smith of Ohio for, with Mr. Coudert against.

Mr. Miller of Maryland for, with Mr. Kean against.

Mr. Macy for, with Mr. Lynch against.

Mr. Harrison for, with Mr. Roosevelt against.

Mr. Plumley for, with Mr. Hays of Ohio against.

Mr. Eaton for, with Mr. Whitaker against.

Until further notice:

Mr. Whitten with Mr. William L. Pfeiffer.

Mr. Marsalis with Mr. Gavin.

Mr. Morrison with Mr. Case of South Dakota.

Mr. Dingell with Mr. Keefe.

Mr. Crosser with Mr. Taylor.

Mr. Boykin with Mr. Van Zandt.

Mr. Bates of Kentucky with Mr. Kearns.

Mr. Hays of Arkansas with Mr. Jonas.

Mr. Jones of Missouri with Mr. Gillette.

Mr. Powell with Mr. McMillen of Illinois.

Mr. Kirwan with Mr. Engel of Michigan.

Mr. Buckley of New York with Mr. Jennings.

Mr. BYRNE of New York changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 207. Joint resolution to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended.

AMENDING THE HOUSING AND RENT ACT OF 1947

The SPEAKER. The question is on the passage of the bill.

Mr. WOLCOTT. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 221, nays 152, not voting 56, as follows:

[Roll No. 293]

YEAS—221

Abernethy	Furcolo	Murdock
Addonizio	Garmatz	Murphy
Albert	Gary	Murray, Tenn.
Allen, La.	Gathings	Noland
Andersen, H. Carl	Gordon	Norrell
	Gore	Norton
Andresen, August H.	Gorski	O'Brien, Ill.
	Granahan	O'Brien, Mich.
Andrews	Granger	O'Hara, Ill.
Aspinall	Grant	O'Neill
Bailey	Green	O'Sullivan
Baring	Gregory	O'Toole
Barrett, Pa.	Hagen	Pace
Battle	Hardy	Patman
Beckworth	Hart	Patterson
Bennett, Fla.	Havenner	Perkins
Biemiller	Hedrick	Peterson
Boggs, Del.	Heffernan	Philbin
Boggs, La.	Heller	Phillips, Tenn.
Bolling	Herlong	Polk
Bonner	Heselton	Price
Bosone	Holifield	Priest
Breen	Howell	Rabaut
Brooks	Huber	Rains
Brown, Ga.	Hull	Ramsay
Bryson	Irving	Rhodes
Buchanan	Jackson, Wash.	Ribicoff
Burke	Jacobs	Richards
Burnside	Javits	Riehlman
Burton	Johnson	Robeson
Byrne, N. Y.	Jones, Ala.	Rodino
Camp	Jones, Woodrow W.	Rogers, Mass.
Canfield		Rooney
Cannon	Judd	Sabath
Carnahan	Karst	Sadowski
Carroll	Karsten	Sasscer
Case, N. J.	Kearney	Scott, Hardie
Celler	Keating	Scott, Hugh D., Jr.
Chelf	Kelley, Pa.	
Christopher	Kelly, N. Y.	Secrest
Chudoff	Kennedy	Shelley
Clemente	Keogh	Sikes
Cole, N. Y.	Kerr	Sims
Combs	Kilburn	Spence
Cooley	King	Staggers
Cooper	Klein	Steed
Corbett	Kruse	Stigler
Cotton	Kunkel	Sullivan
Crook	Lane	Sutton
Davies, N. Y.	Lanham	Tackett
Davis, Tenn.	Larcade	Tauriello
Dawson	Latham	Thomas
Deane	Lind	Thompson
DeGraffenried	Linehan	Thornberry
Delaney	Lodge	Tollefson
Denton	Lyle	Trimble
Dollinger	McCormack	Underwood
Donohue	McGrath	Vinson
Doughton	McKinnon	Wagner
Douglas	McMillan, S. C.	Walsh
Doyle	McSweeney	Walter
Durham	Mack, Ill.	Welch
Eberharter	Madden	White, Calif.
Elliott	Magee	Wickersham
Engle, Calif.	Mansfield	Wier
Evins	Marcantonio	Williams
Fallon	Miles	Willis
Feighan	Miller, Calif.	Wilson, Okla.
Fernandez	Mills	Winstead
Flood	Mitchell	Withrow
Fogarty	Monroney	Wolverton
Forand	Morgan	Woodhouse
Frazier	Morris	Yates
Fugate	Moulder	Young
Fulton	Multer	Zablocki

NAYS—152

Allen, Calif.	Guill	Patten
Allen, Ill.	Gwinn	Phillips, Calif.
Anderson, Calif.	Hale	Pickett
Angell	Hall, Leonard W.	Poage
Arends		Potter
Auchincloss	Halleck	Poulson
Barden	Hand	Preston
Barrett, Wyo.	Harden	Rankin
Bates, Mass.	Harris	Reed, Ill.
Beall	Harvey	Reed, N. Y.
Bennett, Mich.	Hébert	Rees
Bentsen	Hill	Regan
Bishop	Hinshaw	Rich
Blackney	Hoeven	Rivers
Bolton, Md.	Hoffman, Ill.	Rogers, Fla.
Bolton, Ohio	Hoffman, Mich.	Sadlak
Bramblett	Holmes	St. George
Brehm	Hope	Sanborn
Brown, Ohio	Horan	Saylor
Burdick	Jackson, Calif.	Scrivner
Burleson	James	Scudder
Byrnes, Wis.	Jenison	Shafer
Carlyle	Jenkins	Short
Case, S. Dak.	Jensen	Simpson, Ill.
Chiperfield	Jones, Hamilton C.	Simpson, Pa.
Clevenger		Smathers
Cole, Kans.	Kilday	Smith, Kans.
Colmer	LeCompte	Smith, Va.
Cox	LeFevre	Smith, Wis.
Crawford	Lichtenwalter	Stefan
Cunningham	Lovre	Stockman
Curtis	Lucas	Taber
Dague	McConnell	Talle
Davis, Ga.	McCulloch	Teague
Davis, Wis.	McDonough	Towe
D'Ewart	McGregor	Velde
Dolliver	McMillen, Ill.	Vorys
Dondero	Mack, Wash.	Vursell
Ellsworth	Mahon	Wadsworth
Elston	Martin, Iowa	Weichel
Fellows	Martin, Mass.	Werdel
Fenton	Mason	Wheeler
Fisher	Merrow	White, Idaho
Ford	Michener	Whittington
Gamble	Miller, Nebr.	Widnall
George	Morton	Wigglesworth
Gilmer	Murray, Wis.	Wilson, Ind.
Golden	Nelson	Wilson, Tex.
Goodwin	Nicholson	Wolcott
Gossett	Norblad	Woodruff
Graham	O'Hara, Minn.	
Gross	Passman	

