

EXTENSION OF REMARKS

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD two separate speeches that I have made over the radio on the subject of gas and oil shortage and the synthetic rubber problem.

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

There was no objection.

PRESIDENT FRANKLIN D. ROOSEVELT

Mr. HARTLEY. Mr. Speaker, I ask unanimous consent to address the House for 1½ minutes.

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

There was no objection.

Mr. HARTLEY. Mr. Speaker, the world is convulsed in a great war. The United States of America is involved in that war. It has been accurately said that Washington is the war capital of the world. The President of the United States is the Commander in Chief of the armed forces of the United States. He has declared time and again that he is too busy directing the efforts of the United States in this war to engage in partisan politics.

Mr. Speaker, I understand Mr. Roosevelt has been in New York two or three times in the recent past.

I understand, Mr. Speaker, Mr. Roosevelt was in New York last Monday. If this is true, and I have every reason to believe that it is true, I want to ask on behalf of the Nation whether Mr. Roosevelt was in New York directing the participation of the United States in the World War, or whether he was there directing a partisan political fight for his candidate as against others seeking the Democratic gubernatorial nomination in the State of New York.

Mr. Speaker, the men on the fighting lines, and the people on the production lines, are entitled to know whether Mr. Roosevelt was taking time out of his war activities to play partisan politics or whether he was in New York engaged in directing the efforts of the United States in this war.

It is difficult to find out exactly where the President is. Mr. Speaker, does the war censorship provide a cloak of concealment for the political activities of the President?

The Nation would like to know.
[Here the gavel fell.]

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, 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 pro tempore:

H. R. 6484. An act to suspend temporarily the running of statutes of limitations applicable to certain offenses; and

H. R. 7461. An act to amend section 107 of the Service Men's Dependents' Allowance Act of 1942.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 1 o'clock and 38 minutes p. m.), pur-

suant to its order heretofore entered, the House adjourned until Monday, August 24, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold the following public hearings:

Tuesday, September 1, 1942, at 10 a. m.: On H. R. 7481—To provide that the fund for the relief of sick and disabled and destitute seamen belonging to the United States merchant marine service shall also be for the relief of sick, disabled, destitute, or needy dependents of deceased seamen, and for other purposes.

Wednesday, September 2, 1942, at 10 a. m.: On H. R. 7424—To amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

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

1862. A letter from the President, United States Civil Service Commission, transmitting a draft of a proposed bill to authorize the heads of executive departments and independent establishments to delegate to responsible officials the power to employ persons for duty in both the departmental and field service; to the Committee on the Civil Service.

1863. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the filing of a short form of notice in certain United States courts to serve as constructive notice of the interest of the Government in realty or personalty under facilities contracts; to the Committee on the Judiciary.

1864. A letter from The Archivist of the United States, transmitting a list of papers for disposition by him from certain agencies of the Federal Government; to the Committee on the Disposition of Executive Papers.

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. GAVAGAN: Committee on War Claims. H. R. 7497. A bill for the relief of certain sundry claimants, and for other purposes; without amendment (Rept. No. 2398). 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. RANKIN of Mississippi:
H. R. 7498 (by request). A bill to provide benefit for total permanent disability under national service life insurance, and for other purposes; to the Committee on Ways and Means.

By Mr. LANE:
H. R. 7499. A bill to recognize the high public service rendered by soldiers who volunteered and served in trench-fever experiments in the American Expeditionary Forces; to the Committee on Military Affairs.

By Mr. TREADWAY:
H. Con. Res. 81. Concurrent resolution requesting the President to carry out the recommendations made by the New England Gov-

ernors' Conference for relieving the fuel-oil shortage in the New England area; to the Committee on Interstate and Foreign Commerce.

PETITIONS, ETC.

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

3297. By Mr. BULWINKLE: Petition of Rev. Sheldon Jones and other residents of Belmont, N. C., petitioning passage of Senate bill 860 and House bills 4000 and 6785; to the Committee on Military Affairs.

3298. By Mr. HANCOCK: Petition of Mrs. W. J. Chorley and other residents of Syracuse, N. Y., favoring the passage of Senate bill 860; to the Committee on Military Affairs.

3299. By Mr. MICHENER: Petition submitted by Mrs. G. Anthony, of Manchester, Mich., and signed by 58 other residents of that vicinity, urging the enactment of legislation which would prevent the sale of liquor to men in the armed forces of the United States; to the Committee on Military Affairs.

3300. Also, petition transmitted by Maye Morgan, of the Michigan's Women's League, Ann Arbor, Mich., and signed by 25 other residents of that city, urging the enactment of Senate bill 860; to the Committee on Military Affairs.

3301. By the SPEAKER: Petition of Paul N. Robins, of Scarsdale, N. Y., petitioning consideration of their resolution with reference to House bill 3036; to the Committee on Immigration and Naturalization.

SENATE

MONDAY, AUGUST 24, 1942

Rev. Ira D. S. Knight, D. D., pastor, First Baptist Church, West Palm Beach, Fla., offered the following prayer:

Our Father, who art not only in heaven, but, by Thy divine omnipotence, abideth everywhere, we lift our hearts in reverent praise to Thee, and give Thee the gratitude of our hearts for the privileges and opportunities of this day following the Lord's Day. Grant that we shall carry over from the Lord's Day the spirit of reverence into every activity. Accept our thanks, we beseech Thee, for the privileges and opportunities of these days, when a new world is being born.

Grant Thy blessing upon these chosen legislators. May they lead our glorious Nation into a new day, when evil shall be stamped out from the face of the earth, and righteousness exalted, for we ask it in the name of the Prince of Peace, our Saviour. Amen.

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.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 20, 1942, was dispensed with, and the Journal was approved.

EXECUTIVE COMMUNICATIONS, ETC.

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

**KLAMATH INDIAN RESERVATION LANDS,
CALIFORNIA**

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to reimpose the trust on certain lands allotted to Indians of the Klamath Indian Reservation, Calif. (with an accompanying paper); to the Committee on Indian Affairs.

**SALE OF OBSOLETE VESSELS BY UNITED STATES
MARITIME COMMISSION TO THE WATERMAN
STEAMSHIP CORPORATION**

A letter from the Comptroller General of the United States, submitting a report relative to the sale by the United States Maritime Commission to the Waterman Steamship Corporation of five obsolete vessels from the Commission's laid-up fleet, with option to repurchase the vessels, and the subsequent purchase from that corporation of five other similar and older vessels at greatly enhanced prices, instead of exercising the option (with an accompanying paper); to the Committee on Commerce.

DISPOSITION OF EXECUTIVE PAPERS

A letter from The Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of Justice, Agriculture (2), and Commerce (2); Reconstruction Finance Corporation (2), Federal Works Agency, and Tennessee Valley Authority, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking toward their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

Petitions bearing the signatures of 44 citizens of Alabama, 150 citizens of California, 99 citizens of Connecticut, 297 citizens of Indiana, 18 citizens of Nebraska, 60 citizens of New Jersey, 278 citizens of Rhode Island, 195 citizens of Washington, and members of the Ladies Missionary Society, First Baptist Church of Morris, N. Y., praying for the enactment of Senate bill 860, to prohibit the sale of alcoholic liquor and to suppress vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. DOWNEY:

Petitions signed by many hundreds of citizens of the State of California, praying for the enactment of Senate bill 860, to prohibit the sale of alcoholic liquor and to suppress vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. WALSH:

A petition of sundry citizens of Newton Highlands, Mass., praying for the enactment of Senate bill 860, to prohibit the sale of alcoholic liquor and to suppress vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. MEAD (for Mr. WAGNER):

A petition of sundry citizens of Waverly, N. Y., praying for the enactment of Senate bill 860, to prohibit the sale of alcoholic liquor and to suppress vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

By Mr. CAPPER:

A petition signed by the president and members of the faculty of the College of Emporia, Emporia, Kans., praying for the enactment of Senate bill 860, to prohibit the

sale of alcoholic liquor and to suppress vice in the vicinity of military camps and naval establishments; ordered to lie on the table.

**ABSENTEE VOTING BY MEMBERS OF THE
ARMED FORCES SERVING IN THE
UNITED STATES—TELEGRAM FROM THE
ADJUTANT, DEPARTMENT OF KANSAS,
AMERICAN LEGION**

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the Record and appropriately referred a telegram I have just received from Iryin L. Cowger, adjutant of the Kansas department of the American Legion, urging support of House bill 7416.

I am heartily in accord with the appeal made by the Kansas Legionnaires. The theory on which the proposed law is based is that the soldiers and sailors and other persons now in the service of the United States are prevented from exercising their rights as American citizens. I say the Federal Government should not be in the position of depriving the men in the armed services of a fundamental right as citizens of this country. These men are fighting throughout the world for a principle which we deny them at home unless we pass the pending bill. The bill does no more than provide the simple machinery to correct a manifest injustice to our defenders.

There being no objection, the telegram was ordered to lie on the table and to be printed in the Record, as follows:

TOPEKA, KANS., August 24, 1942.

Senator ARTHUR CAPPER,

United States Senate:

Kansas Legionnaires urge your support H. R. 7416 scheduled to come up in Senate today.

IRVIN L. COWGER,

Adjutant, Kansas Department.

**STATEMENT BY CITIZENS OF APPLETON,
WIS.—AIMS OF THE UNARMED FORCES**

Mr. WILEY. Mr. President, 2,375 citizens of Appleton, Wis., have signed a resolution or statement graphically outlining the crucial needs of the hour.

This presentation, which was sent to me by Mr. Carl J. Schroeder, vice president of the Appleton Rotary Club, No. 288, Appleton, Wis., is such an effective and dynamic statement that I ask unanimous consent to have it printed in the CONGRESSIONAL RECORD and appropriately referred.

There being no objection, the statement was referred to the Committee on Military Affairs and ordered to be printed in the Record, as follows:

More than 2,000,000 American young men have gone to war. They have set aside their hopes and dreams. They have left comfortable homes. Postponed careers. Declared a moratorium on life.

Turned abruptly from the ways of peace, they are now digging ditches, building roads, peeling potatoes, swabbing decks, emptying garbage, drilling, training—learning to shoot. We may thank our lucky stars they don't have to learn to die. They are Americans. They just don't like being kicked around.

They went cheerfully; went where they were sent, and no questions asked. Rich and poor; Republicans and Democrats; Catholics, Protestants, Jews, gentiles; wealth, position, religion, color, politics—these don't matter when the question is one of freedom or slavery.

There are no 8-hour days where these boys work now. No rules decide their pay. They've got a grim, tough job to do, and they're doing it—like men.

They're learning things every day—these boys we say we cherish. Learning a lot of things we should know, but stupidly refuse to admit.

They're learning that courage alone is a thin weapon against Axis planes and tanks. They're learning the tragedy of losing for want of a few extra bombers in the right place at the right time.

They're learning the brutal, bloody cost of haggling and arguing and debating and stalling—while our sons die.

We stood on the curb as they left. We cheered. We went with them to the station—and shed a few tears. We drove home in our cars—to warm firesides. Then in a week or two we stormed the stores when the demand for cloth to clothe them removed the cuffs from our pants.

In God's name, America, let's be men—at least as big as our sons.

We are the unarmed forces of the United States. No one of us is without responsibility or duty.

While we haggle over an hour of overtime, our sons are being slaughtered.

We live our comfortable lives back of the ramparts they watch. If they fall, there will be no life—but slow living death.

Our supreme duty—our only duty—is to deliver to these young men the planes, tanks, guns, and ships they need. Deliver them at top speed—and work as many hours making them as they willingly work using them.

They are out there now, waiting with the coming of each dawn; and for their courage, their bravery, their sacrifice, they've asked just one thing of us—"Don't let us down."

This is our unequivocal answer—we whose names appear below. We declare war. War on partisanship. War on all political intrigue. War on special privilege. War on blindness and bickering.

We demand that every citizen of the United States, in or out of office, in or out of management, in or out of labor, shall exert every human effort toward the production of war munitions and supplies in maximum quantity at maximum speed and at minimum cost.

As a sacred duty to our armed forces—and to the Government and the people—we, the unarmed forces, declare war on all swollen salaries, dividends, bonus payments, or profits on war contracts for munitions or supplies in excess of profits made in peacetime under conditions of full and free competition. And we demand full and detailed public exposure of all violations.

We declare war on all rules, regulations, or agreements which may prevent any worker on any war contract for munitions or supplies from working as many hours or as many days as he or she is willing to work, or doing as much work as he or she wants to do to increase production. And we demand full and detailed public exposure of organizations and individuals responsible for obstructing production.

We declare war on all acts or failures to act by Members of the United States Senate or House of Representatives which permit or encourage representatives of either capital or labor to increase costs or obstruct production on war materials. And we demand full public exposure of any Member of Congress guilty of failure to protect our armed forces and our people against saboteurs of production in either group.

The signers of this declaration of war are not concerned with political partisanship. We are neither for nor against any employer or group, nor any group of employees.

We are concerned with action—full, unbridled, speedy action. And we propose to devote ourselves to these tenets as a sacred trust. We promise that when men die needlessly the responsibility shall be firmly placed, insofar as it is within our ability to place it.

To our Commander in Chief, the President of the United States; to Donald M. Nelson, Chairman of the War Production Board; to the armed forces and the people, we pledge ourselves to this unalterable view for the duration of this war.

AMERICANISM DAY CELEBRATION BY CITIZENS OF IRISH EXTRACTION, OF CHICAGO, ILL.—RESOLUTIONS

Mr. MURRAY. Mr. President, on Sunday, July 5, 1942, citizens of Chicago of Irish extraction and birth held an Americanism Day celebration pledging their devotion, allegiance, and patriotic support to the national war effort. I have here a set of resolutions adopted at that celebration and ask unanimous consent that the resolutions be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

Whereas from the centuries preceding the Christian era Ireland, the motherland of the Irish race, possessed a language, civilization, culture, and a parliament, known as Tara Hall, where the laws of the country were made. These laws, known as the Brehon laws, were adopted in their entirety, except where they related to pagan customs after the conversion of the Irish people to the Christian faith by St. Patrick in the fifth century. These laws served as a code of law until the seventeenth century, and would answer as a code of law for any nation at the present time, with the necessary changes to meet the changed conditions of today.

They were unique in that they were enforced by moral rather than physical force. The high state of culture and civilization prevailing even in pagan Ireland is conceded by St. Patrick in his Confessio, or written record of his labors in Ireland, now preserved at the Vatican Library in Rome. In this record he relates that the high state of culture and civilization prevailing in Ireland was such that the ordinary Irish peasant laughed at his own limited knowledge of Latin when he (St. Patrick) spoke that language. St. Patrick and his missionaries were received kindly in Ireland and not one single missionary was molested by the pagans who came to hear them preach the Gospel, which again proves the high state of their civilization. This was unlike the treatment meted out to Christian missionaries in other pagan lands; and

Whereas in the sixth and succeeding centuries when as a result of the invasion of continental Europe by barbaric hordes the culture and civilization of Europe were kept alive in the famous schools and monasteries of Ireland. The schools of Ireland were opened free of cost to students from all over Europe and Ireland sent out educators and missionaries to every land in the Continent to revive religion and found schools, many of which became famous seats of learning. Thus it was that St. Columbanus labored in southern France and northern Italy and amongst others founded the famous Bobbio School in Italy. St. Gall left Ireland to labor in Germany and Switzerland, St. Colimcille to labor in Scotland, St. Aidan to labor in England, St. Fridolin to labor in western Germany, St. Fursney to labor in France and St. Cataldus to labor in Italy, etc. The famous Irish schools of Kildare, Bangor, Clannacnois, Armagh, etc., turned out graduates at such a rate at this period when Ireland was

known as the island of saints and scholars that civilization, culture, and religion was saved in continental Europe; and

Whereas the Irish race in keeping with its tradition of the past has continued to carry religion, culture, and love of liberty to all nations of the English-speaking world; and

Whereas following the discovery of America, the Irish race started to come here in large numbers, Americans of Irish extraction and birth constituted 45 percent of the soldiers of Washington's army and they rendered distinguished service and furnished much of the leadership during the War of Independence, according to the records of the then Thirteen Colonies. Typical of this leadership was that given by Commodore Jack Barry, native of Wexford, Ireland, whose victories at sea were responsible for much-needed guns and ammunition getting through from France to Washington's hard-pressed army. Commodore Jack Barry, known as the father of the American Navy, was given commission No. 1 in the United States Navy by President George Washington; and

Whereas since the founding of this Republic 167 years ago Americans of Irish extraction and birth have played a major part in its progress and development. Typical of the part they played in the progress and development of many of our great cities is that played by Irish pioneers in the growth and progress of Chicago. It was Capt. John Whistler, of the United States Army, native of Cork, Ireland, who suggested the construction of Fort Dearborn. While camping near the mouth of the Chicago River in charge of a convoy of soldiers traveling from Detroit to St. Louis he suggested to General Dearborn, the then United States Secretary of War, the advantages of having a military fort at this location and the possibilities of the location for trading, etc. General Dearborn approved of the suggestion and commissioned Captain Whistler to construct such a fort. The fort was constructed and dedicated in 1803 by Captain Whistler, who named it Fort Dearborn in honor of the Secretary of War. In 1830 Chicago was a struggling little village settlement when there came to Chicago a gentleman named Dr. William B. Egan.