NOT VOTING—56

Abbitt	Harrison	Morrison
Bates, Ky.	Hays, Ark.	O'Konski
Blatnik	Hays, Ohio	Pfeifer, Joseph L.
Boykin	Herter	
Buckley, Ill.	Hobbs	Pfeiffer, William L.
Buckley, N. Y.	Jennings	
Cavalcante	Jonas	Plumley
Chatham	Jones, Mo.	Powell
Chesney	Kean	Quinn
Coudert	Kearns	Redden
Crosser	Kee	Roosevelt
Davenport	Keefe	Sheppard
Dingell	Kirwan	Smith, Ohio
Eaton	Lynch	Stanley
Engel, Mich.	McCarthy	Taylor
Gavin	McGuire	Van Zandt
Gillette	Macy	Whitaker
Hall, Edwin Arthur	Marsalis	Whitten
	Marshall	Wood
Hare	Miller, Md.	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. McGuire for, with Mr. Redden against.

Mr. Abbitt for, with Mr. Wood against.

Mr. Coudert for, with Mr. Smith of Ohio against.

Mr. Kean for, with Mr. Miller of Maryland against.

Mr. Lynch for, with Mr. Macy against.

Mr. Roosevelt for, with Mr. Harrison against.

Mr. Herter for, with Mr. Stanley against.

Mr. Hays of Ohio for, with Mr. Eaton against.

Mr. Whitaker for, with Mr. Plumley against.

Until further notice:

Mr. Crosser with Mr. Jonas.

Mr. Morrison with Mr. Van Zandt.

Mr. Powell with Mr. Taylor.

Mr. Boykin with Mr. William L. Pfeiffer.

Mr. Bates of Kentucky with Mr. Gavin.

Mr. Dingell with Mr. Kearns.

Mr. Marsalis with Mr. Keefe.

Mr. Jones of Missouri with Mr. Jennings.

Mr. Quinn with Mr. Gillette.

Mr. Hays of Arkansas with Mr. Engel of Michigan.

The result of the vote was announced as above recorded.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended, and ask for its immediate consideration.

The Clerk read the title of the Senate joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That section 204 (f) of the Housing and Rent Act of 1947, as amended, is hereby amended by striking out "December 31, 1950" in each place it occurs therein and inserting in lieu thereof "February 28, 1951."

SEC. 2. Section 204 (j) (3) of the Housing and Rent Act of 1947, as amended, is hereby amended by inserting before the period at the end thereof a colon and the following: *"Provided further,* That as used in this act the term 'resolution' shall not be construed to be limited to ordinances or other legislative acts, and any resolution heretofore adopted by any local governing body is hereby declared to be effective for the purpose of this section 204 (j) (3) or section 204 (f) (1), whether or not such resolution was legislative in character; and no suit or action shall be brought under section 205 of this act, or any other provision of law, on the basis of any administrative decision or the decision of any court that the resolution described in this act must be a legislative act."

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

The Clerk read as follows:

Amendment offered by Mr. SPENCE: Strike out all after enacting clause of Senate Joint Resolution 207 and insert the provisions of the bill H. R. 9763 as passed.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the joint resolution.

The joint resolution was passed.

A motion to reconsider was laid on the table.

The proceedings whereby the House bill (H. R. 9763) was passed were vacated, and that bill was laid on the table.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate joint resolution (S. J. Res. 207) to continue for a temporary period certain provisions of the Housing and Rent Act of 1947, as amended, with an amendment of the House thereto, insist on the amendment of the House and ask for a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Ken-

tucky? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. SPENCE, BROWN of Georgia, PATMAN, MONRONEY, WOLCOTT, GAMBLE, and KUNKEL.

GENERAL LEAVE TO EXTEND

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to extend their remarks on the bill just passed.

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

There was no objection.

REFERENCE OF BILL TO HOUSE CALENDAR

Mr. BIEMILLER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BIEMILLER. Mr. Speaker, on the 7th of August the bill H. R. 7789, which was reported by the Committee on Interstate and Foreign Commerce, was referred to the Union Calendar. I believe that this was done in error and that the bill should have been referred to the House Calendar.

The SPEAKER. The Chair has examined the bill and finds that it is not chargeable to the Treasury. Therefore, the reference to the Union Calendar was in error and the bill is now referred to the House Calendar as of the date it was originally reported by the committee.

COMMITTEE ON FOREIGN AFFAIRS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until midnight tonight to file a report on the bill H. R. 9853.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, does that request carry with it the right of the minority to file minority views?

Mr. PRIEST. Mr. Speaker, I include that in my request, that the minority may file their views.

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

There was no objection.

NATURALIZATION OF ALIENS

Mr. LYLE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 874 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

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. 9780) providing the privilege of becoming a naturalized citizen of the United States to all aliens having a legal right to permanent residence. 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 the Judiciary, 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.

Mr. LYLE. Mr. Speaker, I yield one-half the time to the gentleman from Illinois [Mr. ALLEN].

At this point I yield myself such time as I may desire.

Mr. Speaker, this resolution makes in order the immediate consideration of H. R. 9780, a bill introduced by the distinguished gentleman from Pennsylvania [Mr. WALTER]. The purpose of the bill is briefly explained in the report filed by my colleague the distinguished gentleman from Texas [Mr. GOSSETT] in this language:

The purpose of the bill is to remove the racial restrictions on the naturalization of aliens who have a legal right to permanent residence in the United States, without alteration of the excluding sections of the immigration laws or disturbance of the existing immigration quotas.

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

Mr. LYLE. I yield.

Mr. SABATH. Similar laws have been passed in the last two years for other aliens.

Mr. LYLE. On three occasions, as I understand it.

Mr. SABATH. This is in line with legislation that the House has adopted heretofore for other nationals, mostly for the boys who have fought on the other side and for the parents of those who did not return from the other side?

Mr. LYLE. That is correct.

Mr. SABATH. And it is a unanimous report from the Judiciary Committee and a unanimous report from the Rules Committee?

Mr. LYLE. The gentleman is correct.

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

Mr. LYLE. I yield.

Mr. COX. Does the gentleman know of any opposition on either side of the aisle to this bill?

Mr. LYLE. No. I know of none.

Mr. COX. The hearing before the Rules Committee indicated that it was a measure that the House might accept by unanimous consent. May I ask the distinguished gentleman from Illinois [Mr. ALLEN] if he knows of any opposition to the bill.

Mr. ALLEN of Illinois. I know of no opposition to the bill.

Mr. LYLE. I have no requests for time on this side, Mr. Speaker.

Mr. ALLEN of Illinois. I have no requests for time, Mr. Speaker.

Mr. LYLE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

Mr. WALTER. Mr. Speaker, I call up the bill (H. R. 9780) providing the privilege of becoming a naturalized citizen of the United States to all aliens having a legal right to permanent residence, and ask unanimous consent that the bill may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 303 of the Nationality Act of 1940, as amended (60 Stat. 416; 8 U. S. C. Supp. 703), is hereby amended to read as follows:

"SEC. 303. The right to become a naturalized citizen of the United States, subject to the provisions of this act, shall not be denied or abridged because of race: *Provided*, That no alien, who, under law existing immediately prior to the enactment of this section, as here amended, would have been ineligible to immigrate to the United States because of race shall become eligible for immigration to the United States by reason of the enactment of this section, as here amended."

Mr. WALTER. Mr. Speaker, the purpose of this bill is to remove the racial bar against the naturalization of people who are legally in the United States as permanent residents.

The bill applies principally to people born in Japan who have been lawfully admitted to the United States before the 1st of July, 1924. Many of them are parents of native-born United States citizens, who served in the Armed Forces. We are all familiar with the magnificent record of the four hundred and twenty-second combat team, composed of the sons of the people who could become American citizens under this legislation.

On three occasions the substance of this bill passed the House. The former measure, House Joint Resolution 238, was vetoed by the President in September 1950 because the section relating to security measures was incorporated in that resolution by the conference committee. Subsequently, this section, objected to by the Chief Executive, has become a part of the Internal Security Act of 1950 so it is no longer necessary, being the law of the land today.

The basic principle of this bill has been unanimously regarded as sound public policy, and the present situation in Asia makes it truly imperative to have it enacted into law.

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

(Mr. McDONOUGH asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. McDONOUGH. Mr. Speaker, I am in favor of the passage of H. R. 9780 because I believe the aliens affected, many of them the parents of American-born sons who defended this country during World War II, are entitled to become naturalized citizens.

I supported this legislation when it passed the House the first time in June 1949, and I also agreed to the conference report when it passed the House on August 14 of this year.

The bill at present before the House is in better form than the original bill presented since it has been amended to conform with the provisions of the Security Act. In its present form the bill insures that any Asiatic that is granted the privilege of United States citizenship will not become affiliated with communism. If he should become affiliated with communism within 5 years after he is naturalized, he would lose his citizenship, and this provision will prevent the spread of communism and insure a better type of new citizen.

I believe H. R. 9780 should be approved as it removes discrimination against persons of certain races which heretofore has prevented such persons from becoming citizens of the United States even though they were entitled to legal permanent residence in this country.

It is my hope that the Senate will also speedily approve this bill without delay to provide right to citizenship for the aliens who will come under its provisions and clear the way for the fathers and mothers of American-born Japanese and Koreans who fought valiantly for the United States in World War II.

THE KOREAN SITUATION

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

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

There was no objection.

Mr. WILLIAMS. Mr. Speaker, there is, perhaps, no more accurate barometer of public opinion than constituent mail received by Members of Congress. If the mail which I am receiving is indicative of the trends of thought among our people, they are bewildered by the tragic turn of events in Korea. They are demanding, and properly so, that our boys be reinforced and given weapons with which to repel the enemy—or evacuated before it is too late.

Occasionally a letter from a constituent is outstanding because of its forthright expression of common sense and rationalism. The following letter, received from the wife of one of our servicemen in Korea, I believe, reflects generally the thinking of our people, as well as calling to our attention the shocking state of unpreparedness prevailing when our boys were ordered into Korea:

This letter has been put off for some time because I thought—and we all were told—the Korean War was over. Since the latest turn of events, however, we see that it is far from true; and since it is, there are several questions I would like answered, please.

If our soldiers are all supplied with warm clothes, why must my husband write me to send him these articles? He is an officer, but since he is on the battlefield where he cannot get to a quartermaster store or a post exchange, why was not he issued warm clothes, too?

And today I heard that our men are expected to eventually establish a line and hold it in Korea. In almost every one of my husband's letters he mentions the old equipment. In one letter he said most of their equipment was used during the Pacific War, then saw 5 years' occupation duty—and now they are expected to win a new war with it. He is a spotter pilot with * * * division, and he said except for one or two, all their planes are old and they do not expect replacements before the first of the year. Why cannot they expect replacements or at least parts for the old ones?

Why weren't they given new equipment long before now? It seems to me they should have had it in the very beginning. Couldn't this possibly be one of the reasons why the Chinese are able to overrun our men so easily in spite of our superior Air Force? How can our men fight when they have nothing to fight with? I think it is high time the people of America—especially the ones who do have loved ones in this war—wake up to the things that are going on and to the fact that our lives are more endangered every day because our boys in Korea aren't backed enough by the people at home to finish this thing before it gets bigger. I, for one, am in favor of dropping enough atomic bombs in Russia to make the whole country radioactive—then maybe we could have peace. I am not the type who usually writes letters like this, but when there is a possibility that my small son may never see his father again just because someone doesn't want to hurt someone else's feelings, or some such rot, I think it is time for letter writing or anything else that will stir up action. What do you think?

Mr. Speaker, this letter is from a devoted wife who would probably desire to have her husband with her more than anything else in the world. Yet she does not ask to get him out of the Army to let others do his fighting for him. On the contrary, she merely adds her voice to those of others who want support for their loved ones while they fight that the folks back home may live in peace and security.

I would not deny my responsibility as a Member of Congress, nor would I attempt to transfer the blame elsewhere, for the existence of these conditions. Congress must bear its rightful share of the responsibility—limited though it is—and take such action as it has authority to take to correct these mistakes, whether they be ours or others.

The fact remains that Congress had nothing to do with sending our boys into Korea. Our military leaders had told us that Korea was outside our "perimeter of defense," and as such was indefensible from a military standpoint. It was the President—the Commander in Chief—who made the decision to send our boys to Korea, and the Congress had no patriotic alternative than to give them all the support possible within its constitutional limitations. I do not question the decision of the President to send troops into Korea, but it is now obvious that tragic mistakes in this venture have cost countless American lives that conceivably might have been saved.

Mr. Speaker, the letter which I read a moment ago points out some of these mistakes. It is too late to correct errors of the past, but we can avoid recurrences of such inexcusable shortcomings. If it is true that our soldiers are fighting with used, antiquated, and outmoded equipment in zero weather without adequate clothing, I suggest that we withdraw our troops from Korea as speedily as possible in the face of inevitable massacre by the Chinese Communists. We should use the Chinese Nationalists on the mainland to divert some of the pressure from our troops in attempting to hold the line or evacuate; blockade the Chinese mainland and use our air power to cut Communist supply lines moving to the front.