Dr. Egan was born in Killarney, County Kerry, Ireland, and he came to Chicago from New York, bringing with him visions of a great future for Chicago because of its location. After coming to Chicago he opened up the first real-estate office and immediately started to advocate the construction of the Illinois-Michigan Canal. He succeeded in having the United States Government sponsor the project, and when ground was broken for the construction of this canal on July 4, 1836, he was elected to deliver the oration, in which he visioned a future great city and a prosperous Middle West as a result of the construction of the Illinois-Michigan Canal. In time the canal was completed, and the first year it was opened for traffic the trade of Chicago increased 500 percent, fully justifying the visions of Dr. Egan. Chicago in time became a great city, and its position was secure when Irish workers started to build the railroads of this country; and

Whereas on April 18, 1844, there came to Chicago as its first Catholic bishop, the Right Reverend William Quarter, D. D., native of Westmeath, Ireland. He was consecrated bishop of the new See of Chicago in St. Patrick's Cathedral, New York, on March 10, 1844, by Bishop Hughes. As a young priest in New York in 1832, during an outbreak of cholera, Father Quarter devoted himself day and night to relieving the awful distress of the citizens without regard to class or creed or to his own health. On his arrival in Chicago on May 5, 1844, he celebrated his first mass in a little wooden structure, St. Mary's Church, which was the only Catholic Church in the little village of Chicago at that time. Three more substantial structures were added by

Bishop Quarter, St. Patrick's, St. Peter's, and St. Joseph's in 1846. Bishop Quarter secured passage of a law by the Illinois Legislature the year of his arrival in Chicago granting a charter for the establishment of St. Mary's of the Lake Seminary, which college was the first institution of higher learning established in the West. He also secured passage of the law under which the bishop of Chicago is given power to hold title to all church property in the diocese. He established the first community of sisters in Chicago. This community of the Sisters of Mercy, which came here from Pittsburgh, Pa., in 1848, included Sisters Mary Agatha O'Brien, Mary Vincent McGirr, Mary Gertrude McGuire, Mary Agatha Corbitt, and Mary Eva Schmidt. When Bishop Quarter died some years later, he left Chicago with a seminary and 30 Catholic Churches. Much of the money for those structures he collected in New York, where he was so popular as a result of his work during the plague of cholera when he was a young priest. When Bishop Quarter died, Chicago mourned his passing for 3 days, during which time non-Catholics vied with Catholics in paying tribute to his memory, because of his great service as a community leader and educator, apart from his great work in laying the foundations of his church so secure in these, the early days of Chicago's history; and

Whereas the United States of America, our beloved country, is now engaged in war to protect its liberty, its freedom of conscience, and its future, as well as the very future of civilization itself throughout the world; and

Whereas citizens of Irish extraction and birth are living up to their great traditions in this war as evidenced by the heroes whose names appear in the news after every engagement with the enemies of our country. While we are proud of all our American heroes in this war, we have especial reason to be proud of the name of Kelley, Devereux, O'Donnell, Bulkeley, Meehan, Welsh, O'Hare, and Emmett Gibson, and many others; and

Whereas citizens of Irish extraction and birth are traditionally devoted to the preservation of those ideals for which this war is being waged: Now, therefore, be it

Resolved, That this assemblage of Americans of Irish extraction and birth observing this day, Sunday, July 5, 1942, as Americanism Day, do hereby pledge to our devoted country our allegiance, our labor, our lives, and our property when and as required to insure absolute and final victory in this war; and be it further

Resolved, That we believe the complete and perpetual disarmament of all the military forces of aggressor nations and the impartial application of the principles of freedom, liberty, and justice for all clearly defined nations and peoples at the conclusion of this war are the fundamental factors that will insure peace, prosperity, and ordered family life to the future generations of citizens of this Republic.

MAURICE N. COTTER,
Chairman.
MICHAEL McLAUGHLIN,
Secretary.

JOHN P. RAFTERY,
THOMAS O'SHAUGHNESSY.

REPORTS OF THE COMMITTEE ON MILITARY AFFAIRS

The following reports of the Committee on Military Affairs were submitted:

By Mr. JOHNSON of Colorado:
S. 2708. A bill to amend the Selective Training and Service Act of 1940, as amended, so as to extend the benefits of the Employees' Compensation Act to conscientious objectors; without amendment (Rept. No. 1583).

By Mr. REYNOLDS:
S. 2722. A bill to authorize relief of disbursing officers of the Army on account of loss

or deficiency of Government funds, vouchers, records, or papers in their charge; without amendment (Rept. No. 1584).

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. VAN NUYS:

S. 2731. A bill to suspend until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws; to the Committee on the Judiciary.

By Mr. McCARRAN:

S. 2732. A bill to increase the penalty for indecent exposure in the District of Columbia;

S. 2733. A bill to amend an act entitled "An act to provide for the better registration of births in the District of Columbia, and for other purposes," approved March 1, 1907; and

S. 2734. A bill to amend an act entitled "An act to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, and for other purposes; to the Committee on the District of Columbia.

By Mr. McKELLAR:

S. 2735. A bill for the relief of the Nashville, Chattanooga & St. Louis Railway; to the Committee on Claims.

By Mr. ANDREWS:

S. 2736. A bill to restore to the active list of the Army and to active duty certain retired officers of the Regular Army, and for other purposes; to the Committee on Military Affairs.

By Mr. MALONEY:

S. J. Res. 160. Joint resolution providing for the acceptance of title to the Widener Art Collection of Philadelphia, and for other purposes; to the Committee on Public Buildings and Grounds.

ABSENTEE VOTING BY MEMBERS OF THE ARMED FORCES SERVING IN THE UNITED STATES—AMENDMENTS

Mr. DANAHER and Mr. VANDENBERG submitted an amendment intended to be proposed by them, respectively, to the bill (H. R. 7416) to provide for a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence and serving within the continental United States, which were ordered to lie on the table and to be printed.

AMERICAN LEGION ADDRESS BY SENATOR LUCAS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address delivered by Senator LUCAS before the annual convention of the American Legion, Department of Illinois, August 24, 1942, at Peoria, Ill., which appears in the Appendix.]

A PALESTINIAN JEWISH ARMY—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address delivered by him on August 23, 1942, in Washington, on the subject of the Jewish Palestinian Army, which appears in the Appendix.]

ADDRESS BY SENATOR BROOKS BEFORE STATE CONVENTION OF REPUBLICAN PARTY OF ILLINOIS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an address delivered by him at the State convention of the Republican Party of Illinois, at the Elks Club in Springfield, Ill., on August 20, 1942, which appears in the Appendix.]

ACCIDENTS ARE ENEMIES—EDITORIAL FROM NEW YORK TIMES

[Mr. LODGE asked and obtained leave to have printed in the RECORD an editorial from the New York Times of July 27, 1942, entitled "Accidents Are Enemies," which appears in the Appendix.]

BASIC RELIGIOUS BELIEFS

[Mr. LODGE asked and obtained leave to have printed in the RECORD a statement by the Massachusetts Committee, Conference of Christians and Jews, on the subject of basic religious beliefs, which appears in the Appendix.]

EXTRATERRITORIALITY IN CHINA

Mr. THOMAS of Utah. Mr. President, last Monday, when I was discussing extraterritoriality in China, the Senator from Nebraska [Mr. NORRIS] asked if I had a copy of the letter from the State Department wherein the State Department disapproved a bill I introduced in 1934 relating to this subject. I have been able to find a copy of the letter from the Secretary of State written at that time, and I ask that, for the information of the Senate, it be made a part of my remarks.

THE VICE PRESIDENT. Is there objection?

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

DEPARTMENT OF STATE,
Washington, January 31, 1934.
The Honorable KEY PITTMAN,
United States Senate.

MY DEAR SENATOR PITTMAN: I have received your letter of January 20, 1934, transmitting, with a request for my recommendations and advice thereon, a copy of S. 2399, "A bill to amend sections 4, 5, 6, and 7 of the act entitled 'An act creating a United States Court for China and prescribing the jurisdiction thereof,' approved June 30, 1906, and to repeal the act of June 4, 1920."

I am of the opinion that the enactment or public discussion of the bill under reference would not be in the interest of the United States for the reason that this Government has been requested by the Government of China to enter upon negotiations with that Government for the revision of the treaty as to commercial relations concluded between the United States and China on October 8, 1903, and in all probability will soon enter into such negotiations. Since the Government of China has expressed a desire "independently to negotiate a new treaty * * * on the basis of the principles of equality and reciprocity," the forthcoming negotiations necessarily will involve consideration of the question of the extraterritorial jurisdiction of the United States in China.

I am sure therefore that you will concur in the Department's view that it would be inopportune and inadvisable to enact any legislation affecting the extraterritorial jurisdiction of the United States in China—with the possible exception of measures for which an imperative need might arise—or to give any publicity to proposals for such legislation pending the results of the forthcoming negotiations between the two Governments.

Since none of the provisions of the bill appear to warrant urgent consideration, I refrain from discussing its provisions, but the Department will, of course, be glad to communicate its views in regard to the bill at any time the committee may desire to receive them.

Sincerely yours,

CORDELL HULL.

A bill to amend sections 4, 5, 6, and 7 of the act entitled "An act creating a United States Court for China and prescribing the jurisdiction thereof," approved June 30, 1906, and to repeal the act of June 4, 1920

Be it enacted, etc., That section 4 of the act entitled "An act creating a United States Court for China and prescribing the jurisdiction thereof," approved June 30, 1906, is hereby amended to read as follows:

"Sec. 4. The jurisdiction of the United States Court for China and of the consular courts of the United States in China, in all causes, whether civil or criminal, shall be exercised in conformity with the treaties between the United States and China and with the written substantive laws of China. But in any case where such laws may be deficient in the provisions necessary to give jurisdiction, or to afford suitable remedies, the laws of the United States, including the common law as established and interpreted by the courts of the United States, shall continue to be applied, as now provided by law, by said United States Court for China and said consular courts, in rendering decisions, judgments, decrees, and orders."

Sec. 2. Section 5 of said act of June 30, 1906, is hereby amended to read as follows:

"Sec. 5. The procedure of said courts in China shall conform to the Consular Court Regulations of 1864, as modified and supplemented by the judge of the United States Court for China, in accordance with the power heretofore conferred upon him, which he shall continue to exercise. He may, on his own motion, or upon application of either party to a cause, refer any or all questions of fact in any cause to one or more referees, who may sit with the judge, or separately as he may direct, and upon whose findings of fact he may base his judgment. The reasonable fees of such referees shall be taxed as costs."

Sec. 3. Section 6 of said act of June 30, 1906, is hereby amended to read as follows:

"Sec. 6. In addition to the judge of the United States Court for China and the clerk thereof, there shall be a United States attorney for China, a United States commissioner for China, and a United States marshal for China, whose appointment, duties, functions, privileges, prerogatives, and powers shall be governed by the laws relating to corresponding officers of United States district courts. The said judge and United States attorney shall be lawyers of good standing and experience and the United States commissioner shall have been regularly admitted to practice before said United States Court for China, and shall, in addition to the powers above mentioned, possess the judicial authority and jurisdiction exercised by the American vice consul at Shanghai before June 4, 1920. Said commissioner shall also, in the absence from Shanghai of the judge of said court, have authority, in proper cases, to grant preliminary injunctions, attachments, and similar interlocutory emergency orders, and may, with the written consent of all parties to a pending cause, render interlocutory or final judgment therein. Where such consent is refused, and the cause is one of extreme importance, and the said judge is absent, disabled, or disqualified, the Attorney General may designate the United States judge for the district of Hawaii, or a justice of the Philippine Supreme Court, to try said cause. All officers of the United States Court for China shall be entitled, in addition to their compensation, as now provided by law, to their necessary, actual expenses when traveling on official business, and they shall report to the Attorney General, who shall exercise thereover the same supervision as over the United States district courts."

Sec. 4. Section 7 of said act of June 30, 1906, is hereby amended to read as follows:

"Sec. 7. The tenure of office of the judge of the United States Court for China shall be 10 years, and until his successor enters upon his duties, unless the former be removed for legal cause. The clerk of said court shall be in the civil service of the United States, and all changes of personnel shall be in accordance with the civil-service laws and the Classification Act of 1923, as amended. The tenure of office of the other officers of said court shall be at the pleasure of the appointing power."

Sec. 5. The act of June 4, 1920 (41 Stat. L. 746), is hereby repealed.

GASOLINE AND FUEL-OIL SITUATION IN THE EAST

Mr. BRIDGES. Mr. President, on Thursday last I spoke in the Senate relative to the seriousness of the fuel-oil shortage in New England and the Northeast and on the hardships resulting from the gasoline-rationing program in the 17 eastern seaboard States. I raised several points on which action was needed immediately, and asked the various responsible officials of the Government for this action.

The following day action was taken on several of my requests, and in order to bring the record up to date I ask unanimous consent to have inserted as a part of my remarks an article appearing in the New York Herald Tribune of August 22, indicating that Mr. Ickes, the Petroleum Coordinator, has allocated 5,000 more tank cars to carry oil from the West. This will be very definite assistance to us. The article further indicates that Mr. Donald Nelson has appointed a board of three to study the fuel-oil problem in the East. I also ask to have printed an article disclosing that the President of the United States has addressed the various bureau heads asking them to stop issuing some of their confusing statements and stop bickering among themselves.

The VICE PRESIDENT. Is there objection to the request of the Senator from New Hampshire?

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

[From the New York Herald Tribune of August 22, 1942]

BOARD TO DECIDE IF FUEL OIL HAS TO BE RATIONED—NELSON APPOINTS THREE; ICKES ALLOTS 5,000 TANK CARS FROM WEST TO HELP

WASHINGTON, August 21.—Mr. Donald M. Nelson, Chairman of the War Production Board, appointed a three-man committee tonight to determine whether fuel oil should be rationed in the East this winter, as the Petroleum Coordinator, Harold L. Ickes, sought to relieve a serious shortage by diverting 5,000 to 7,000 more tank cars to the eastern area.

Mr. Ickes, Leon Henderson, Price Administrator, and Robert P. Patterson, Under Secretary of War, compose the committee asked by Mr. Nelson to recommend a method to be used if they decide that rationing is necessary. Mr. Nelson said that he, too, would attend the committee's meetings.

The extra tank cars will be obtained from 20 Middle Western and Southwestern States, where they have been used to haul automotive gasoline. Mr. Ickes prohibited the hauling of such gasoline by rail in those unrationed States.

Ralph K. Davies, Deputy Petroleum Coordinator, said if the withdrawal of tank cars creates a petroleum shortage in those areas, then rationing should be extended to include them.

The Middle Western and Southwestern States affected by Mr. Ickes' order, which becomes effective on Monday, must depend solely upon pipe lines, trucks, and barges for their petroleum supplies.

The cars will bring an additional 100,000 barrels of oil daily to the East, which, however, will still be left some 300,000 barrels short of its minimum daily needs. The estimated consumption for August is 1,400,000 barrels daily, compared with 1,100,000 barrels shipped in daily during the month.

The Petroleum Coordinator's Office reported that 70,000 tank cars are now bringing 800,000 barrels of oil daily into the eastern area. The remainder is brought by trucks, barges, and pipe lines.

The new tank cars will be used exclusively to haul fuel oil, and will be directed largely to the New England area.

Mr. Davies said that oil companies in the Middle West and Southwest would pool their facilities "at least to a degree" to mitigate effects of the tank car withdrawal on those areas.

"Whether or not this will be sufficient to permit the mid-continent and Southwest to operate without rationing of petroleum remains to be seen," Mr. Davies said. "The Office of Petroleum Coordinator has taken the position from the start that transportation should be withdrawn from unrationed areas for the relief of the rationed area as rapidly as it could be usefully employed, and if this withdrawal of transportation created a shortage in areas losing it, then curtailment should be extended.