At home our only choice is full and complete mobilization, including price, wage, and allocation controls. Only through the combined efforts of our people at home, coupled with the heroic sacrifies of our fighting men, will we be able to repel the atheistic hordes who would enslave the world.

PROGRAM FOR DECEMBER 8, 1950

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to ascertain the program for tomorrow.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is my intention to adjourn until tomorrow.

A conference is in progress in connection with the bill which was under consideration yesterday, and my agreement with those interested in the conference was that if when the House terminated the legislative business of the day I had received no report I would announce to the House that while we would meet tomorrow there would be no business transacted, because the Members are entitled to know definitely just what the situation is. So, while the House will meet tomorrow, I am announcing now that there will be no legislative business.

On tomorrow I will announce the program as far as I can for next week.

The SPEAKER. Would not the gentleman from Massachusetts like to include in that unless some matter of emergency demanded consideration?

Mr. McCORMACK. I gladly accept the Speaker's suggestion and appreciate it.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. HOFFMAN of Michigan. Will the gentleman from Massachusetts tell us whether tomorrow there will be an opportunity for the Members to express their views on current events?

Mr. McCORMACK. We are meeting tomorrow.

Mr. HOFFMAN of Michigan. I am asking the question now because I wish, and I know there are others who wish likewise, to speak for 5 or 10 minutes.

Mr. McCORMACK. We are meeting tomorrow. If Members want to talk, they may.

Mr. BROWN of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Ohio.

Mr. BROWN of Ohio. Mr. Speaker, I have asked the gentleman from Massachusetts to yield in order to inquire of the majority leader whether or not the so-called air subsidy bill, if an agreement is reached within the committee so that all parties are satisfied, will be brought up tomorrow?

Mr. McCORMACK. I want to advise the House definitely. I left it open until the end of the legislative business of the day.

Mr. BROWN of Ohio. That will not come up until Monday?

Mr. McCORMACK. I told those interested the situation and we had an understanding that they would advise me and if they did not conclude their conference then I was going to announce to the House there would be no business tomorrow. If they arrived at an agreement, that is another thing. I have made the announcement already. If

something of an emergency nature should come up that will be considered. There is no business on tomorrow. If they have arrived at an agreement then we can bring the matter up on Monday.

Mr. BROWN of Ohio. The bill will be scheduled for further consideration on Monday.

SPECIAL ORDERS GRANTED

Mr. JAVITS asked and was given permission to address the House for 15 minutes on Monday next, following the legislative program and any special orders heretofore entered.

Mr. HOFFMAN of Michigan asked and was given permission to address the House for 10 minutes on tomorrow, following the legislative program and any special orders heretofore entered.

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. HUGH D. SCOTT, JR.] is recognized for 20 minutes.

CONGRESS SHOULD BE ADVISED OF THE WORLD SITUATION

Mr. HUGH D. SCOTT, JR. Mr. Speaker, we are dealing with questions of life and death and in a representative democracy the people have the right to know what is going on. If they are not satisfied with the action being taken they can suggest alternatives.

If the President expects to receive public confidence he must take the people into his confidence and conduct our international affairs in the manner provided by the supreme law of the land. Up to now the activities of the Secretary of State as far as testimony is concerned have been confined to ultraprivate executive sessions before the Committee on Foreign Affairs of the House and the similar committee in the other body. Other Members of the Congress are neither invited nor permitted to ascertain what may be in the mind of the Secretary of State. The members of our great Committee on Foreign Affairs are not permitted, according to my understanding, to visit or to inspect any of the areas of combat at this time. The iron curtain of secrecy is down here just as effectively so far as actual information is concerned as if we were living in Russia.

Granted we have speculation, granted newspapers publish immediately after the Secretary of State's remarks what he is supposed to have said, our judgment must be based upon rumor and guesswork (and not always on accurate speculations) and the meanderings of columnists of various degrees of credibility.

Among those things which we have been told is the report that Messrs. Attlee and Truman have come to an agreement to leave the final decision in Korea up to General MacArthur. If General MacArthur is to have that decision the public is entitled to know whether he will proceed as a free agent, whether his authority is military and diplomatic and political or strictly military, whether his hands are to be tied by being forbidden to bomb any supply lines, concentrations of the enemy or airfields, or whether the general, as generals in wartime are ordinarily permitted to do, is to have at his command all of the implements of warfare and of defense, attack, and counterattack. General MacArthur himself has said the attempt to tie the hands of a military commander under these circumstances is without precedent in the history of warfare. If you are interested in locating where that is, see the March 29 issue of United States News. General MacArthur's hands should be untied.

Furthermore, it seems to me we have use for the Chinese Nationalists, their air force, their military, every possible service. The guerrilla forces ought also to be given the utmost careful consideration, because I am aware that at least 250,000 Chinese are available in the north, who might not be available—and perhaps there are more, who might not be available if they had to contend with increased guerrilla activity upon the mainland of China. All of us have received mail indicating that the State Department lacks the confidence of the public. I think that if your mail is like mine it is overwhelming in demand that Secretary of State Acheson should have the grace and the patriotism to resign. If our foreign policy was designed to stop Communist aggression, as some apologists of the administration would have us believe over the years, that that was to be considered our foreign policy, why did we not do it when there was warfare on the Italian border in 1945 and 1946? If we were drawing a line to contain communism, why did we not intervene in Iran in 1946, in Turkey in 1947, or in Greece, when we sent a fleet to Greece in 1948. That was our opportunity to stimulate counterrevolutionary activities in Albania and elsewhere, an opportunity which we missed. In 1949, in Berlin, when we were forced to use the air lift, the world took hope and courage optimistic from indications that we were at last to have a foreign policy involving the containment of communism. But, it was a brief hope. In 1950 the question arises as to why we picked Korea, which military authorities had at that time claimed to be indefensible without an adequate Navy to maintain our forces and contrary to all of the military and naval advice which has been taught to our Armed Forces and war colleges concerning the involvement on the mainland of Asia. Our foreign policy, however, was not to contain communism; it was, on the contrary, a policy of appeasement. Perhaps this story has been too often told to warrant continued repetition of how those things which we promised to China in 1943, in December, at Cairo, were taken away from China by the historic double-cross at Yalta, at which time Alger Hiss, I believe, was the only Russian-speaking member of our delegation; at Yalta, where China, whose paramount interests were involved, was not even represented, and how afterwards Dean Acheson took good care to say, we were told, to the Chinese Nationalist Government, the defacto and dejure government of China, that unless they accepted Communists into their government, we would withdraw military aid. As you know, that offer to accept Communists in that government was refused by Chiang Kai-shek. I can well imagine him saying "You might have subversives in your Government, but I do not want them in mine." Had he said that, I am sure many of us would not have blamed him. Again we recall that the then Secretary of State in 1948 at a press conference on the 13th of March repeated that he was—I am not referring to Mr. Acheson now, but the then Secretary of State, that he still felt that the Government of China should accept Communists within their Government. I am sure we all recall the other steps of appeasement, the promise to Korea, the unified, independent free democratic Republic of Korea at Cairo and elsewhere. I am sure we recall the addition, through the instigation of our own State Department, of the so-called liberals in the Parliament of Korea; many not liberals but Communists. I am sure they recall the betrayal of the Prime Minister on the day of the invasion of Seoul, and all the long and sorry history of appeasement. Who are these architects of appeasement? Why does the public lack confidence in the President's advisers? Because they are congenital appeasers, let us call the roll of a few of them:

The Assistant Secretary, Dean Rusk, said in my town of Philadelphia at a well-attended lodge meeting in January 1950 that the Chinese Communists were not Reds at all but were rather indigenous patriots, rather like our own loyalist American Revolutionary heroes.

Dean Rusk is a gentleman who accompanied the President to Wake Island, along with Ambassador Jessup, our former Ambassador-at-large to China.

Ambassador Jessup, who twice went to New York in two separate criminal trials of Alger Hiss to vouch personally for the loyalty of Alger Hiss.

Ambassador Muccio, who, as I recollect, was called in a recent magazine article "Muccio the Modest." He has a great deal to be modest about, because Ambassador Muccio, if his real views were made fully known, ought to retreat into modesty, seclusion, silence, and resignation.

I had a 4-hour conference with Ambassador Muccio in Pusan, Korea, whence he had ventured after the shelling of Taegu. I was in Taegu during the second shelling, and I heard the opinion of the Embassy staff as to that departure, of which perhaps the less said the better. But later I had a chance to meet this modest gentleman, Ambassador Muccio. With me at the time was another Member of this body, the gentleman from New York [Mr. LATHAM], with whom I share what I regard as a privilege, the opportunity to be the two Members of Congress first to serve in combat under the United Nations flag. So I speak to you not as one who would confine our activities to the insular shores of America but one who favors our commitments in Europe and maintains only that in Asia we should turn the same kind of resolute face.

Let me tell you a few things Ambassador Muccio said at that time to the gentleman from New York [Mr. LATHAM]

and myself in the presence of a number of witnesses. The American Ambassador to Korea said, and I am now quoting him. "We are not fighting communism." I said to him, "What are we fighting, Mr. Ambassador?" He said, "We are fighting aggression."

I said, "Mr. Ambassador, don't you have a State Department directive saying to you that members of foreign embassy staffs are not authorized even to use in your published statements the words 'Russians,' 'Communists,' and '38th parallel?'" And the American Ambassador refused to reply.

But you have not heard by any means the worst, nor will time permit me to tell you all of that conversation. I would, however, like to say what shocked me most of all was the statement by Ambassador Muccio as follows, and I quote, "the Russians had every right to arm the North Koreans." I asked him, "Why do you say that, Mr. Ambassador?" He replied, "Because we armed Chiang Kai-shek and that bunch of crooks."

I said to him, "Mr. Ambassador, you are mistaken. We promised to arm the legitimate and lawful and existing Government of China, and we broke that promise."

I am afraid that Ambassador Muccio and I do not speak the same language. One of the comments he made to me was, "Oh, Mr. SCOTT, I am an old China hand. I wish you understood the Chinese as well as I do." I said to him, "Oh, Mr. Ambassador, I wish you understood the Americans as well as I do." So we again talked with no meeting of the minds.

Certainly that record of appeasement and the long-time record of Mr. Acheson himself would justify thorough housecleaning of the State Department and of our foreign offices wherever that sort of attitude exists. Some will say, "Why bring it up at this time?" My answer is because I want, as I think every patriotic American wants, us to proceed toward establishment of a truly national nonpartisan position in our relations with the rest of the world unimpeded by those who do not wholeheartedly agree with us that communism is a menace which must be met with and fought by all the forces and means available to us. I would suggest, if we are to find the means to avoid future recriminations and find the means to unite behind the President to achieve a national policy, we have the right to insist in return that certain things be done and that those who blundered and who bungled and who misled us and the American people be fired forthwith.

Second, that they be replaced by men of such stature and men above petty considerations, that the whole Nation will be able to have unreserved confidence and a greater magnificent pride in them.

Third, that we be told the truth. What is our policy? Where are we going? What sacrifies are necessary—because they will be made gladly if they are but made known and the reasons therefor explained to the people.

Fourth, that we do without those things which have nothing to do with strengthening our national security and defense, and that such controls as are wise and workable are now very long overdue and those that are determined to be wise and workable ought to be forthwith invoked.

Fifth, that the administration practice sacrifice itself by foregoing unwise and unnecessary spending programs and by drastic economies on the domestic side of the Government administration.

I again call to the attention of the Members of this body that the President has not yet abandoned a single one of his many expensive, unreasonable, and extremely unwise suggestions, including, to name but a couple, the Brannan plan and the socialized medicine program.

I would like to express this personal view. I am no military expert, but at least the gentleman from New York [Mr. LATHAM], and I were in Korea. We were with the First Marines in the battle of Bloody Hill. We were with the First Cavalry in Taegu. We were aboard the *Valley Forge*. We saw our forces in action. We talked with some of the people. We talked to the GI's, both privates and officers alike. We know something of the sacrifices. We saw the dead and the dying. I recall the statement of a marine colonel to me along these lines. "When you go home," he said, "tell the people back there what the dead would have said."

I remember that remark of Colonel Haganauer. I think among other things the dead would have said that every honorable means open to statesmanship ought to be employed to avert the dire possibility of a world-wide conflagration. I think they would also say that a proposal simply to withdraw or to evacuate Korea is not an honorable method. I think they would want you to say that a Korean withdrawal would mean that the 40-some thousand American casualties that we have suffered there have been in vain; that our venture in Korea, already the fourth bloodiest conflict in our history, is to end not in victory but in the most abject sort of defeat.

While we are talking about casualties, let us remember the casualties both of ourselves and allies, including the British, Filipinos, Turks, and South Koreans, now are vastly in excess of 100,000. Instead of speaking of our own 40,000 casualties, let us remember the sacrifies of our allies as well. I think the dead would want us to remember, too, that a Korean withdrawal would mean the billion Asiatics, still hovering on the brink of choosing communism or democracy, will never again be able to trust the word of the United States or to believe in the United Nations.