"It has seemed only fair that the burden growing out of a condition of war be distributed as widely as possible."

The States affected are Texas, Louisiana, Mississippi, Alabama, Oklahoma, Arkansas, Tennessee, Kentucky, Missouri, Kansas, Nebraska, Iowa, Illinois, Indiana, Ohio, Michigan, Wisconsin, Minnesota, and North and South Dakota. New Mexico was omitted because it has no pipe lines, refineries, or water transportation.

Representative EDITH NOURSE ROGERS, Republican, of Massachusetts, announced earlier that she had invited Governors of the six New England States to attend a conference with Federal officials here next Tuesday to discuss the fuel-oil shortage. Mr. Ickes, Mr. Nelson, Mr. Henderson, and Joseph B. Eastman, Defense Transportation Director, will attend.

Meanwhile the Office of Petroleum Coordinator announced that it had approved plans for extending the Plantation pipe line from Greensboro, N. C., to a point near Richmond, Va. The Office of Petroleum Coordinator said the oil would be shipped by barge from the pipe-line terminus near Richmond to the Washington, Baltimore, and Philadelphia areas. The Plantation line has a daily capacity of 30,000 barrels.

[From the New York Herald Tribune of August 22, 1942]

ROOSEVELT BIDS BUREAU HEADS END BICKERING—BANS STATEMENTS CRITICIZING EACH OTHER, WANTS ALL TO SUBMIT QUARRELS TO HIM

WASHINGTON, August 21.—President Roosevelt ordered all heads of Government agencies today to cease bickering with one another in public and henceforth to submit all disagreement to him.

He implied that recent controversies among bureau heads have been used by the Axis to Axis advantage. The statement was interpreted as a stopper to divergent opinions which have been expressed recently on such controversial subjects as rubber, petroleum, rationing, and the recent unauthorized disclosure of a steel report by a War Production Board employee severely criticizing War Production Board Chairman Donald M. Nelson.

Mr. Roosevelt said that Elmer Davis, head of the Office of War Information, had pointed

out to him that "satisfactory progress" has been made in correlating written statements of Government officials, but that coordination of war information could not be attained as long as "verbal statements" continue to be made in variance on matters touching a number of departments.

Mr. Davis, according to the President, holds the belief that such statements "do not contribute either to the accuracy or the consistency of public information."

DISPENSING WITH CALL OF THE CALENDAR

The VICE PRESIDENT. The routine morning business is concluded, and the calendar is in order.

Mr. BARKLEY. I ask unanimous consent that the calling of the calendar be temporarily postponed, and that the unfinished business be taken up for consideration at this time.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Chair lays before the Senate the unfinished business.

ABSENTEE VOTING BY MEMBERS OF THE ARMED FORCES SERVING IN THE UNITED STATES

The Senate resumed the consideration of the bill (H. R. 7416) to provide for a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence and serving within the continental United States.

The VICE PRESIDENT. The question is on agreeing to the first amendment of the committee.

Mr. GREEN obtained the floor. Mr. BRIDGES. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield. Mr. BRIDGES. Will the Senator inform the Senate whether or not an agreement has been reached between the Senator from Rhode Island, the chairman of the Committee on Privileges and Elections, and Senators who are in opposition to the bill, relative to a text generally agreeable?

Mr. GREEN. I am very glad to do so. Friday morning we held a meeting in which this matter was fully discussed, and a rephrasing of section 1 of the bill agreed to by those present, including the Senator from Kentucky [Mr. BARKLEY] and the Senator from Georgia [Mr. GEORGE]. Other Senators were notified over the telephone after the agreement was reached.

Section 1, as rephrased, in the form in which it meets with the approval of everyone who was consulted, reads as follows. I offer this now as a substitute for the section as it was previously proposed:

In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual absent from the place of his residence and serving in the land or naval forces of the United States in the continental United States (excluding Alaska), including the members of the Army Nurse Corps, the Navy Nurse Corps, the Women's Navy Reserve, and the Women's Army Auxiliary Corps, who is or was eligible to register for and is otherwise qualified to vote at any election under the law of the State of his residence, shall be entitled, as provided in this act, to vote for electors of President and Vice President of the United

States, United States Senators, and Representatives in Congress.

I trust the suggested amendment avoids the criticisms which were made by some of the Senators at the previous sessions when this matter was under discussion.

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

Mr. GREEN. I yield.

Mr. VANDENBERG. Has any consideration been given to the problem which arises in States which believe they have good absentee-voting systems at present, and which do not wish to confuse the situation by having two absentee-voting systems in operation at the same time? Has anything been done in this conference with respect to that aspect of the problem?

Mr. GREEN. Yes; but I must say that the conclusion is that there should be a uniform law throughout the United States. Some of the States, like the State of Michigan, have admirable absentee-voting laws, but there are all degrees of merit in these voting laws. Some of them are fairly good and some of them are pretty bad. We cannot set up any machinery for deciding as between the respective merits of these various laws.

I have no doubt that where the laws are good and really provide opportunity for the absentee soldiers and sailors to vote, the men will take advantage of the State law. Under the pending bill they would have the privilege of electing between the two, and I think probably they would take advantage of the State law. In States where the law is not satisfactory they will doubtless take advantage of the Federal law.

Mr. VANDENBERG. Unquestionably, under the text of the bill, the soldier himself would have the option as to which system he would embrace.

Mr. GREEN. That is correct.

Mr. VANDENBERG. But that does not save the situation at home, where the operation of a dual system becomes both burdensome and confusing.

Mr. GREEN. No.

Mr. VANDENBERG. I am not sure that the soldier himself would not be confused when he might rely upon the habitual methods provided by his State, and then suddenly received a postal card which advised him that this other way was the way in which to proceed.

Mr. BARKLEY. He will not receive a postal card unless he has made a request that he receive a postal card, under the proposed law, and the presumption is that if he asks for a postal card under the Federal law he would vote under that law. He does not have to get a postal card under any State law, as I understand.

Mr. VANDENBERG. That is quite true; but these postal cards are going to be in all the camps, and it is going to be a general invitation to embrace this alternative method of voting.

I am sure we are all aiming at the same net result. We want maximum soldier-voting opportunities. My point of view is that we have not improved the voting opportunity for the soldiers from a number of States, my own included, when we present them with a confusion

of choice respecting the method by which they shall exercise their suffrage.

I have been wondering whether the matter could not be reached in the fashion which I now submit to the Senator for his consideration. I have no settled opinion respecting it, yet this might be a method of attaining our object. I ask the Senator what he has to say about this suggestion?

Mr. GREEN. In reply—

Mr. VANDENBERG. Will not the Senator permit me to submit the suggestion to him?

Mr. GREEN. Before the Senator reads a definite proposal I may say that his two letters, admirably setting forth his point of view, were presented at the last session of the Senate and read, and are in the RECORD, and they received our consideration. However, I shall be very glad to hear a reading, as I assume the proposal the Senator is about to make is the same as that contained in his correspondence.

Mr. VANDENBERG. No; I am now submitting to the Senator for his consideration a specific textual suggestion.

Mr. GREEN. Very well.

Mr. VANDENBERG. Suppose the bill were amended so as to provide as follows:

Whenever the Governor of any State determines that under the law of such State a feasible and practicable method of voting is provided for residents of such State who are absent from their places of residence and are serving in the land or naval forces of the United States in the continental United States (excluding Alaska), and that under the law of such State a reasonable and adequate opportunity will be afforded for such residents to vote in any election to which the provisions of this act apply, such Governor may so certify to the secretary of state of such State, to the Secretary of State of the United States, to the Secretary of War, and to the Secretary of the Navy. In the case of elections to be held in 1942 such certification shall not be effective unless it is made within 20 days after the date of enactment of this act; and in case of elections to be held in any subsequent year such certification shall not be effective unless it is made prior to August 15 in such year. When a certification has been made in accordance with the provisions of this section by the Governor of any State with respect to any election, the provisions of the other sections of this act shall no longer be applicable with respect to such election in such State.

And so forth. In other words, may we not trust the Governor of a State to determine whether or not an existing State absentee voters' law is adequate for the purpose of permitting a maximum soldier vote, and under such circumstances to take his State from under a statute which ought to apply somewhere else, but which is not necessary in the particular State affected?

Mr. GREEN. In answer to the question which I understand is propounded, I will say that I believe the Governors of the great majority of the States which have absentee-voting laws would probably certify that their laws were adequate to meet the situation, and I therefore must conclude that only a minority of the States would be covered. The proposed legislation is intended to undo a wrong unwittingly committed by the Congress of the United States in drafting men

for service in our armed forces, and not providing them with means of registering. The Federal Government has deprived them of the right of registration, and the Federal Government should, by National Federal legislation undo that wrong, and provide them with a means of registration. As I said before, we cannot have separate laws for the different States. It seems to me it is improper to allow a State to withdraw from Federal legislation simply because it thinks its own laws are effective, just as it would be improper to allow a State, in which the voluntary enlistments are very numerous, to withdraw from the draft act.

Mr. VANDENBERG. Mr. President, I do not think that situation is quite parallel, if the Senator will permit me to say so.

Mr. GREEN. Not entirely, but since the proposed legislation is interwoven with the draft act, it seems to me we could not say that a State which has a large number of voluntary enlistments, and perhaps has set up some machinery for continuing such enlistments, should say that "the draft act ought not to apply to us because we have a better method of enlistment."

So the proposed act, which relates to the draft act, and which was caused by the draft act, should be equally within its scope, should apply to all the States in the Union, although it is not needed as much in some as in others. Even if the men do not take advantage of the opportunity afforded by the proposed legislation they will be unable in the future to state that the Members of Congress who will be elected in the election to be held next fall do not represent them; that the laws which the Congress passes are made without their consent; that the laws are "put over" on them, as it was claimed by soldiers in the last war that prohibition was "put over" on them, in that they had no right to vote on it. So the present soldiers could claim that the Senators and Representatives who are elected when the soldiers are in the armed services do not really represent them. They will be able to, and there will be some excuse for their claiming that the laws passed by the Congress are not passed according to the democratic system on which our Government is founded.

Mr. VANDENBERG. Of course, they could not make that complaint under the absentee voting law of the State of Michigan.

Mr. GREEN. No; but they can in other States.

Mr. VANDENBERG. I am not trying to protect any State in which it is not true that wholly adequate machinery already exists.

Mr. GREEN. But that question is passed upon by interested parties. The Governor of a State is naturally interested in maintaining the integrity of the State's institutions and the adequacy of its laws.

Mr. VANDENBERG. The Governor of my State is a Democrat, so I am being very generous in my proposal so far as that is concerned.

Mr. GREEN. All the States which have voting laws claim that they are adequate.

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

Mr. GREEN. I yield.

Mr. SCHWARTZ. The Governor of my State is a Republican, but I think the Governor of the average State is enough interested in the boys to give them a perfectly fair opportunity of expression by their vote. Undoubtedly the registration laws of the State of Wyoming give the boys abundant and complete opportunity to vote, and vote timely, whereas if we adopt some amendment to the bill a process may be set up which will result in slowing up the procedure, and the votes may not come back in time.

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

Mr. GREEN. I yield.

Mr. BARKLEY. I wish to call to the attention of the Senator from Michigan a situation which he may not have contemplated. It is true that his State and other States have what might be regarded as adequate absentee-voting laws in ordinary times, but in some of those States, where a man may vote by mail, he cannot register by mail. One of the reasons for the proposed legislation is to waive the requirement for registration. In the Senator's State, or in any other State which permit soldiers or others who are absent at election time to vote by mail, such persons may not be able to register by mail; and therefore if they are not registered they cannot vote under the laws of such State. The object of the bill is to give such persons the right to vote although they cannot register and are not registered, because of their induction into the armed forces of the United States. In that case the Senator's amendment would still deny the right to vote to any soldiers or sailors who are not already registered under the laws of the State.

Mr. VANDENBERG. Mr. President, I am sorry that I must disagree with the Senator's construction of the amendment. The amendment would require a decision by the Governor as to whether or not the existing State machinery was totally adequate, and if it were inadequate, even to the degree described by the Senator from Kentucky, I should want the Federal law embraced. I want maximum voting opportunity for the soldiers, but I am unable to believe that the voting prospectus for the boys from my State will be improved by the confusion of a dual, paralleling system, and they will not know which one to embrace.

Mr. BARKLEY. I do not know to what extent the soldiers are utterly ignorant of their rights in the States as to the matter of voting. I do not think such ignorance is as widespread as some of the remarks in the Senate here have indicated. They will certainly know when this measure is enacted that on a post card which will be provided for them they can write to the secretary of state of their State to get the ballots. If in the meantime they have discovered, or if they already know, that under the laws of the State, for instance, they may vote by mail

without registration, they, of course, can select which method they desire to adopt. I would not impugn any Governor's motives, for I am sure all State Governors are just as anxious for the soldiers to vote as we are here, but I am not certain whether a Governor, in certifying that the voting laws of a State are adequate, would have the right to say that a soldier, if absent in the Army, and who had not registered under the laws of that State, was protected in any way in the matter of registration by the laws of the State.

Mr. SCHWARTZ. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. SCHWARTZ. The registration laws in most of the States have a provision that if the voter is necessarily absent during the registration period his vote may be received upon affirmation by two persons that he is a voter in the precinct.

Mr. BARKLEY. The responsibility is on the soldier who is absent under those circumstances, to prove to the election officers that he is unavoidably absent, that he was absent during the registration period. In other words, if he has not registered, he must go to a great deal of trouble to prove that he was prevented from registering by being in the Army, whereas this measure simply permits him, without regard to any reason for absence of registration, to vote, if he is a qualified voter.

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

Mr. GREEN. I yield.

Mr. BROOKS. I wish to point out that in Illinois we have what our Governor would undoubtedly determine to be an adequate absentee voting law. But there is some confusion now. There are two different rulings on the subject. One is by our secretary of state. The other is an informal opinion by our attorney general holding that the soldier must first write and get an affidavit; then he must go through the difficult procedure of filling out his affidavit; then he has to send it in and get his ballot; then he must make another affidavit when he sends the ballot back. I think that is an adequate system in peacetime, when a man is not under stress, or is not under definite orders by which he is told when to go to bed and when to get up, and where to walk, and where he shall live, but in time of war I think the system should be made simple, so that we will not even place in the soldier's way the little hurdle involved in getting his ballot and signing affidavits.

Mr. GREEN. Mr. President, I thank the Senator from Illinois for the illustration he has given us, and I may say that I believe what he said is true of most of the States. I believe that practically all the States require registration before a person can vote, even if otherwise eligible. I should like to ask the distinguished Senator from Michigan whether that is not true of his State?

Mr. VANDENBERG. I am unable to give the Senator specific information on that point, but I am getting the information now.

Mr. WHITE. Mr. President, will the Senator yield to me so I may ask the Senator from Michigan a question?

Mr. GREEN. I yield.

Mr. WHITE. The Senator from Michigan spoke of the choice which the soldier has. I take it that was a reference to a choice between taking the ballot which is provided for by the proposed legislation, and which will carry the names only of the Federal candidates; that is, Senator and Representative, or utilizing a ballot which comes to him from his State, and which has many other names on it. May the soldier vote both ballots under the proposed legislation?

Mr. SCHWARTZ. Mr. President, let me ask the Senator from Rhode Island whether the premise of the Senator from Maine is correct, that only the names of Federal officials are on such a ballot.

Mr. WHITE. I had supposed that this measure dealt only with Federal officials and that the ballot to which the proposed statute has reference is of that type.

Mr. GREEN. That is correct.

Mr. WHITE. It will carry the names only of candidates for the Senate and the House?

Mr. GREEN. Yes.

Mr. WHITE. What I want to know is whether the soldier may vote that ballot and may also vote the ballot which comes from his State, which will carry not only the names of candidates for the Senate and the House, but all county, all State, and all local officers.

Mr. VANDENBERG. And thus vote twice for Senator and Representative?

Mr. BARKLEY. Mr. President, the bill provides, if the Senator will permit, in section 8, that—

The votes cast as provided in this act shall be canvassed—

And so forth—

as nearly as may be practicable—

According to the laws of the State— but no official war ballot shall be valid if the voter has voted in person or by absentee ballot in accordance with the procedure provided by the laws of the State.

So that if the voter has voted under his State law not only for Senator and Representative, but all the other candidates on the ballot, he may not cast this war-ballot vote.

Mr. WHITE. That answers specifically the question I had in mind. If the soldier elected to proceed under the proposed legislation, he would vote only for two officers and he would be denied the right to vote for all the other State, county, and municipal officers.

Mr. NORRIS and other Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Rhode Island yield; and if so, to whom?

Mr. GREEN. There are so many questions being propounded by different Senators at the same time that it is very difficult for me not only to answer them, but to grasp their significance.

Mr. NORRIS. I should like to make a suggestion as to procedure at this point, if the Senator will permit.

Mr. GREEN. I yield for that purpose.

Mr. NORRIS. The Senator himself has offered an amendment, as I understand, to the first section of the bill. That amendment is pending. We are now discussing something which is not yet in the form of an amendment. Undoubtedly it will be presented before the bill is passed.

I suggest to the Senator that he proceed with the discussion of his amendment, which is now pending, and that the other question be taken up at a time when an amendment is pending so that we may be allowed to vote on it and accomplish some constructive action.

Mr. GREEN. Mr. President, am I correct in assuming that we are now considering the proposed substitute for the first committee amendment?

The VICE PRESIDENT. That is correct.

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

Mr. GREEN. I yield.

Mr. BROOKS. I did not hear very clearly the amendment which the Senator from Rhode Island is now proposing. May I ask that it be read so that we may know what the amendment is?

The VICE PRESIDENT. The amendment offered by the Senator from Rhode Island in the nature of a substitute for section one, as proposed to be amended by the committee, will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out section 1, after line 3, page 1, and to insert the following:

SECTION 1. In time of war, notwithstanding any provision of State law relating to the registration of qualified voters, every individual absent from the place of his residence and serving in the land or naval forces of the United States in the continental United States (excluding Alaska), including the members of the Army Nurse Corps, the Navy Nurse Corps, the Women's Navy Reserve, and Women's Army Auxiliary Corps who is or was eligible to register for and is qualified to vote at any election under the law of the State of his residence, shall be entitled, as provided in this act, to vote for electors of President and Vice President of the United States, United States Senators, and Representatives in Congress.

The VICE PRESIDENT. Without objection, the printed committee amendment in section 1 is withdrawn.

The question is on agreeing to the amendment offered by the Senator from Rhode Island in the nature of a substitute for section 1.

Mr. HERRING. Mr. President, I offer an amendment to the amendment to strike out the words "in the continental United States." I do not know why we should disfranchise our soldiers merely because they are outside the continental United States.

Mr. GREEN. The point which the able Senator from Iowa has raised has been very carefully considered. Advice was requested of the Secretary of War and the Secretary of the Navy with regard to including territory outside the continental United States. They strongly advised against it, for two reasons. In the first place, administrative difficulties are involved, although to a less extent in Alaska than in some other places. The question then arose with regard to

Hawaii, Puerto Rico, the Virgin Islands, and places abroad which could be reached by mail. The administrative questions involved are difficult.

The second reason, which seems to the committee to be conclusive, is that for military reasons it is undesirable to incur the risk of supplying such information to the enemy, which would necessarily follow should the mail be sent to individuals. The enemy might learn in what units the men were. He might discover what units were established in various territorial regions outside the continental United States. Therefore, because the Army and Navy were strongly opposed on those grounds, it was decided to limit the franchise to the continental United States. It is true that it seems unfair to suggest a provision applying to some of our men in the armed forces and not to all, but if we do not do so it is probable that none of them will have the advantages which will be offered them by the proposed legislation. We should like to do justice to as great a number as possible.

Mr. HERRING. Will the Senator yield?

Mr. GREEN. I yield.

Mr. HERRING. It is well known, of course, that the addresses of the soldiers are known to the people at home, and will be known in the future. The address is "APO, New York," or San Francisco, as the case may be. They can be reached in 10 days, and their votes can be returned in 10 days. There will be no disclosure of their units to the enemy whether they are in Australia, Alaska, or wherever they may be.

So far as administrative difficulties are concerned, the Selective Service Board in each county and State knows precisely where the units are located, and their APO address. That is all that is necessary. I do not believe that the men should be denied the opportunity to vote merely because the Government has taken them to some place across the water.

Mr. BARKLEY. Is the Senator's amendment offered to the amendment of the Senator from Rhode Island?

Mr. HERRING. It is.

Mr. BYRD. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BYRD. What is the amendment which has been offered by the Senator from Iowa?

Mr. HERRING. My amendment is to strike out the words "in the continental United States" and give the men in the armed services outside the United States the same opportunity to vote as is sought to be accorded to the men in the continental United States.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Iowa [Mr. HERRING] to the amendment of the Senator from Rhode Island [Mr. GREEN] in the nature of a substitute for section 1. [Putting the question.] The ayes seem to have it.

Mr. HERRING. I ask for a division.

On a division, the amendment to the amendment was agreed to.

The VICE PRESIDENT. The question now is on agreeing to the amendment of-

ferred by the Senator from Rhode Island [Mr. GREEN] as amended.

Mr. DANAHER. Mr. President, I should like to ask the Senator from Rhode Island if, in addition to the point as to which correction has just been made by Senate action, the proposed substitute would not also exclude from voting all absentee voters who are not in the military service of the United States?

Mr. GREEN. Will the Senator kindly repeat the question?

Mr. DANAHER. I will restate it in this way: As I understand the proposed substitute, it would authorize absentee voting only by members of the Army, the Navy, Marine Corps, and certain auxiliary forces. Is not that true?

Mr. GREEN. That is correct.

Mr. DANAHER. So voters from a given State who might be necessarily absent on very important business in behalf of the Government and the public would not come within the provisions of the proposed substitute, would they?

Mr. GREEN. The proposed substitute is limited to the armed forces of the United States.

Mr. DANAHER. As section 1 of the bill is drawn, would members of the military and naval forces be permitted to vote in primary elections within their own States?

Mr. GREEN. No. The bill relates purely to general elections. It has nothing to do with primaries.

Mr. DANAHER. Of course, we are all sympathetic with the objective of granting to our absentee soldiers and sailors the opportunity to vote; but does not the fact remain that the bill would create a special class of voters to whom the privilege would be extended?

Mr. GREEN. The answer to that question is quite the contrary. We have created a special class by drafting these men and preventing them from registering. Otherwise they would have been able to register. We have taken away from them a privilege, and this measure is intended merely to restore it.

Mr. DANAHER. Does the Senator understand that equal protection of the laws is being given not only to men who are absent in the armed forces but those who are necessarily absent from their States on official public business?

Mr. GREEN. I think not. That situation can be corrected by the States if it exists; but the purpose of this measure is merely to undo a wrong for which the Federal Government is responsible. It is not responsible for lack of opportunity for civilians to vote. They have not been affected by the draft law.

Mr. DANAHER. The language of the Senator's proposed substitute, limiting, as it does, the right to vote in elections and excluding the right to vote in the primaries, necessarily would preclude absentee soldiers and sailors from taking any part in the selection of candidates in States where the determination in a primary determines the result, would it not?

Mr. GREEN. In the first place, almost all the primaries have been held. In the second place, with respect to primaries which have not been held, there will not be time to make it possible for soldiers

and sailors absent from their States to take advantage of the proposed law. In the third place, a bill is now pending before the Senate, which has been referred to the Committee on the Judiciary, to provide for voting in primaries. If and when Congress chooses to pass it, it can be made effective, not in the coming election but in subsequent elections. I trust it may be passed. However, that question could not be included in this bill for the reasons which I have stated.

Mr. DANAHER. Mr. President, is not the Senator in error in his third point when he says that at the present moment there is pending before the Committee on the Judiciary a bill which would extend this privilege to persons who desire to vote in the primaries? Is it not a correct statement, rather, that there is pending a bill which would relieve prospective voters of the necessity of meeting poll-tax requirements in certain States?

Mr. GREEN. I do not think I am mistaken. In the same bill there is a provision with respect to poll taxes and also a provision concerning primaries. That bill is now before the Senate Judiciary Committee, and there is no reason why that committee should not report it. At some time in the not distant future the Senate can adopt both provisions if it so desires.

However, prompt action is necessary in disposing of the pending bill. The time is very short. From day to day it becomes more difficult for the machinery to be set up in the Army and Navy and in the departments of state of the 48 States. For that reason we tried to make the bill as simple as possible and cut out as many controversial items as possible. It is not sought to make any changes in the qualifications for voters, but merely to abolish the requirement in the various States for registration and to cut out controversial questions which might arise in connection with poll taxes and primaries. They do not bear on the main purpose of the bill.

Mr. DANAHER. Will the Senator yield further?

Mr. GREEN. I yield.

Mr. DANAHER. This is general legislation; is it not? It is not a private bill, and it will be the law until it is repealed; will it not?

Mr. GREEN. That is correct.

Mr. DANAHER. In the light of the argument which the Senator makes, that the bill is limited because of the limitations of time, in the sense that the primaries have all been held, as I understand the Senator to say, would not all the objectives the Senator has in mind be reached if the bill should be limited to elections in 1942? Then we should surely guarantee that we would take the proper steps before the next election.

Mr. GREEN. It seems to me that the argument as to elimination of registration applies to subsequent elections as well as to the coming election.

Mr. BARKLEY. Will the Senator yield in that connection?

Mr. GREEN. I yield.

Mr. BARKLEY. Supplementing what the Senator has said, and prefacing that supplement by the observation that I

have always believed that the Federal Government and Congress have the power to regulate primary elections which are a part of the machinery by which Members of Congress, the President, and Vice President are chosen, I believe there are some States in which primaries are held for the selection of delegates to national conventions. There can be no doubt that primaries are a preliminary step toward the selection of Members of the two Houses of Congress. I have always felt that Congress had the power to regulate primary elections. However, the Supreme Court has said that we do not have that power, and we have not since attempted to exercise it, although in an indirect way, by investigation, we can look into the legality of expenditures of money or anything else which might vitiate an election.

There has been a hint or two since that decision which might lead to the conclusion that if the Supreme Court passed on the question again they might reverse the former holding, but they have not actually done so. So that the question of the legality of the power of Congress to deal with primaries is still an open question.

Mr. DANAHER. Is the Senator talking about the case of Newberry against the United States?

Mr. BARKLEY. That is one of the cases.

Mr. DANAHER. Will the Senator from Rhode Island yield to me for a moment?

Mr. GREEN. I yield.

Mr. DANAHER. I should like to invite the attention of the Senator from Kentucky to the fact that the Supreme Court only last year, in the case of United States against Classic, held definitely to the contrary of the exposition of the Senator from Kentucky.

Mr. BARKLEY. They did not directly pass upon the power of Congress, and they did not reverse the decision in the Newberry case, as I recall. I have not read the decision recently, but my recollection is they did not directly reverse themselves, and did not directly pass upon the power of Congress to provide machinery for primary elections, as it may do with respect to general elections affecting Members of Congress.

Mr. DANAHER. Will the Senator from Rhode Island yield to me further, in view of the importance of this colloquy?

Mr. GREEN. I yield.

Mr. DANAHER. I should like to invite the attention of the Senator from Kentucky to so much of the language of the majority opinion as appears on page 317 of volume 313 of the Supreme Court Reports:

In *Newberry v. United States*, *supra*, four Justices of this Court were of opinion that the term "Elections" in section 4 of article I did not embrace a primary election, since that procedure was unknown to the framers. A fifth Justice, who with them pronounced the judgment of the Court, was of opinion that a primary, held under a law enacted before the adoption of the seventeenth amendment for the nomination of candidates for Senator, was not an election within the meaning

of section 4 of article I of the Constitution, presumably because the choice of the primary imposed no legal restrictions on the election of Senators by the State legislatures to which their election had been committed by article I, section 3. The remaining four Justices were of the opinion that a primary election for the choice of candidates for Senator or Representative were elections subject to regulation by Congress within the meaning of section 4 of article I. The question then has not been prejudged by any decision of this Court.

They proceed, then, on page 319:

Unless the constitutional protection of the integrity of "elections" extends to primary elections, Congress is left powerless to effect the constitutional purpose, and the popular choice of representatives is stripped of its constitutional protection save only as Congress, by taking over the control of State elections, may exclude from them the influence of the State primaries. Such an expedient would end that State autonomy with respect to elections which the Constitution contemplated that Congress should be free to leave undisturbed, subject only to such minimum regulation as it should find necessary to insure the freedom and integrity of the choice. Words, especially those of a constitution, are not to be read with such stultifying narrowness. The words of sections 2 and 4 of article I, read in the sense which is plainly permissible and in the light of the constitutional purpose, require us to hold that a primary election which involves a necessary step in the choice of candidates for election as representatives in Congress, and which in the circumstances of this case controls that choice, is an election within the meaning of the constitutional provision and is subject to congressional regulation as to the manner of holding it.

There was a dissenting opinion in that particular case. I am quoting from the majority opinion, written by Mr. Justice Stone. The minority filed a dissenting opinion, which was written by Mr. Justice Douglas, but all three dissenting justices fully concurred in so much of the opinion of the majority as I have just read. Mr. Justice Douglas says, as appears at page 329:

I think that Congress has ample power to deal with them. That is to say, I disagree with *Newberry v. United States* * * * to the extent that it holds that Congress has no power to control primary elections.

I omit some of the language on page 330 simply to state the conclusion of Mr. Justice Douglas:

The fact that a particular form of pollution has only an indirect effect on the final election is immaterial. The fact that it occurs in a primary election or nominating convention is likewise irrelevant. The important consideration is that the Constitution should be interpreted broadly so as to give to the representatives of a free people abundant power to deal with all the exigencies of the electoral process. It means that the Constitution should be read so as to give Congress an expansive implied power to place beyond the pale acts which, in their direct or indirect effect, impair the integrity of congressional elections. For when corruption enters, the election is no longer free, the choice of the people is affected. To hold that Congress is powerless to control these primaries would, indeed, be a narrow construction of the Constitution, inconsistent with the view that that instrument of government was designed not only for contemporary needs but for the vicissitudes of time.

So I agree with most of the views expressed in the opinion of the Court.

Then he proceeds to state that the grounds of this decision hinge upon the construction of section 19 of the Criminal Code.

So that we now have the question definitely settled, let me say to the Senator from Kentucky, that the power of Congress, under article I, section 4, pursuant to the pending bill, should adhere alike not only to elections but to primaries.

Mr. BARKLEY. In that connection, let me observe merely that what both the majority and the minority of the Court commented upon favorably I have been for all my life. While they comment on the Newberry case, and point out that because it was a 5-to-4 decision therefore the attitude of the Court in the future is not to be prejudged, they did not specifically overrule the case, and probably could not have done so in this particular case.

I am in deep sympathy with the philosophy of the decision referred to, both the majority and minority, insofar as it attempts to say, in a direct decision on the subject, or in obiter dicta, whether Congress may regulate primaries. I think the question whether Congress may enact legislation regulating primaries is still open so far as any final, definite conclusion of the Supreme Court, in a case involving that question is concerned.

Aside from that, the question is controversial and it has to be passed upon by the House of Representatives, the pending bill being a House bill, and if we quibble long over whether we shall include primaries, we may delay the action until the soldiers cannot vote even in an election.

Mr. DANAHER. Mr. President, will the Senator from Rhode Island yield for just a moment?

Mr. GREEN. For a moment.

Mr. DANAHER. I want it definitely understood on the record that there is no quibble involved in what the Supreme Court finds as a constitutional right. The right of voters to vote, and to have their votes counted, is, as the Supreme Court says, a right or privilege secured by the Constitution. There is no quibble.

Mr. BARKLEY. I was not talking about the Supreme Court quibbling, I was talking about the Senate quibbling.

Mr. DANAHER. This question goes right to the roots of the fundamentals of our American representative government.

Mr. BROOKS. Mr. President—

Mr. GREEN. I should like to make one comment before I yield further.

The committee considered very carefully these various questions, such as the question of the primaries, and other matters, and sought, as I stated before, to eliminate them all so as to facilitate the early passage of the bill. The committee felt justified in doing so, especially in view of the fact that other bills are pending involving these very matters, which are controversial. The very fact that the discussion this morning has gone off on these questions shows that it was wise for the committee to omit those subjects from the bill. It would be quite possible for such bills to be reported later in the form of amendments to the law, but it is

important that the pending bill be passed promptly.

In that connection I wish to read an Associated Press dispatch from Los Angeles, Calif., dated August 22. It is to this effect:

More Japanese than soldiers are eligible to cast absentee ballots in Los Angeles County next Tuesday. Michael J. Donoghue, register of voters, reported today that of 6,000 absentee ballots requested for the State primary about 2,000 will go to Japanese now in internment centers, and about 1,500 to men in the armed forces.

I think that shows the necessity of Federal legislation supplementing State legislation on the subject.

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

Mr. GREEN. I yield.