Can we hold? I am no military authority. I do not know, but I leave these suggestions with you: A force of somewhere between 200,000 and 250,000 United Nations forces strong along a line of no more than 150 miles; given supremacy in the air, if that remains to be true; given artillery support and a large number of tanks—and I cannot for one believe that the supplies landed in our ports over there have all been expended; given the will to fight—what they need are the means to make the fight—given those things as facts or as probable facts, it seems to me the opinion of the House of Representatives might well be that the opinion of all lovers of freedom everywhere in this country might well be expressed in the hope that President Truman and Prime Minister Attlee come to an agreement as has been rumored that there will be no withdrawal from Korea unless and until, and save where forced by overwhelming military action on the part of the enemy. I do not think it follows that we need to give in to defeatism, because our best opportunity to find time in an area where admittedly we perhaps are at great disadvantage, that opportunity exists, the harder we fight the more we make a strong line of defense; but if those things are to be done and if we are to find means to protect and to support and to defend the things for which we stand, I think it high time, as I said before, that we clean our own house; that we put it in order, so that unitedly we, as Americans, can support our foreign office, our State Department, our President, who asks us to confide in him. Let him then hear the voices of the American people which are increasing in volume every day as they say, "Fire Acheson; get rid of Acheson; clean up the State Department."

Therefore, Mr. Speaker, with that thought in mind, I am introducing now a resolution which reads as follows:

Whereas the policies and programs of the present Secretary of State have been discredited and marked by a succession of diplomatic defeats, leading presently to war; and

Whereas as a result of the mistakes, appeasements, and continued disregard of the will and temper of the American people by the present Secretary of State, our national security and existence as a free Nation are seriously threatened; and

Whereas the American people have strongly indicated to their elected representatives their lack of confidence in the Secretary of State at a time when confidence in our national leadership is essential: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that the President of the United States should forthwith demand the resignation of the Secretary of State.

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman may have five additional minutes so that I can ask him a few questions.

The SPEAKER. The time of the gentleman has not yet expired.

Mr. HUGH D. SCOTT, JR. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. I understood you to say that our casualties in Korea were now somewhere around 40,000. Do you or does anyone, so far as you know who has knowledge of the situation, have an estimate of what the casualties will be if we do not withdraw, as you suggest?

Mr. HUGH D. SCOTT, JR. I think no one can estimate what will happen in the future.

Mr. HOFFMAN of Michigan. Do you not think that before we take a firm position that our men should stay in Korea, someone who has knowledge should estimate what it is going to cost, at least in lives, if not in matériel or money?

Mr. HUGH D. SCOTT, JR. I think that such an estimate will probably have

to be made on an over-all basis of whether it is cheaper for us to surrender now and fight a more bloody conflict somewhere else, or whether by defending now that which we hold or that which we have reason to believe we can hold it will be cheaper in casualties in the long run. Someone should estimate that.

Mr. HOFFMAN of Michigan. How can anyone estimate the cost of some future war if they cannot give us any estimate as to the cost of the present war, in casualties?

Mr. HUGH D. SCOTT, JR. I think the Members would be better off and the people would feel better off if the Members of Congress were given more facts and a great deal more information than they are now given by the administration. I do not ask that we be told top-secret data either; merely that we be told at least as much as will enable us to make some sound judgments here. I think the people think that we know what is going on in the State Department, when the fact is that we do not know.

Mr. HOFFMAN of Michigan. I agree with you as to that statement, but here is another question: Do you know of anyone who has knowledge, who has any opinion as to the prospects of success if we continue in Korea and Asia, and war breaks out in Europe?

Mr. HUGH D. SCOTT, JR. I would assume that that was a matter for the Joint Chiefs of Staff, the Secretary of Defense, and, if he were competent to do it, the Secretary of State.

Mr. HOFFMAN of Michigan. Our people, at least the ones I hear from, want to know just what our objective is, what the prospect is of winning in the end, and what in lives it may cost.

Mr. HUGH D. SCOTT, JR. Was it not St. John who said: "You shall know the truth, and the truth shall make you free"? Our chances of freedom are very much better.

Mr. HOFFMAN of Michigan. That is a fine quotation from scripture, but it does not give me any information to pass on to my constituents.

Mr. HUGH D. SCOTT, JR. I am unable to get such information, and that is the whole purport of what I have been saying here.

LEAVE OF ABSENCE

Mr. HAND. Mr. Speaker, I ask unanimous consent to be absent from the legislative sessions of the House on Monday and Tuesday because of my attendance at sessions of a special committee investigating the South Amboy explosion.

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

There was no objection.

KEEPING SECRETS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

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

There was no objection.

Mr. McCORMACK. Mr. Speaker, we have just listened to remarks of the gentleman from Pennsylvania [Mr. HUGH D. SCOTT, JR.], in which he recited a number of matters that would have been better left unsaid.

The gentleman talks about giving information to the people and taking the people into his confidence. Nobody disputes that; on the other hand, there is certain information that cannot be made available, in the national interest of our own country, at a particular time. We know that so far as Stalin is concerned he does not have to have a spy corps in the United States to get 90 percent of his information; all he has to do is to read the newspapers and follow the radio. Just go through these corridors and listen to the remarks and follow them through and go through the process of elimination, and one could get 90 percent valuable information, and most of it comes from Members of Congress. I am glad to say very few in this branch who were given the type of information that cannot be made public at a particular time have violated their promise and pledge.

I was reading only last night a letter written by John Quincy Adams to William Vans Murray in 1797, in which he said, in substance, "Democracies are like a sieve; a secret cannot be kept."

We face a world in which more than half, the greater part, is totalitarian; where only a few men determine the course and policies of those governments, the Soviet Union and its satellites. There is no such thing as public opinion over there; the people cannot express themselves and public opinion cannot be molded. Fortunately, we can do so here; but in a democracy we have a responsibility, every one of us, particularly those in legislative life, not to divulge information that is given in secret because at that particular time it cannot be made public, but which is given to us to enable an understanding of the world situation in connection with legislative action. They should realize that when they make disclosures—and some of them discolor the information that is given to them—that they are doing something which is directly contrary to the national interest of the United States.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. In just a moment.

I have an editorial in my hand taken from the Washington Post of this morning dealing with General Bradley's appearance before a committee of one of the branches of Congress. He was then misquoted. It was a violation of secrecy; not only was secrecy violated but it was discolored by saying that General Bradley had given the committee information about a Dunkerque in Korea. As a matter of fact General Bradley was compelled to issue a public denial first because it contained misinformation and a discoloration. Think of a man of his standing forced to deny it publicly. All of that affects the people of the United States, and it has international repercussions, when a man of his stature and his position in the world of today and in our country is compelled to deny that he gave certain testimony.

As the Washington Post says:

> But the breach this time was made worse by the delicate nature of the subject and its intimate relation to present security.

We all have a responsibility to this country of ours and uppermost in the minds of each and every one of us should be this responsibility. I know it is in mine. I am not saying it is not in the minds of any of the other Members, and I am not saying it is not in the mind of the gentleman from Pennsylvania, who is just as good an American as I am and I hope I am as good an American as he is.

Mr. HUGH D. SCOTT, JR. There is no question about that, in my opinion.

Mr. McCORMACK. In the national interest we have to be careful. Many things can be said at some other time that cannot be said at a particular time. With the world aflame, what we need in America are not those who will not kneel or crawl to live but who will stand to fight and die, if necessary, with clear minds and courageous hearts.

I have no doubt as to the outcome. I am an optimist, not a pessimist. I have confidence in this generation of Americans. Of course, we face a trying period. The people of America will always respond. We have these emotional utterances. We are all human, we all act emotionally at times, but that does not represent the spirit of America.

I can remember 10 years ago when there was a discussion around the table as to whether the youth of America then would respond. The statement was made that they were soft. Almost everyone said they were soft. Then Pearl Harbor came and the youth of America 9 years ago showed they were made of steel. They responded. They are now veterans of World War II. The same thing applies to America of today.

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

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

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

There was no objection.

Mr. HUGH D. SCOTT, JR. Mr. Speaker, will the gentleman yield?

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

Mr. HUGH D. SCOTT, JR. The gentleman may recall that on the day on which the gentleman, and he knows I have the highest regard and respect for him, announced the President's decision to enter Korea, I expressed on that day in colloquy with him the hope that because of our present state of preparedness we would not have too little, too late, and indicated my wholehearted support of any decision made by the President of the United States. Insofar as foreign affairs are concerned, if he makes another decision we will all loyally abide by it. But the gentleman argues that because information is not available in totalitarian countries such information as can be properly given ought not

to be made available to the full membership of this body.

Mr. McCORMACK. I never made any such statement as that. I said "information which shoud not be made public at that particular time in the national interests of our country" and given to Members of Congress should be kept confidential until the time arrives when it can be made public.

I would like to see every Member get the information. But the gentleman knows there are certain committees involved, I am in the position where I can go to the Foreign Affairs Committee and they are kind enough to invite me when there is an executive session. I attend whenever I can. I would like to see every Member get this information. But what is happening is that the committees, like the Armed Services, I assume, are given information. The Committee on Foreign Affairs is given information, the appropriate committees in both branches of the Congress are given information. I know of no instance on the part of Members of the House where that secrecy has ever been violated. The gentleman's speech has not violated anything. He has simply expressed his own thoughts.

Mr. HUGH D. SCOTT, JR. That is correct, and I appreciate what the gentleman has said.

Mr. McCORMACK. The gentleman has not violated any information he has received as a gentleman not to disclose it.

Mr. HUGH D. SCOTT, JR. May I say that in my statement of the conversation with the Ambassador to South Korea I specifically warned him at the time I would feel free to repeat those comments, and he said, "I suppose you will." I want the gentleman to know that that was the only instance I used where I was not quoting from a newspaper or from my own personal opinion. That was the conversation with Mr. Muccio.

Mr. McCORMACK. On the first premise of my friend, I think we all agree that all information possible that can be given not only to the Congress but the American people should be given, but I think my friend will agree that there are times when information in the national interest of our country at a particular time cannot be made public.

Mr. HUGH D. SCOTT, JR. I know exactly what the gentleman has in mind, fully, but I am expressing here a concern that the people who write us letters are not by any means aware of the fact that we are not in possession of very much information, and that there is some that we ought to be entitled to receive. I admit that there is some that cannot be told us at certain times.

Mr. McCORMACK. If the gentleman says he has not got it, I can understand it. My friend is on what committee?

Mr. HUGH D. SCOTT, JR. Interstate and Foreign Commerce.

Mr. McCORMACK. I think the members of the Committee on Armed Services are given information, and the Committee on Foreign Affairs is given information. Of course, there is even information that they cannot give at a particular time, and I would not want them to.

Mr. HUGH D. SCOTT, JR. My committee was given a good deal of misinformation.

Mr. McCORMACK. If they wanted to tell me about the atomic bomb, I would say, "I do not want to hear it." I do not want to know certain things.

Mr. HUGH D. SCOTT, JR. My committee was given a good deal of misinformation about shipments to Russia.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

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

Mr. HOFFMAN of Michigan. Of course, we all realize that there is much information that cannot be given to us and that if it was given to us we would not know any more about the real situation anyway; technical matters. But, here is the point I want to make. Should not the American people be given some idea by our experts as to the prospect of success in a worldwide war and what the cost of that might be in lives?

Mr. McCORMACK. There are many things that cannot be made public at a particular time in the national interest of our country, and the gentleman knows it, and every American knows it. The fact remains that there is more misinformation going out of Washington than otherwise, and being given by Members of Congress, particularly one branch, that is given to its Members in confidence. Their statements are directly contrary to the national interest of our country: First, in violating a confidence and in some cases in discoloring information that they have received. General Marshall on three occasions has been forced to deny certain statements that have been attributed to him. It is a disgraceful situation when that condition exists.

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

EXTENSION OF REMARKS

Mr. ROGERS of Florida asked and was given permission to extend his remarks and include some statements, notwithstanding the fact that it is estimated by the Public Printer to cost $205.

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

Mr. COLE of New York asked and was given permission to extend his remarks in the Appendix of the RECORD and include an address by Mr. Eberstadt on the balance of power for peace, notwithstanding the fact that it exceeds the amount allowed by $266.80.

Mr. HOFFMAN of Michigan asked and was given permission to extend his remarks in the RECORD in two instances.

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

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

Mr. TOLLEFSON asked and was given permission to extend his remarks in three instances and include extraneous matter.

Mr. WOLVERTON asked and was given permission to extend his remarks and include an editorial.

Mr. McCORMACK asked and was given permission to extend his remarks and include an address made by Archbishop Richard J. Cushing, of Boston, on August 3, 1950, notwithstanding the fact that portions of this address were inserted in the CONGRESSIONAL RECORD of September 8 at page A6426.

Mr. PRESTON (at the request of Mr. PRIEST) was given permission to extend his remarks and include a telegram.