Mr. MEAD. I have received a lengthy memorandum, which was submitted to me by the New York State War Ballot Commission, and which contains several pertinent inquiries which I should like to leave for the RECORD, and with reference to which I should like to have some brief comments from the chairman of the committee. The first question which is presented is the following:

The bill specifically states that "every individual absent from his State serving in the land or naval forces, otherwise qualified to vote, shall be entitled to vote."

In simple words, a soldier resident of New York State serving at a camp in this State—

That is, New York State—

would not come under the terms of the bill. The luckless individuals in this classification would have to find a way to register and vote in person in their home election district, or, if located away from home, take advantage of the State absentee-voting law, if they can arrange to register personally at the board of elections in their county.

Under our law the member of the armed forces who will be absent from his or her election district of residence on the day of election is entitled to make an application for a war ballot and vote.

Mr. GREEN. I may say, in answer to the question, that it improperly quotes the bill we are considering. The bill itself speaks of an individual absent from the place of his residence.

Mr. MEAD. Therefore, the statement made by the New York State War Ballot Commission is in error insofar as the bill in its present form is concerned?

Mr. GREEN. That is correct.

Mr. MEAD. Very well. Here is another statement made by the War Ballot Commission:

A direct conflict between the Federal Government and the State is also seen in the pending bill's attempt to determine the qualifications of the individual voter. Registration, length of time in the election district, literacy are to be considered in determining the right to vote. The courts have held that these questions are for the States to decide and cannot be controlled by Congress which can go no further than to see to it that the right of suffrage is not denied because of race or color.

What comment has the chairman of the committee to make on that?

Mr. GREEN. The only one of the so-called modifications with which the bill deals is registration, and that is miscalled a qualification. That is really a regula-

tion. It has nothing to do with the qualifications of a voter for voting. It merely provides machinery to determine who is qualified to vote.

The distinction is made in our Federal Constitution, and in the decisions of the Supreme Court sustaining it, and that is what this bill is based on. That is, the distinction is made between regulation relating to registration, and qualification of the voter for voting in elections. The bill does not at all vary the qualifications of a voter under State law in order to elect, it merely regulates the machinery of registration.

Mr. MEAD. I am pleased to have that comment, and to have it in the RECORD from the chairman of the committee.

Mr. GREEN. One must be a qualified voter in order for the proposed law to apply to him.

Mr. MEAD. Finally, the ballot commission makes this statement:

To meet literacy requirements the Ramsay bill states that the signature on the oath constitutes proof of literacy. While the New York State law is similar, it does provide an additional safeguard against fraud by attaching to its ballot application a detachable sheet for the applicant's signature. This must be posted in the proper register of his election district at the board of elections so that when the ballot comes in a comparison of signatures is possible. Ballots prepared by the individual secretaries of state will contain the names of candidates for Federal offices and may include names of candidates for State and local offices. New York's law provides that the names of candidates, Federal, State, and local offices shall be printed on the ballots.

Has the chairman any comment to make on that statement?

Mr. GREEN. Yes. I think the letter overlooks the fact that there is not supposed to be any illiteracy in the armed forces, so that the criticism is inapplicable.

Mr. VANDENBERG. If the Senator will yield—

Mr. GREEN. I yield.

Mr. VANDENBERG. There is a further point involved in that question, and I think it ought to be explored a little further, namely, the fact that the ballot which the soldier gets under the proposed act may be confined to electors for President and Vice President and for candidates for the Senate and for the House of Representatives, and may exclude any chance for the soldier to vote for Governor, for the State legislature, or for any local officers.

Mr. GREEN. In reply to the able Senator from Michigan, I will say that the measure provides what shall be included. It does not provide what may be or must be excluded.

Mr. MEAD. In that connection, will it permit the inclusion of State and local officers if consistent with State law?

Mr. GREEN. It will.

Mr. MEAD. In other words, it is the contention of the chairman of the committee that this measure does not bar the inclusion of State officers, but, as I understand the able Senator, the measure requires the inclusion of national officers.

Mr. GREEN. I quote the proposal in part:

The secretary of state of each State * * * may, in case the State legislature of his State shall have authorized it, also provide for voting for candidates for State, county, and other local offices, and with respect to any proposed amendment to the State constitution or any other proposition or question which is to be submitted to a vote in the State.

Mr. VANDENBERG. Reading from the same section, section 4, on page 5, there is a mandate to the secretary of state to provide an opportunity to vote for electors for President and Vice President and for Senators and Representatives.

Mr. GREEN. That is all the Federal Government can insist upon. That is all it is authorized to do under the Constitution. But as to other officers, the section simply says that if the secretary of state, under the legal authority of his State, chooses to add other officers, he may do so. But that is not obligatory, because we, as Federal officials, have no authority over the State government.

Mr. VANDENBERG. So the reason why the word "may" cannot be changed to "shall" is a constitutional reason?

Mr. GREEN. Yes.

Mr. VANDENBERG. And as a result the soldier is essentially at the mercy of the option of the secretary of state as to whether he gets a whole ballot or a half ballot from my State.

Mr. GREEN. No; in the Senator's State he is to be sent an absentee ballot under the State law.

Mr. VANDENBERG. But if he applies for a war ballot, he cannot use a State absentee ballot?

Mr. GREEN. He cannot use both, or at least both cannot be counted.

Mr. VANDENBERG. Does the Senator think the soldier in the field will realize the difference between these two types of ballots, and that in one instance he may be disfranchising himself? I do not think it is a laughing matter, even if some of those surrounding the Senator think so.

Mr. GREEN. Is the Senator asking me a question?

Mr. VANDENBERG. Yes. If there are to be these two paralleling systems in a State which has an adequate absentee voting law, I wish to know if the soldier in the field should not be notified that perhaps if he uses one system he is disfranchising himself from half his ballot?

Mr. GREEN. There is no harm in notifying him, and while in some instances it may be necessary, I am sure the average enlisted man from the State of Michigan is intelligent enough to know the difference between these two ballots.

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

Mr. GREEN. I yield.

Mr. TAFT. Would not the Senator say that what is going to happen is that the Federal Government will flood all the camps with these postal cards? The secretary of state of Ohio, for instance, where we have a perfectly adequate absentee ballot law, will not know how to get post cards to the soldiers and sailors, so they will have nothing but these national postal cards. They will fill them out and send them to the secretary of

state of Ohio. The secretary of state must comply with the State law if he is to send the soldiers the ballots. The secretary of state must get up a ballot containing only the names of candidates for Federal offices. So the soldiers and sailors will be barred from voting for State officers, unless we shall have a meeting of the State legislature and change the law before election. A session of the legislature will have to be called to take care of the situation.

Mr. GREEN. I think the able Senator from Ohio overlooks the fact that if the secretary of state has the address of the soldier he can send him a Federal ballot and can also send him a State ballot.

Mr. TAFT. Oh, then it is too late. The soldier will already have filled out the national postal card and made his election.

Mr. GREEN. I beg the Senator's pardon. All the soldier will have done is to send in an application for a ballot. The Senator talks about the camps being flooded with ballots. They will not be flooded with ballots. They will be flooded with applications for ballots, and if the soldiers send in applications to the secretary of state of Ohio, there is nothing to prevent the secretary of state from sending the soldiers ballots for Federal offices, and, if the State law permits, adding to those ballots the names of candidates for State offices and local offices.

Mr. TAFT. But the State law does not permit it. The State law provides—

Mr. GREEN. Will the Senator please permit me to finish my answer? The Senator does not have any right to interpose until he has received an answer to his question.

Mr. TAFT. The Senator from Rhode Island has not answered the question yet.

Mr. GREEN. I have not answered it because the Senator constantly interrupts before I can complete my answer. Perhaps the Senator from Ohio may have forgotten the first alternative. I repeat it for his benefit. An application for ballot is sent in by an Ohio soldier to the secretary of state of Ohio. The secretary of state, after confirming, through the canvassing board, the right of the man to vote, sends him a ballot. All the Federal Government is interested in is the matter of the Federal officers for whom he shall vote. But if under the State law of Ohio the secretary of state can add to that same ballot the names of candidates for State and local offices, he may do so. Or if he chooses, he may also include an ordinary State ballot for absentee voters, and he may also include a circular stating that the voter may use one or the other, in order to have the ballots counted for the different officials. I think the average Ohio soldier will be able to understand such a communication.

Mr. TAFT. Let me point out the difficulty with the Senator's answer. Under the Ohio law the secretary of state cannot send the soldier a ballot unless the soldier has filed a particular form of application which suits the Ohio law. So that having filled out the national

postal card and sent it to the secretary of state, the secretary is not authorized, under the State law as I see it, to send the soldier a State ballot. The secretary of state could write back to the soldier and say "Have you not made a mistake? Will you not please fill out this other postal card and send it in, and I will send you a State ballot." But that procedure is so complex that such a thing will never happen.

Mr. GREEN. The Senator from Ohio must realize that that is not the fault of the Federal Government, but of the government of the State of Ohio. The Federal Government has done all it can do when it regulates the casting of ballots by absentee soldiers and sailors for Federal offices. All it can do in addition is to provide the facilities, so far as they are available, to let the soldier or sailor vote for State officers; but the provision for voting for State and local officers is entirely within the jurisdiction of the State of Ohio, and if Ohio has not made provision, or if the registration requirement is such that the soldier cannot vote because he has not registered, that is the fault of the State of Ohio.

Mr. TAFT. We have made provision in Ohio. We have a perfectly adequate absentee voters' law. Any absentee soldier can vote. He has to fill out an application for the ballot, and then he gets the ballot back and votes.

Mr. GREEN. If he can do it, then there is no complaint.

Mr. TAFT. Under the proposed law the soldier will fill out the Federal application, of course, because these cards will be in every camp, and those will be the ones that inevitably the soldier will fill out.

Mr. GREEN. Let me explain to the Senator again that this is merely an application, and it gives the soldier's address, and if the secretary of state wants to send him any kind of communication he can do so since he has his address.

Mr. VANDENBERG. That rather begs the question.

Mr. MEAD. Mr. President, will the Senator yield to me for another question?

Mr. GREEN. From whom do these questions come?

Mr. MEAD. From the New York State War Ballot Commission. The Senator has already answered this question, but because he has covered such a wide field in connection with the answer I should like to have a specific answer for the RECORD to this reduced question.

New York's law provides that the names of candidates for Federal, State, and local offices, shall be printed on the ballots. Is it the opinion of the chairman of the committee that a soldier, a resident of New York, voting in the coming election as the result of the machinery set up under the bill, will be permitted to vote for Federal, State, and local officers?

Mr. GREEN. He will be if he is eligible under State law to do so.

Mr. MEAD. There is nothing in the pending bill that will deny him that privilege?

Mr. GREEN. Nothing that will prevent his voting for the State and local

officers, just as he would if the proposed Federal law were not passed.

Mr. MEAD. I thank the Senator.

Mr. HERRING. Will the Senator from Rhode Island yield to me for a correction?

Mr. GREEN. I yield.

Mr. HERRING. I wish to call attention to the fact that the wording of the amendment in the nature of a substitute for section 1 is wholly different from the wording in the bill. The amendment contains the words "in the continental United States (excluding Alaska)." What I desired to do was to strike out the words "continental" and "(excluding Alaska)." I ask unanimous consent to reconsider the vote agreeing to my amendment and to offer the amendment just indicated.

The VICE PRESIDENT. Is there objection? The Chair hears none, and, without objection, the amendment to the amendment is agreed to.

Mr. GREEN. Mr. President, I doubt very much whether the amendment as now drafted is what the Senator from Iowa means. Will he kindly read the language as changed.

Mr. HERRING. The language is:

In the land or naval forces of the United States in the continental United States (excluding Alaska).

That is the language of the Senator's amendment. It reads differently in the original provision. I was offering my amendment to the Senator's amendment from the language of the original section 1.

Mr. GREEN. If those words are stricken out, it might mean the land and naval forces of any nation.

Mr. HERRING. We are merely striking the words "continental" and "(excluding Alaska)" and retaining the words "in the land or naval forces of the United States." I should like to have the language changed accordingly, wherever else it occurs in the bill. I find, on page 2, there is the same reference to serving in the continental United States.

The VICE PRESIDENT. The latter part of the request of the Senator from Iowa will be taken up when the other amendments are considered. The question is on agreeing to the amendment of the Senator from Rhode Island [Mr. GREEN], as amended.

Mr. BROOKS. Mr. President, I offer an amendment to the committee's substitute for section 1, by adding certain words following the last word of the new section 1. I send the amendment to the desk and ask that it be read.

The VICE PRESIDENT. The clerk will read.

The LEGISLATIVE CLERK. It is proposed to add the following language to section 1:

No person in military service in time of war shall be required, as a condition of voting in any election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

Mr. BROOKS. Mr. President, I wish briefly to state that I think if we take

a man from his State and put him in the armed forces of the United States we should not require that he pay a poll tax before he leaves home, or pay attention to that requirement, any more than the requirement for registration.

Mr. PEPPER. Mr. President, may I ask that the amendment, which evidently has been offered by the Senator from Illinois, be again read?

The VICE PRESIDENT. The amendment to the amendment will again be read.

The amendment to the amendment was again read.

Mr. PEPPER. Mr. President, I find myself a little bit embarrassed by the able Senator from Illinois having offered almost completely an amendment on the same subject which I had submitted here on the floor some days ago, and given notice that I would present when the bill was considered, and then had appeared before the Committee on Privileges and Elections and testified in favor of, along with certain witnesses. The printed amendment is lying on the desks of Senators. I am sure the Senator from Illinois was not advised of that fact, or he would not have desired to have duplicated an amendment which had already been submitted formally to the bill, and had been printed and is on the desks of Senators this morning, and also had been printed in the RECORD.

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

Mr. PEPPER. I yield.

Mr. BROOKS. When I asked for the floor the Senator from Florida was not present. I wished to be sure that this question was presented. I should be glad to join the Senator at this time or at the time he offers his amendment. I believe now is as good a time as any, at the beginning of the discussion of the bill, while we are talking about taking away the hurdle, barrier, or inconvenience of registration, to remove another inconvenience, such as attending to the detail of paying a poll tax to the State.

Mr. PEPPER. I had merely been waiting for the appropriate time for the consideration of amendments from the floor. As I understand, the committee amendments have not been disposed of. May I inquire of the able chairman of the Committee on Privileges and Elections if that is correct?

Mr. GREEN. The committee amendments have not been disposed of.

Mr. PEPPER. That is why I had not ventured to call up my amendment, which is lying on the desk at the present time. I suggest to the able Senator from Illinois that I think it would be appropriate to wait until the committee amendments are disposed of, and then we can consider the amendments on the desk which have already been submitted. I welcome the support and assistance of any Senator in connection with my amendment.

The PRESIDING OFFICER (Mr. HERRING in the chair). It is the understanding of the Chair that the amendment of the Senator from Illinois to the amendment to section 1 is now in order.

Mr. BROOKS. The amendment is in order, is it not?

The PRESIDING OFFICER. It is.

Mr. BROOKS. I respectfully request that the Senator from Florida join in the amendment to the amendment, and offer any additional amendment he may wish to offer.

Mr. PEPPER. I am not sure that I know the nature of the suggestion. The Senator invites the junior Senator from Florida to do what?

Mr. BROOKS. To join in the amendment to the amendment and offer any additional amendments which he desires to suggest.

Mr. PEPPER. Mr. President, if the matter of priority of time has any significance, I think it would be appropriate—it certainly would be courteous—for the Senator from Illinois, when he discovers an amendment which would accomplish identically the purpose he seeks to accomplish, not to insist on calling up his amendment ahead of one which was previously submitted. Of course, if the Senator finds it to his pleasure to insist otherwise, I shall make appropriate arrangements to protect my own situation and my own rights.

Mr. GREEN. Mr. President, without desiring to enter the colloquy between the two distinguished Senators, let me say that the subject matter of both the proposed amendments has been fully discussed by the committee, and I feel that I should state the position of the committee.

Some members of the committee favor the abolition of the poll tax, but not by this bill.

As I have already stated, a bill was introduced, which has been referred to the Committee on the Judiciary, making such provision. There is no reason why that bill should not be taken up later. However, the committee is of the opinion that the addition of controversial matter to the pending bill would probably result in its defeat.

There are various ways of defeating a bill. One is to vote against it. Another way is to load it down with amendments which are objectionable to Senators who favor other provisions of the bill, but are opposed to the amendments. I do not mean to say that that is the purpose of Senators who have offered amendments; but in the opinion of the committee that would be the result, unfortunate as it might be.

Even those of us who favor the abolition of the poll tax earnestly hope that such amendments will not be pressed. It is apparently the belief of some Senators, that such amendments would strengthen the bill. However, all the members of the committee believe that they would weaken the bill to such an extent that they might endanger its passage.

Mr. CONNALLY. Mr. President, will the Senator from Rhode Island yield?

Mr. GREEN. I yield.

Mr. CONNALLY. The Senator is no doubt aware of the fact that the whole situation as it relates to soldiers, as well as to other voters, is already covered in another bill.

Mr. GREEN. I have referred to that a number of times in the discussion.

Mr. CONNALLY. Does not the Senator believe that the proponents of the amendment are inconsistent? They lay down one rule concerning the nonpayment of a poll tax by soldiers, and at the same time would require everyone else to pay a poll tax. Those two conditions cannot exist at the same time, because of the Federal constitutional requirement in section 2, article I:

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

If a voter has to pay a poll tax in any State in order to vote for a member of the legislature, then under the constitutional provision which I have just read it is necessary to pay a poll tax in order to vote for Representatives, Senators, and other officials, because the constitutions of the respective States specify that the electors of the House of Representatives shall have the qualifications requisite for electors of the most numerous branch of the State legislature. One of those qualifications in some States is the payment of a poll tax.

It has been our theory that each State has a right to insist on that condition or not, as it sees fit. I understand that Florida has elected to abrogate the poll tax. It seems to me that every other State, under that same principle, has the right to retain the tax if it chooses to do so. The very power to abrogate or do away with a poll tax presupposes the right to have one if the States sees fit.

Mr. BROOKS. There is a proposal to change the rule as to the requirement of registration. Changing the rule as to the requirement of the soldier to pay a poll tax is no more drastic than changing the rule as to registration. I am sure it is a financial burden. Testimony was offered before the Committee on Appropriations to the effect that the Farm Security Administration was soliciting borrowers to accept loans from the Government to pay the poll tax, among other things. Representatives of the Farm Security Administration were at the courthouse with loan applications, waiting to see if voters had paid their poll tax, so that they could vote.

If we take a citizen away from his home and tell him where he must live, what he must eat, and how he must face his death, certainly no violence is done to a State by removing a complication and inconvenience by saying that, while in the armed services of his country a citizen shall not be required to pay a poll tax.

Mr. President, I ask for a vote.

Mr. PEPPER. Mr. President—

Mr. GREEN. Before yielding further I should like to reply to the remarks of the able Senator from Illinois.

There is a distinction between the requirement as to registration and the payment of a poll tax in the following respect: The Supreme Court has held in numerous decisions that registration is not a qualification for voting. It has not yet held, although it may do so, that the payment of a poll tax is a regulation rather than a qualification. It is a controversial question. The committee

wished to avoid the injection of that question into the discussion of this bill, because we thought it would endanger its passage. However, there is the distinction which I have pointed out and I thought I should comment on it in view of the statements which have been made that the two requirements are on a par. In one case the Court has decided the question and in the other case it has not yet decided it.

Mr. PEPPER. Mr. President, does the able Senator from Illinois propose to desist from pressing his amendment at this time and join with me?

Mr. BROOKS. I should like to have a vote on it, and I shall ask for the yeas and nays.

Mr. PEPPER. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from Florida has the floor.

Mr. PEPPER. I offer as a substitute for the amendment offered by the Senator from Illinois the amendment which I send to the desk.

The PRESIDING OFFICER. The Chair rules that the amendment offered by the Senator from Florida is in the third degree, and is not in order.

Mr. PEPPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PEPPER. Would an amendment to the amendment be in order?

The PRESIDING OFFICER. It would not. The amendment of the Senator from Illinois to the amendment of the Senator from Rhode Island is in the second degree.

Mr. PEPPER. Mr. President, I desire to make another parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. PEPPER. Is the bill now before the Senate in the form of a committee amendment?

The PRESIDING OFFICER. No. Section 1, as proposed to be amended by the Senator from Rhode Island, is now before the Senate.

Mr. PEPPER. Mr. President, would it be in order to offer another amendment at this time, notwithstanding the pendency of the amendment which has been offered by the able Senator from Illinois?

The PRESIDING OFFICER. It would not be in order at this time.

Mr. PEPPER. Mr. President, I offer a substitute for the committee amendment as amended and send the proposal to the desk.

The PRESIDING OFFICER. It is not in order. The Senator from Illinois has offered a perfecting amendment. If that amendment is defeated, the amendment of the Senator from Florida will then be in order.

Mr. PEPPER. Mr. President, I do not know why the able Senator from Illinois takes the position which he has taken, and offers an amendment which is substantially the same as one which another Senator has previously submitted, and which he has been advocating for a long time. I cannot escape the conclusion that the Senator from Illinois is unfair to the Senator from Florida in the atti-

tude which he presently exhibits. However, I think more of the subject than I do of the author, and I will not allow the feeling that I have been treated unfairly by the Senator from Illinois to cause me to desist from advocating a principle which I believe to be appropriate and fair.

The record of the Senate will show that on July 27, 1942, the junior Senator from Florida gave notice that he intended to propose an amendment to House bill 7416, a bill to provide a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence and serving within the continental United States. At the proper place in the bill I proposed to insert the following additional sections:

Sec. —. No person in military service in time of war shall be required, as a condition of voting in any general, special, or primary election for President, Vice President, electors for President or Vice President, or for Senator or Member of the House of Representatives, to pay any poll tax or other tax or make any other payment to any State or political subdivision thereof.

Sec. —. Military service as herein mentioned shall include all the armed services of the United States and all duly authorized auxiliaries thereof.

After giving notice of his intention to propose the amendment on the floor the junior Senator from Florida subsequently appeared before the Committee on Privileges and Elections, where he offered the same amendment and spoke in its behalf. Other witnesses appeared and spoke in behalf of the amendment. Last Thursday I offered my amendment to the pending bill from the floor, and it is now on the desk, and a printed copy is on each Senator's desk. The Senator from Illinois now copies in fact my amendment and offers it while mine is on the desk.

The junior Senator from Florida is also the author of Senate bill 1280, to which reference has been made, which is pending before the Senate Judiciary Committee, and upon which extensive hearings have been held. A great many witnesses of distinction appeared before the committee—I am happy to say that most of them came from the South—and testified in favor of the bill.

The purpose of the bill was to deny to any State or political subdivision the power to prescribe a qualification or requirement that the elector pay a poll tax before the elector could vote in an election for a Federal official.

Mr. President, I realize that this is a matter about which there is a very strong difference of opinion. I regret even more to say it is a matter which stirs emotions of considerable intensity in the breasts of many honorable and conscientious and devoted public servants and citizens. I am painfully aware of the fact that particularly in the South, and amongst those of us who represent that section, there exists that regrettable difference of opinion in considerable strength.

But this is one of those things which is pointed to by critics of our institutions as an instance in which we fail to live up by deed to our professions of democratic faith. They say that while we are

preaching to the world the sentiments and the spirit of democracy and non-discrimination, we are patently practicing discrimination against our poor people at home. They say that we are denying to a considerable number of our people a right which is inherent in the sovereignty of the citizen as an elector unless before he enjoys that right he pays a sum of money. They say, therefore, that we are placing emphasis, not upon the dignity of the citizen and upon the right of the citizen, but upon whether or not he has paid a sum of money, before he may become in substance and in fact a citizen. Indeed, when the citizen does not vote it must be said he is not fulfilling the duties of a citizen and is not enjoying the prerogatives of citizenship.

Mr. President, reference is made to the constitutional provision that the electors who vote for Members of the House of Representatives of the National Congress shall have the qualifications requisite for electors of the most numerous branch of the State legislature. It is pointed out, therefore, that only the States may prescribe the qualifications for electors for Representatives in the House of Representatives of the National Congress.

Reference is also made to the seventeenth amendment, which provides that each State shall have two Senators, each of whom shall have one vote, and the electors for the selection of the Senators shall have the same qualifications as electors who vote for the members of the most numerous branch of the State legislature. So that with respect to Senators and Representatives the Federal constitutional requirements and provisions are identical.

The Constitution does provide that electors who shall vote for President and Vice President shall be chosen in such manner as the legislatures of the several States shall prescribe. In other words, it is admitted by the Federal Constitution in that instance that the several States may define electors and provide for their qualifications in any manner they see fit to choose.

It has been thought, therefore, by many distinguished constitutional students that the Federal Congress is totally without power to affect any supposed or alleged qualification which the States might prescribe. It was thought that the Supreme Court of the United States gave very definite confirmation to that theory in the case of Breedlove against State, a case coming up from the State of Georgia, in which the question of the poll tax as imposed by the constitution and statutes of the State of Georgia was specifically considered by the Court.

In that case an elector, a citizen, applied to a local election official and presented the qualifications which were prescribed in the constitution and statutes of the State of Georgia, but failed to pay a poll tax required by the constitution and statutes of that State, and demanded a certificate of qualification to vote for both Federal and State officials.

The election official denied the request.

Proceedings in the nature of a mandamus action were instituted, and the

State courts affirmed the action of the election official. The matter came at last to the United States Supreme Court, and the Supreme Court affirmed the action of the lower courts and the election official.

In the course of the decision, as dicta, I venture to say, the court said that the poll tax was an ancient method of taxation, that it had been prescribed for a great many years, that it was a perfectly permissible form of tax, that the States had a right to impose it because, after all, the source of the right to vote was inherent in the State constitution and authority, and therefore the States could burden it or condition it according to their pleasure or will.

The error of the decision lay not in the decision itself but in the dicta which accompanied it. The decision was obviously right, for the elector sought to be qualified to vote in a State election without complying with State requirements. Of course, he could not do that.

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

Mr. PEPPER. Yes; but permit me to finish this thought.

If the elector had divided his demand and said, "I seek only to vote for Federal officials, I meet all the requirements, I conform to all the qualifications imposed by law relating to my fitness to vote, but I have not paid a sum of money which the State has imposed as a burden upon the enjoyment of that franchise," the court would have been presented with a different problem and I assume would have rendered a different decision. At least I think that if, after congressional enactment in the form of the amendment I am discussing, and according to the content of Senate bill 1280, if that single question were presented, there would be a decision distinctly different from that in the Breedlove case, and I am prepared to state why I venture to entertain that opinion.

I now yield to the Senator from Texas.

Mr. CONNALLY. Let me ask the Senator from Florida a question. The various States have different requirements as to the time a voter shall reside in a precinct where he votes. One State might require 6 months, another a year, another 9 months. Is it the Senator's view that the Federal Government could regulate that? Could it say, "Well, in the case of a Federal officer, a voter is required to reside there only 1 year, or a month, or 3 months"? Could the Federal Government do that?

Mr. PEPPER. That is a close question, Mr. President, and, as Mr. Justice Holmes said in one case, everything from the Twelve Tables up to the present time is a question of degree.

Mr. CONNALLY. Will the Senator let me add another point to the question?

Mr. PEPPER. Certainly.

Mr. CONNALLY. The laws of some States, of most of them, I believe, require that a voter shall be 21 years of age. Suppose some State made the age 20, or 18, or 25. Is it the Senator's view that the Federal Government has authority to fix the age, and say that for Federal purposes only one who is 21 or 22 years of age may vote? And let me add a further

question. The Senator spoke of a voter attempting to vote for a Federal officer and presenting all the qualifications. What Federal qualifications are there? I do not recall any Federal statute which defines the qualifications of a voter at all, the reason being, of course, that the Constitution provides that the electors for Congressmen shall have the qualifications of the voters in a State who elect the legislature. Has the Federal Government ever undertaken to define the qualifications of a voter?

Mr. PEPPER. No; it has not. What is proposed would be an effort on the part of the Federal Government to do that.

Mr. CONNALLY. Would not the Senator have to go further in his amendment ultimately and lay down the ages, and the time of residence, and all the other requirements, if he is to be consistent with his theory? Would not that necessarily follow? And when it did follow, would not all the States' power as to the qualifications of Federal electors fade out of the picture?

Mr. PEPPER. The able Senator from Texas has propounded a very earnest and fair inquiry, and I shall attempt to make a fair response.

I distinguish, and I think the courts will distinguish, between a condition and a qualification, or between compliance with a condition precedent and the possession of qualifications. Let me illustrate what I mean by that.

If a State said to a proposed elector, "We think that as a general rule men or women have not reached that state of maturity and development and stability which should entitle them to the enjoyment of the franchise until they have reached the age of 21 years," certainly no one in Congress would or should desire in any sense of the word to question either the good faith or the reasonableness of that State requirement.

Mr. GEORGE. Mr. President—

Mr. PEPPER. If the Senator will excuse me just a moment, I shall gladly yield.

This is a matter which directly relates itself to the question of qualifications which relate to the exercise of the franchise.

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

Mr. PEPPER. Let me answer the Senator's question, and then I shall be glad to have him propound another.

Mr. CONNALLY. If the Senator will indulge me, we adopted the nineteenth amendment in order to permit women to vote in the various States. We had to adopt a constitutional amendment in order to bring that about. If the Senator's theory is correct, we wasted a good deal of time on that, did we not? Could we not have just passed a Federal law providing that in the case of Federal officers, anyone who was 21 years of age, whether man or woman, could vote?

Mr. PEPPER. No; I do not think the cases are analogous, and I shall be very glad to point out to the Senator why, in my opinion, they are not analogous.

The Senator also asked me a question about the prescription of time of residence in a locality by a State—whether or

not I thought that related itself fairly to the question of qualifications.

I am of the opinion that the prescription of a reasonable time is not a violation of the State's prerogatives, but that the prescription of an unreasonable time, so that in substance the prerogative of voting would be granted only to those people who had been in a State, say, 50 years would deserve and receive the interference of the Federal Government, because it would relate itself to an onerous burden upon the enjoyment of the franchise which was not a fair qualification. I believe the precinct question and the age question were involved in the Senator's first two inquiries. I do not recall what the third was, or whether there was a third.

Mr. CONNALLY. The third dealt with woman suffrage.

Mr. PEPPER. Before I get to that, I wish to illustrate that in a case where the State's requirement in any reasonable way relates itself to fitness to vote, then it is beyond the prerogative or the privilege of the Federal Government to interfere. However, that is qualified by language appearing in another part of the Constitution, where it is provided that the times, places, and manner of holding elections shall be prescribed by the several States, but the Congress shall have a right to change them.

In another part of the Constitution it is provided that the Congress has, by implication, such power as may be necessary to protect the power that is specifically conferred upon the Congress in the language of the Constitution. Therefore, the power of the Federal Government is a much broader power than is generally assumed, and that is confirmed very directly and vividly in the case of United States against Classic, which came up only a short time ago from the State of Louisiana.

When the Breedlove case was supposed to be the law of the land the latest enunciation of the Supreme Court decided that the right to vote, even for a Federal official, was derived from the Constitution and statutes of the several States. I cannot quite conceive how the Supreme Court could ever have permitted itself to go so far afield, in view of prior decisions of Federal courts which directly confirmed the contrary theory. How could the right to vote for a Member of Congress spring out of the fountainhead of a State constitution? How could a State confer a right to vote for a Federal official, and by implication therefore condition the right according to its will? That would give the State the power to stop the whole machinery of the Federal system. That is contrary to the duality of our systems, the State and the Federal systems, operating each in its own prescribed sphere. Yet in the Breedlove case the Supreme Court allowed itself to use that unqualified language. Obviously, if we assume that the right to vote for a Federal official is a right granted by a State, then the State may burden that franchise in any way it chooses, and no one would have a right to bring such action into question.

But in the Classic case, Mr. President, the Breedlove case was specifically dis-

tinguished by the Supreme Court in an opinion by the then Mr. Justice Stone, now the Chief Justice of that distinguished Court. In that case the Supreme Court made it very clear that the right to vote for a Member of Congress was conferred by and protected by the Federal Constitution, and it was the duty of the Congress of the United States to see to it that the enjoyment of that right was protected in all citizens.

What was the Classic case? That was a case in the first place that involved a special primary election in the State of Louisiana for a Member of the House of Representatives in the National Congress. There certain defendants were indicted under an old statute which made it an offense to conspire to deprive a citizen of the enjoyment of a right granted under the Constitution of the United States. The Court therefore had to determine before they could decide that case whether or not the right to vote for a Member of Congress in a primary election was a right conferred by the Federal Constitution, because if it were not the statute under which the defendants were indicted was not applicable.

The Court adjudicated, first, that the right to vote for a Member of Congress, even in a primary election, was a right conferred by the Federal Constitution. It was therefore a right protected by the statute under which the defendants were indicted; and, a violation of the statute having been established, the guilt of the defendants was properly adjudicated.