ENROLLED BILL SIGNED

Mrs. NORTON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5967. An act to amend the Interstate Commerce Act, as amended, to clarify the status of freight forwarders and their relationship with motor common carriers.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 4 o'clock and 49 minutes p. m.) the House adjourned until tomorrow, Friday, December 8, 1950, at 12 o'clock noon.

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. COOLEY: Committee on Agriculture. H. R. 9832. A bill to remove marketing penalties on certain long staple cotton; without amendment (Rept. No. 3177). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOUGHTON: Committee on Ways and Means. H. R. 9840. A bill to exempt furlough travel of service personnel from the tax on transportation of persons, with amendment (Rept. No. 3178). Referred to the Committee of the Whole House on the State of the Union.

Mr. RICHARDS: Committee on Foreign Affairs. H. R. 9853. A bill to promote the foreign policy and provide for the defense and general welfare of the United States by furnishing emergency relief assistance to Yugoslavia; with amendment (Rept. No. 3179). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

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

Mr. WALTER: Committee on the Judiciary. H. R. 2466. A bill for the relief of Zygmunt Pakula (also known as Pakuta); with amendment (Rept. No. 3151). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. H. R. 6500. A bill for the relief of Mario Pucci; with amendment (Rept. No. 3152). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on the Judiciary (H. R. 9286). A bill for the relief of Maria Manfrini; without amendment (Rept. No. 3153). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. H. R. 9845. A bill for the relief of Capt. Marciano O. Garces; without amendment (Rept. No. 3154). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 297. An act for the relief of Ruggiero Di-Costanzo; without amendment (Rept. No. 3155). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 995. An act for the relief of Irene George Livanos; without amendment (Rept. No. 3156). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 752. An act for the relief of the E. J. Albrecht Co.; without amendment (Rept. No. 3157). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 1816. An act for the reimbursement of the S. A. Healy Co.; without amendment (Rept. No. 3158). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2179. An act for the relief of Stephen A. Patkay and his wife, Madeleine; without amendment (Rept. No. 3159). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2420. An act for the relief of Shaoul Minashi Shami, Emily Shami, Joseph Clement Shami, and Charles Henry Shami; without amendment (Rept. No. 3160). Referred to the Committee of the Whole House.

Mr. BYRNE of New York: Committee on the Judiciary. S. 2702. An act for the relief of Louis E. Gabel; without amendment (Rept. No. 3161). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2799. An act for the relief of Johan Wilhelm Adriaans; without amendment (Rept. No. 3162). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary: S. 2803. An act for the relief of Angela Maria Pisano; without amendment (Rept. No. 3163). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2961. An act for the relief of Magdalena L. Jardeleza, Jr.; without amendment (Rept. No. 3164). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 2968. An act for the relief of Chen Hua Huang; without amendment (Rept. No. 3165). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3066. An act for the relief of Dionisio Aguirre Irastorza; without amendment (Rept. No. 3166). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3067. An act for the relief of Andres Aguirre Irastorza; without amendment (Rept. No. 3167). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3091. An act for the relief of Master Stanley (Zachne) Hiller; without amendment (Rept. No. 3168). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3329. An act for the relief of Kiyomi Kitamura; without amendment (Rept. No. 3169). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3406. An act for the relief of Lee Yee Yen; without amendment (Rept. No. 3170). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3430. An act for the relief of Martina Arnaiz Zarandona (Sister Blanca Eugenia); without amendment (Rept. No. 3171). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3444. An act for the relief of Victor Francis Oberschall; without amendment (Rept. No. 3172). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 3484. An act for the relief of Barbara Sugihara; without amendment (Rept. No. 3173). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 4072. An act for the relief of Ella Stufka and her son; without amendment (Rept. No. 3174). Referred to the Committee of the Whole House.

Mr. WALTER: Committee on the Judiciary. S. 4074. An act for the relief of Pamela Bentley; without amendment (Rept. No. 3175). Referred to the Committee of the Whole House.

Mr. KEATING: Committee on the Judiciary. S. 4111. An act for the relief of Southern Fireproofing Co., of Cincinnati, Ohio; without amendment (Rept. No. 3176). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. MARCANTONIO:

H. R. 9880. A bill to repeal Public Law No. 831, Eighty-first Congress; to the Committee on Un-American Activities.

By Mr. CELLER:

H. R. 9881. A bill to amend section 215 of title 18, United States Code, to prohibit officers or employees of the United States from accepting payments for appointment or retention of a person in office or employment under the United States; to the Committee on the Judiciary.

By Mr. HUGH D. SCOTT, JR.:

H. Res. 887. Resolution recommending the resignation of the Secretary of State; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BIEMILLER:

H. R. 9882. A bill for the relief of Sam Ho; to the Committee on the Judiciary.

By Mr. CASE of New Jersey:

H. R. 9883. A bill for the relief of Marie Louise Sageros; to the Committee on the Judiciary.

By Mrs. DOUGLAS:

H. R. 9884. A bill for the relief of Elena Erbez; to the Committee on the Judiciary.

H. R. 9885. A bill for the relief of Adelaida Reyes; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 9886. A bill for the relief of Fares Nujra Saliba; to the Committee on the Judiciary.

By Mr. PRICE:

H. R. 9887. A bill for the relief of Mrs. Harumi China Cairns and George Thomas Cairns; to the Committee on the Judiciary.

SENATE

FRIDAY, DECEMBER 8, 1950

(Legislative day of Monday, November 27, 1950)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. George M. Docherty, D. D., minister, New York Avenue Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty and Everlasting God, who art the Lord of Hosts, and who in ancient days set up a pillar of cloud by day and a pillar of fire by night to guide Thy chosen people through famine and plague and the pestilence of war unto the land of promise; grant to our Nation in these critical days such a vision and the certitude of Thy blessings and guidance. And especially to those who sit in this Chamber. Do Thou, O Heavenly Father, enable them to hear above the thunder of the world Thy still, small voice. Give them clear insights and calm courage and in all the grave decisions they must make the knowledge that they are servants not only of the people but servants of God. To this end do we dedicate our lives today, O Lord, that this world, which in our time has by man's achievement become a neighborhood, may by the power and the presence of Thy Holy Spirit become a brotherhood of men and nations. Through Jesus Christ, the Prince of Peace. Amen.

THE JOURNAL

On request of Mr. ROBERTSON, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, December 7, 1950, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed a bill (H. R. 9780) providing the privilege of becoming a naturalized citizen of the United States to all aliens having a legal right to permanent residence, in which it requested the concurrence of the Senate.

LEAVE OF ABSENCE

On request of Mr. WHERRY, and by unanimous consent, Mr. LODGE was excused from attendance on the session of the Senate today.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. ROBERTSON, and by unanimous consent, the Committee on Armed Services was authorized to meet during the session of the Senate today.