Mr. President, the Court went much further. It said that of course the States have what might be called the primary authority to prescribe qualifications of electors, even for Federal officials. But, Mr. President, they said that that was not an unlimited right or power. They said it was not a power that could be capriciously employed. They said it was not a power that could be burdened with a condition which would have the effect of denying the existence of the right.

So in that case, Mr. President, the Supreme Court made it very clear that if a State attempted to step outside its proper bounds and authority in the prescription of qualifications, it was not only the right but the duty of the Federal Government to intervene to the extent necessary to strike down those burdensome and unjustified and illegal conditions.

So when we see the matter in that light, Mr. President, when we start from that premise, when we take that hypothesis, then it becomes a very simple matter to answer the inquiry as to whether or not a State may burden the exercise and the enjoyment of a Federal franchise. If the State can require an elector before he votes for a Member of Congress to pay a dollar per year, it can require him to pay \$10 per year. If it may make him pay \$10 per year, it may make him pay \$100 per year, or, equally, \$1,000.

So, Mr. President, you put it within the power of the States, not to prescribe qualifications, but to impose conditions upon the enjoyment of a franchise which

will defeat the very existence of the right. You give the States that power, let it be admitted, and you have destroyed the duality of the Federal and the State systems. You have made only one dominant. If they may shut off the whole stream of rights to vote for Federal officials, the States therefore have it in their power utterly to destroy the Federal system if they so will, no matter that they destroy their own system at the same time.

It could readily be said: "Yes, but the same qualifications that must be possessed by those who vote for Federal officials must be possessed by those who vote for State officials." That is true, but it does not change the principle of the power to destroy the Federal system, which no State can or should have.

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

Mr. PEPPER. I promised to yield a moment ago to the able Senator from Georgia [Mr. GEORGE], which I will do if the Senator will allow me to continue for just a minute.

Mr. President, what is it then which is proposed by the amendment and by Senate bill 1280? Do I suggest that the Congress should invade the election field, and that the Congress should substitute its judgment for the judgment of the several States as to who is qualified to vote? Not in any sense of the word. Not at all. On the contrary, Mr. President, I affirm at most that the power of the Federal Government is a dual power with that of the States in this matter. But as I affirm that the Federal power is not supreme. I deny the supremacy of the State power. Neither is to be abused. The Federal Government is not to prescribe qualifications, neither are the States to impose burdensome conditions. When the State does, therefore, interfere with the enjoyment of the Federal right by the imposition of an onerous burden, if that right inheres in the Federal Constitution, can the Congress do its duty and not interfere to the extent that these onerous burdens may not be performed and executed? So the law of the matter, I venture to say, Mr. President, is not what was considered the law when the Breedlove case was the latest enunciation of the United States Supreme Court.

Now under the general power of the Congress to carry out the things that are required of it in the specific grant of power, this matter may properly come within the sphere of Congress. Under its authority to prescribe the time, place, and manner of holding an election Congress has power to legislate upon this subject, to see to it that no onerous condition precedent, which is not in substance a qualification, may be imposed before a citizen may exercise the privilege of the ballot.

Mr. President, I need not point out what the effect of unlimited power on the part of the States has been or is. I should like to distinguish it, therefore, from the case of women's suffrage, which was suggested by the able Senator from Texas [Mr. CONNALLY]. At the time of the adoption of the Constitution there was a disagreement in the deliberations

of the convention as to whether the Federal Constitution should prescribe the qualifications of the electors for the Federal Government or whether the matter should be left entirely to the States, or whether some other method should be devised. There was a compromise in the convention, I think it is fair to say, with the recognition that the States might prescribe the qualifications of electors.

That was not a power conferred upon the States without limitation. The Federal Government simply adopted as its own the provisions to be made by the various State governments on the subject. But when a State prescribed the qualifications of an elector it was doing it as an instrumentality of the Federal Government, not in its own right as a State, because no one will deny that the framers of the Federal Constitution could have written into its language the qualifications that would have been necessary and sufficient to vote for Federal officials; and if the Federal Government had done that, surely no one would contend that the States would have the power to deny or to qualify those provisions.

But the Federal Government merely adopted, therefore, as its own, the qualifications prescribed by the several States as qualifications for electors. Yet that did not mean that the Federal Constitution left the Federal Congress powerless to prevent any abuses of that delegation of authority which the States might commit.

In order to get into this other point more directly let me say that there were certain property qualifications in existence at the time of the adoption of the Federal Constitution, although reference to the deliberations of that convention will indicate that it was generally the spirit and the sentiment of that convention to get away from qualifications as conditions precedent to the enjoyment of the franchise to vote. That process of eliminating property qualifications had practically been completed in this country by the eighties. It was no longer necessary that a citizen be intelligent, sane, an adult, and of good character, and in addition to that have a certain amount of wealth, possess a certain amount of property, or pay a certain sum of money before being entitled to enjoy the franchise to vote. But, Mr. President, back in the eighties, and due to the necessities that I believe no man in any part of the country would begin to challenge, certain policies were formulated on the part of the States for legitimate purposes, and their application was not contrary to the best interests of any part or section of the people for a long time.

But the evolutionary process has long passed that need. The poll tax does not in substance act as a sieve or a screen to determine the fitness of the electorate. It operates as a handicap which denies the privilege of the ballot to a very large percentage of the people of the country and to more whites than blacks in the South.

In my State of Florida, Mr. President, the legislature in 1937 abolished the poll tax, and that is the way it ought to be done. I wish it had been done every-

where in that way. It happened that my election in 1938 occurred soon afterwards. There was in the State of a total population of 1,800,000 substantially an increase of 100,000 in the number of votes cast between the primary election of 1936 and the primary election of 1938, due solely to the elimination of the poll tax.

That simply meant that the payment of a dollar a year meant to many people an insurmountable burden. One has to pay for 2 years when he pays, unless he pays each year. Election comes each 2 years, and one has to pay \$2 each 2 years.

Not only that but you have to pay it at a prescribed time, which means that you not only must possess the money but you must be diligent in the payment. You do not get notice from the tax assessor or collector. Indeed, in most States that is forbidden. There is no effort on the part of the Government to warn the citizen. In many instances he has to depend upon notice in the newspapers as to when the election is to be held, or when the date of payment is to be, so that unless he is diligent or fortunate in the information which he gains he may in perfect faith omit to make the payment at the time provided and thereby, whatever the virtue of his qualification, however nobly he may have served his land, he is sterile as an elector at the ballot box.

Mr. CONNALLY. Mr. President—

The PRESIDING OFFICER (Mr. McKellar in the chair). Does the Senator from Florida yield to the Senator from Texas?

Mr. PEPPER. I yield.

Mr. CONNALLY. In the case of which the Senator spoke, of a poll-tax requirement in a State, how can he say that the State is discriminating against one's right to cast a ballot for Representative or for Senator when the same requirements are exacted as to his voting for State officers? He must have the same qualifications to vote for a county judge, a State senator, or a Governor, must he not?

Mr. PEPPER. Yes, indeed.

Mr. CONNALLY. How can it be said that a State is discriminating against a man's right to cast a Federal ballot when the only ballot he receives is one which requires the requirements set forth in the Constitution?

Mr. PEPPER. I am glad the Senator gave me an opportunity to clear up what must have been an inadvertent statement on my part. I did not intend to suggest that there was any discrimination in favor of the States against the Federal Government. I meant that it was a discrimination against a part of the citizenry least able to pay, a discrimination which burdens them with the requirement that they pay a sum of money. I said that it was a burden imposed by the State upon the enjoyment of a Federal franchise which the State cannot properly impose.

What was the gist of the case of McCulloch against Maryland? The State attempted to burden Federal facilities, which would have given the States the power to destroy Federal facilities. Have we not in our tax legislation repeatedly been confronted by the question whether or not we could give the States the power

to tax Federal securities without conferring upon them the incidental power to destroy, which is said to be inherent in the right to tax?

Mr. President, what I was saying was that the Federal Government has not only a right, but a duty, to see to it that the States do not impose onerous conditions under the guise of qualifications. When we raise the question of length of time in a precinct, I can understand well enough, and so can everyone else, why that is perhaps related to the question of knowledge of the candidates and of conditions prevailing in that locality. Any reasonable prescription of period of residence would not be questioned by anyone.

I can understand well enough why the States, out of long experience in human affairs, might decide that men and women of a certain maturity could best be entrusted with the sovereignty of the ballot. I can well understand why even certain educational standards might be prescribed—at least the ability to read and write. I am not sure that such standards should be prescribed. I do not know that I favor such standards; but I can well understand that an honest and conscientious legislature and Governor might bring about the enactment of a State statute which would lay down certain general standards and principles, and that they would be pertinent to the question of the qualification of the voter.

But, Mr. President, if a State legislature should say that only the landed gentry were qualified to vote; that only the moneyed class possessed the necessary qualifications; that only those who had a farm of not less than 1,000 acres, with not less than 40 plows, or those who paid an income tax on an income of at least \$10,000 should be entitled to vote, that would not be a proper exercise of the power to "screen" the electorate and select those who are best qualified.

Some have thought that such qualifications are appropriate. Some have thought that only persons of that fortune and class should have to do with the policy of a people. God forgive those who, pursuant to that policy, held to the grindstone the noses of millions who possess in their souls the spark of the divine.

We have passed that day, Mr. President. How far have we passed it? Can we say that a man does not have to have a thousand acres, but that he must have 500; that he does not have to have 500, but that he must have 100? Can we say that he does not have to have 100 acres but that he must have an acre, or a lot, or that he must at least be a tenant on the land? Obviously, if we admit the principle, it is capable of abuse and will be abused. It might very well be said, "You do not have to have \$10,000 a year income, but you must have \$5,000 or, in any event, \$1,000, or surely \$500; you must not be on the W. P. A., or be a borrower from the Farm Security Administration."

That suggestion is not unheard of. It is entertained by some misguided persons. It has been said that we ought not to give those on the W. P. A. the right to vote. Those fortunate citizens who

take that point of view think back to the old feudal days and maintain that if one is not capable of being self-supporting by his own strength, skill, and genius, he ought not to be permitted to enjoy the franchise of the ballot.

Can we say that a man does not have to have a certain quantity of land to vote in a general election—not with respect to the improvement of property—or that he does not have to have a certain amount of income or a certain quantity of money, but that he must pay a certain sum of money before he can vote?

What is the difference? If we can justly impose upon him the requirement that he pay one sum of money, under the law we can make him pay another. To many men a dollar means more than \$10,000 or \$1,000,000 to other men. In a land like ours, with all its riches, where 42 percent of the people have a gross annual income of less than \$500, how much does \$2 mean to them? I regret to say that under the constitution of the great State of Alabama, the State of my birth, a State which I shall cherish until my last breath is drawn, a constitution promulgated by a convention which thought that it must protect the purity of the ballot and keep it in the hands of the discriminating, a voter not only must pay a dollar a year to vote for State or Federal officials, but he must have paid a dollar a year for every year since he became eligible to vote. If a voter 41 years old became eligible to vote at 21, the record must show that he has paid a dollar for each of the intervening 20 years. That means that he would have to pay not \$2 but \$20 to vote at 41.

Soldiers who have not kept up their poll tax in the intervening years not only will have to pay \$2; but they will have to pay a dollar for each year during which they have been liable for a poll tax which they did not pay. In many cases it may easily mean with interest and fees, \$25, \$30, or \$40—a month's pay—to the individual soldier fighting with a democracy, as a part of a democracy, for democracy.

He is told, "We are sorry; you are a qualified soldier without paying, but not a qualified citizen without paying a sum of money." Yet we are preaching, Mr. President, the liberation of the oppressed peoples of the world, and the emancipation of the subjected peoples everywhere.

Charity and consistency should begin at home. If we are to stimulate the inspiration of the world with the sincerity of our program and campaign, convincing evidence of it must appear in the Congress of the United States, in the State legislatures, in the judicial chambers, and in the utterance and thought of every man, woman, and child in America. This is where democracy is born, and from here must go forth the stream which shall reach to the ends of the earth.

Mr. President, the distinguished Senator from Georgia wished to propound an inquiry. If he cares to propound it at this time I will gladly yield to him for that purpose.

Mr. GEORGE. I have no inquiry now.
Mr. PEPPER. Mr. President, all we are saying by this amendment is that

since the bill purports to affect only soldiers, sailors, and members of the organized auxiliary forces, nobody shall condition their right to vote upon the payment of a sum of money. That is all we are saying. We are actually saying it in wartime. We say—

No person in military service in time of war shall be required—

And so forth. This amendment does not relate to civilians. The rights of civilians are not being considered in this bill. They properly should be left to a bill which purports primarily to affect civilians. This bill purports to give to absent soldiers the right to vote, and that means the effective right to vote. The bill purports to give them the right to vote, leaving the poll tax in effect, which would result in the disfranchisement of a considerable number of soldiers from eight States. The language of the bill is—

who is otherwise qualified.

Soldiers who are qualified under the terms of the bill will not be permitted to vote unless they have paid the poll tax. Every one of the eight States having a poll tax makes it a condition precedent to the right to vote. It is called a qualification. Therefore every election official will hold that a person is not qualified to vote unless he has paid the poll tax. I do not believe that any Senator would question that statement of the law of the poll-tax States.

It is proposed to eliminate the necessity for registration, but it is not proposed to exempt a soldier from the necessity of paying a poll tax. Not only that, Mr. President, but as I indicated a moment ago, not only must a person pay the poll tax at the time he tries to vote, but he must have been thoughtful enough to have paid it at the time prescribed by the State statutes. A man in the service of his country, busy with his chores and cares, is expected, without notice or information, to be informed and thoughtful enough to send to the proper official his poll tax money, so that weeks or months thereafter, other circumstances permitting, he will be qualified to vote in an election for the authority which sent him to war, which is granting him a pension, and which is protecting his loved ones back home.

He has no voice in the selection of those who have the destiny of the cause for which he offers his life unless he has paid a sum of money to a State, which may have a purpose of its own to serve.

Does Congress want him to pay a poll tax to vote for Members of Congress? No. So it is not the purpose of Congress which must be served. It is not the conditions of Congress which must be complied with.

Mr. President, I do not wish to leave any misunderstanding in any mind. I deny to the Federal Government the power to interfere with the determination of those who shall vote for State and local officials. That is none of the Federal Government's business. Likewise the States cannot unduly burden the qualified elector who wishes to vote for Federal officials by requiring him or her to pay a sum of money.

My able friends were asking me certain questions. Suppose I ask them a question. Do they assert the unlimited and unchallengeable power of the States to define qualifications? Can the State of Florida say that only Democrats may vote for Federal officials? Can the State of Maine say that only Republicans may vote for Federal officials? Can the States say that only Baptists or Catholics may vote? Can they define another class, and say that only that class is qualified as an elector? If we once admit that unchallengeable power, the State can commit no enormity which comes within the sphere of Federal restraint.

Mr. President, that not only is not the law; that could not be the law, and if the Supreme Court allowed itself temporarily to utter something contrary to that view in the Breedlove case, within a few months they hastily and specifically and unequivocally removed the tarnish of any such suggestion from the jurisprudence of that distinguished body, and said that—

When we spoke about the States having the power to prescribe qualifications, we meant to the degree that they did it without encroaching upon the Federal prerogative, or to the degree that the Federal Government allowed them to exercise that power.

Just one last analogy which might be helpful in understanding the question: A State has the right to regulate interstate commerce by virtue of its inherent sovereignty as a State. But how long? Until the Federal Government assumes to exercise jurisdiction over the subject. When the Federal Government steps in, to that extent at least the State power is excluded. I do not even suggest that we go that far, but I do say that the States may define qualifications of electors unless Congress shall determine that they have gone beyond the legitimate sphere of that power.

Of course, it will have to be determined by the judicial power whether what the State has attempted to impose is a qualification or a condition. If it is a legitimate and a reasonable qualification, it may well be imposed and, of course, may stand. If it is a burdensome condition which will limit Federal power at the capricious whim of a State, the Congress cannot do its duty and allow such an encroachment, not only upon the rights of the citizen but upon the duty and power of the Federal Government, to go unchallenged; and if it is challenged by the Federal legislative power, I have no doubt that the challenge, if reasonably employed, as proposed in this case, will be sustained without question by the highest judicial tribunal to which the matter would eventually be committed.

I hope, therefore, Mr. President, that the amendment will be adopted, and I personally shall vote for it.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER (Mr. Downey in the chair). Does the Senator from Florida yield to the Senator from Nebraska?

Mr. PEPPER. I yield.

Mr. NORRIS. I have given some attention to the subject matter which the Senator has been discussing, and I am impressed with one thought, though I

am not satisfied in my own mind whether it is well founded. I feel inclined under any ordinary circumstances to vote for the Senator's amendment; but I am met with this proposition at the threshold: That the adoption of the amendment would delay the matter so that in the end perhaps we would get no law whatever upon the subject.

I confess I am very much impressed with the idea, knowing something about the history of legislation which is contested very bitterly, as I presume this proposal will be, that perhaps that is what we could expect, that the adoption of the amendment might make it impossible to enact a law in time to have it put in working order, to have the machinery all set up, so that the purpose of permitting the soldiers to vote would be attained. I should like to hear the Senator discuss that proposition.

Mr. PEPPER. Mr. President, I appreciate the able Senator from Nebraska making the statement he has made. I think all of us who know his background, the pulsations of his heart, and the characteristics of his thought expected him to make the utterance he did make relative to the principle itself.

Obviously, only those of the opposition would be able honestly and adequately to answer the inquiry the Senator has propounded, namely, whether the objections and the opposition to such an amendment as this would be so strenuous that the objectors would rather see the whole bill defeated than to see this amendment enacted.

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

Mr. PEPPER. I yield.

Mr. CONNALLY. I do not think the Senator from Florida is quite fair in that statement, because I would remind him that a general bill applying to the poll tax is now pending in the Committee on the Judiciary, and is pending before a subcommittee which has been holding exhaustive hearings. So, there might be some Senators who would prefer to delay the matter and let the committee work it out in a regular and logical way, rather than take a bite at it in connection with the pending bill.

Mr. NORRIS. If the Senator from Florida will yield again—

Mr. PEPPER. I yield.

Mr. NORRIS. I know the principle involved in the amendment is pending in a general bill before the Committee on the Judiciary, and I know something of the discussion which has proceeded there. I am satisfied in my own mind that there is not any prospect of that proposal becoming law in time to do any good in the way of permitting the soldiers to vote at the coming elections. This is a very important question, and if such a law is enacted it will ultimately go to the Supreme Court, I suppose, for decision. I am not complaining that there is not more expedition in the subcommittee which has the bill under consideration; I am a member of the subcommittee myself, although not its chairman.

I do not believe there is any prospect of the bill becoming a law in time to do any good in the way of providing a method for absentee soldiers to vote at

the coming election. I may be wrong about that; I am only judging by the delay which has taken place in connection with important matters of the kind, and I am not even suggesting that anyone is trying to delay this. So far as I know, no one is. The members of the committee have been very busy with other matters of great importance and were not physically able to take this subject up as soon as they otherwise would. I have heard it said in debate on the pending bill, with reference to this particular amendment, that the matter could be settled by the bill which is now pending. In theory, that is true. So far as having any practical application to the pending election is concerned, and permitting soldiers to vote at the coming election, I do not believe it would have any bearing whatever.

Mr. PEPPER. Mr. President, the Senator from Nebraska is of course correct. The bill to which the Senator from Texas has referred, Senate bill 1280, which has been pending for many months, is now before the Senate Committee on the Judiciary. Hearings have been completed so far as the proponents in the affirmative are concerned. We have had notice, I believe, that the attorneys general of several States which have the poll tax desire to be heard, and therefore the hearing will be delayed until they can come and be heard. Then some rebuttal may be necessary on the part of the proponents. So, the Senator from Nebraska is of course correct in his assumption, and he has peculiar knowledge, being a member of the subcommittee, that no action is possible on the bill in time to give the soldiers any possible exemption from the necessity of paying the poll tax in the States where it is required.

Therefore, when the Senate votes on my amendment, it will be voting with the knowledge that either the soldiers are going to be exempt from paying the poll tax or they are not. That is why I have said in good faith, and intending to state a factual matter, that if the opposition persisted in its resistance to the amendment, or to the bill if the amendment were made a part of it, it would of necessity indicate a conclusion on their part that it were better not to have the bill at all than to have it with the poll-tax amendment in it.

I do not venture to say anyone has formed an opinion like that. I certainly am not insinuating any such thing against any one individually or as a part of a group. I am assuming that this matter, like all others which come here, will be weighed and considered on its merits, discussed, and debated according to its virtues and demerits, and then that the Senate, in the democratic way, will be allowed to come to a conclusion as to what its preference is. That, too, is democracy; that privilege, too, must not be denied in the exercise of democracy and democratic principles.

The pending bill relates only to soldiers. The amendment relates only to soldiers. So that it is not proper to say that we should wait until we pass a bill which relates to everyone and is an independent bill, like the bill now pending before the Judiciary Committee. We are

talking about what burdens should be imposed upon soldiers, and they are going to know, when we vote, whether we think they should have to pay a sum of money in order to qualify to vote for Federal officials, when they are serving our Federal Government, when they are offering their lives to vindicate the principles for which it stands in the world.

I hope very much, Mr. President, that the amendment will be agreed to, and I hope that when the debate shall have been concluded, the Senate will have an opportunity to express its opinion favorably or unfavorably with respect to this proposal.

Mr. GEORGE. Mr. President, I joined in an effort to put the bill into such shape that it might pass, assuming that those who favored it really wanted soldiers to vote. On Friday last, as has been stated by the Senator from Rhode Island [Mr. GREEN], an agreement was reached, so far as I was concerned, to withdraw any opposition to the bill as it stood, if a simple amendment were added which merely provided that any member of the armed forces who was eligible to register and was qualified to vote might vote by an absentee voter's ballot. It did not require registration, but it did require that the voter be eligible to register.

As the bill was presented in the beginning, there was a wide-open implication that the Congress and the Congress alone had the right to regulate practically all elections for Representatives and Senators. We are not now discussing the election of President and Vice President. I could never support a bill of that kind, but I was willing to go as far as I did, and say that if the soldier presently in the States, trying to register and vote, was entitled to have that privilege accorded him, and under the law was entitled to vote, then he should be allowed to vote wherever he was, at any place on earth. It is true the bill was first confined to continental United States. I had no concern about that. I thought the amendment throwing it wide open to wherever the soldier might be was all right.

Now the poll-tax question has been raised, and I am going to ask a very pertinent question, one I believe we will have to answer before the war shall be won, whether or not we are more interested in social and political reforms of certain stripe and character and kind than in unity, in the desire and willingness of our people to fight this war. I am going to let that statement stand. It is going to stand right here in the RECORD. The motivating thought behind too many things has been desire for social and political reform, without any regard to effective national unity.

There are eight States which think they have a right, under the Constitution, to govern their own home affairs, and to prescribe the qualifications of all voters within those States. They cannot be slapped aside. Mr. President, this social reform can wait for another day.

I ask the question straight from the shoulder: Do Senators want the soldier to vote, or are they trying to put something in the bill which will prevent his voting? I said that all I was concerned

about was that the absent member of the armed forces simply possessed the qualifications or was eligible to do the things which under the law he had to do in order to vote within the State if he were present in the State. I thought that would let the bill pass. Now we have the question of the poll tax arising.

Mr. President, I have already said that in my opinion the States have the full right of prescribing the qualifications of electors within the States. That does not mean a State can prescribe unreasonable qualifications, nor can it prescribe qualifications which are violative of any provision of the Constitution. Certainly not. But the State has the right to prescribe the qualifications of the elector. In the very first article of the Constitution it is provided:

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

That is, the people who do the choosing—

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

Then the seventeenth amendment was adopted, and we got away from the election of Senators by the legislatures, and even in these modern days, even in these days when evolution is about to work its perfect work, and the States are becoming mere provinces, mere pawns in the hands of a Federal power, to be played with and cast aside at will, even in these modern days, we said in the seventeenth amendment:

The Senate of the United States shall be composed of two Senators from each State, elected by the people thereof, for 6 years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislatures.

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

Mr. GEORGE. I yield.

Mr. WHITE. Is not the language which the Senator has just read both a grant to the States of the right to determine the qualifications of electors, and, by the same token, a limitation on congressional power?

Mr. GEORGE. Undoubtedly so.

Mr. CONNALLY. Will the Senator yield?

Mr. CONNALLY. Is it not true that

Mr. GEORGE. I yield.

the language employed in the Constitution, "shall have the qualifications," means the exact qualifications, neither more nor less? Congress can have no power either to extend them or to contract them, but the qualifications for electors for Senators or Representatives must be those stated in the Constitution.

Mr. GEORGE. The Senator is correct. In considering qualifications the whole Constitution must be taken together.

Section 4 of the first article of the Constitution prescribes that:

The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof; but the Congress may at any

except as to the places of choosing Senators, time by law make or alter such regulations,

The provision refers to times, places, and manner. Nothing is said about qualifications of electors, not one word.

Of course, we have the thirteenth, fourteenth, and fifteenth amendments. I am perfectly sure that this was the meaning of the Constitution on the question even before the passage of those amendments, but it is made more definite by the fourteenth amendment, as follows:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Mr. President, I would not assert and do not assert that the State can prescribe any unreasonable qualifications to the citizen's right to cast his vote, as for instance, that he should be so tall, that he should have hair of a certain hue or color, or anything of the kind; of course not. But in the first place, the State is the judge of whether the qualifications are reasonable, and just a little bit of respect for States ought to restrain any Member of this body from condemning outright provisions in the constitutions of the States and in the laws of the States which have been there time out of mind, and which seem reasonable to the legislators of the States.

For instance, in my State we have a poll-tax provision. There was a time when we had a broader tax requirement, but now we have simply a poll-tax provision. Under the laws of my State the poll tax goes to the educational fund, to maintain the common schools and to educate the school children in Georgia.

The tax is \$1 per year. The legislature in its wisdom has decided that that \$1 should be paid, that it should go into the common school fund, and that the payment of the tax shall be one of the qualifications of the elector. Is that unreasonable? Perhaps there are people in the United States who think it is thoroughly unreasonable. But is it so unreasonable as to justify the Federal Congress striking out that provision? Is it not based on sound public policy? It did not have its origin in my State in connection with any question affecting elections. It was originated primarily for the raising of a slight additional tax to be used for school purposes, on the assumption that it was not an unreasonable thing to ask of a man who wished to vote that he pay that tax to qualify him to vote.

The State has a right within the State to regulate interstate commerce, that is, it has police power, but its regulations must be reasonable, because under the Constitution the Congress has the power to regulate interstate commerce and commerce with foreign countries. So long as the State regulation and law is reasonable, it is permitted to stand, unless the Federal Congress comes into exactly the same field and prescribes an-

other and contrary regulation. For instance, the Federal courts would not let a law stand which requires an interstate train to stop every 1,000 feet or every 1,500 feet in passing through the State. That would be an unreasonable burden on commerce. There are thousands of reasonable regulations which have been permitted to stand, regulations passed by the State for the protection of life and property, and in the interest of the safety of the citizens of the State.

So far as Georgia is concerned, we have a poll tax, a requirement that \$1 be paid, which money goes into the educational fund. It is required to be paid by everyone, white or black, to whom it is applicable. It is not applicable to soldiers under certain conditions. It is not required of persons after they reach a certain age in life. It is not required of ministers of the gospel. It is not required of a great many people in Georgia, but it is required of all classes alike to which it is applicable. Is that an unreasonable tax? It was not designed to keep anyone from voting. That was not its original intent and purpose. Its original intent, Mr. President, goes a long way back into the common law, and is intimately connected with the thing which we call military or road duty, from which men might be exempted if they did not want to perform the duty, by the payment of a small tax. That is where the tax had its genesis. But our modern reformers attribute it all to an evil design and purpose on the part of a State to prevent somebody from voting. More white people in my State are kept from voting, perhaps, than those of any other color. Yet all may vote by the payment of the tax. The payment of the tax is one of the simple duties a citizen must perform if he wishes to vote.

Mr. President, I did not rise to discuss the merits of this proposal. I rose to say what I had tried to do, that is, to accept the bill as it came in, with its profession of faith in its printed lines, to wit, that we do not wish to have disqualified from voting the members of our armed forces who have failed to register because they have been in the service, and it was not convenient, perhaps not possible, to register. I stated that if that is what is sought to be done, then let the broader implications of the bill be removed, and let us say that any member of the armed forces who is or was eligible to register, and who is a qualified voter in his State, may vote by the absentee ballot.

Now there is the other provision presented to us, this requirement with respect to a poll tax. Of course, Mr. President, those of us who come from States which have the poll tax requirement, whether we would vote for the poll-tax requirement if we were in the State legislature or not, feel it our duty to insist that our States have the right to prescribe reasonable regulations.

The argument is made that if we can prescribe \$1 we can prescribe \$100 or \$1,000 as a requirement for voting. No, Mr. President, that would be an unreasonable regulation. The courts of the country would not sustain it. If such a provision had existed, the courts of the country would have thrown it out the window long ago. But I believe it to be

a sound policy, I believe it to be a sound principle of government, under a dual system of government, for the legislative branches of both the State and the Federal Governments to respect the laws and regulations of the other sovereignty, so long as they are not so flagrantly onerous and discriminatory as to justify the courts of the land so to declare them.

I do not see how in the long run the dual system of government can prevail in America if the present tendency to invade the States shall continue, simply because we in the national legislative body do not like what the legislative body of Illinois, or of Massachusetts, or of Florida, or of Georgia, may have seen fit to do. Here is the Constitution on which both State and Federal Governments stand. That is the only basis on which unity, under the dual form or system of government such as we have, can continue.

As a matter of fairness—and I will not use a stronger adjective, though I could do so—do not let the legislature of Georgia say that “some act of the Congress seems to us unreasonable, and therefore we will brush it aside.” And by the same token, do not permit the House and the Senate to say that “some act of the legislature of Georgia or of Massachusetts to us seems to be utterly unreasonable. We do not agree with the philosophy of it, and we therefore will brush it aside.”

Both the State and Federal Governments stand on the Constitution. The Constitution expressly confirmed the right and power in the States to determine the qualifications of electors who vote for Members of the House and Senate. They are the identical qualifications which the State prescribes for its electors as a condition precedent to voting for members of the most numerous branch of the legislative body of the State.

Who gave the States that power? The power to run our domestic affairs has always been in the States. However, when the Constitution was adopted it merely referred the question of the qualifications of electors to the States and said, “Go on under your machinery.”

Is it not fair to assume that so long as the State law stands upon the books unchallenged in the courts we shall not brush aside the discretion of the State legislature in fixing a qualification which bears, at least prima facie, the earmarks of reasonableness?

Let me say to the distinguished Senator from Florida that when he brushes aside all the language, reasoning, and sophistry with which the subject can be clothed his argument is that the States have no authority or power to say who shall vote within the States for a Member of the House or of the Senate, and that such power rests entirely with the Congress. The proposition narrows down to that because if the qualifications which the States have prescribed—which have not been overthrown by the courts which have the duty of construing and enforcing the Constitution—are to be brushed aside because the Congress does not like them, then we shall proceed to a destruction of the dual system of gov-

ernment in America. Such a system possesses some virtues, although some persons do not think so. It has a great many more virtues than many persons in high public station accord to it.

I have full respect for the courts, but I have seen a definite tendency on the part of some members of the highest court of the land toward enunciation of the doctrine that the Constitution is mere words and can be interpreted by the juggling of language. It cannot be done rightfully, Mr. President, by any such process.

We are in a great war which is testing whether this Nation shall survive—perhaps whether our civilization shall survive. Eight important States have a simple poll-tax law. Those States are doing and have done their full duty in this great emergency. However, every time the States are slapped in the face during this crisis with a measure of social or political reform, even though it has some virtue, nothing whatever is being contributed to national unity.

Mr. President, I do not know what Senators wish to do concerning the bill under consideration, but the burden of whether it shall become law is squarely on Senators who wish to insist upon this kind of amendment. If the amendment is to be insisted upon, I shall ask for a quorum, and shall continue to ask for it whenever a quorum call is appropriate.

The PRESIDING OFFICER. Is the Senator from Georgia suggesting the absence of a quorum?

Mr. GEORGE. Yes; I suggest the absence of a quorum. We might as well fight it out.

Mr. BARKLEY. Will the Senator withhold his suggestion of the absence of a quorum for a moment?

Mr. GEORGE. I will withhold it if there is any likelihood of the amendment being withdrawn; otherwise, I shall insist on it.

Mr. BARKLEY. Mr. President, I desire to ask for a brief executive session, because I think it is obvious that a quorum has not been developed, and we shall probably have to adjourn until tomorrow in order to obtain a quorum. I do not desire to have the Executive Calendar postponed on that account, if the Senator from Georgia will withhold his request for a quorum.

Mr. GEORGE. I will withhold it for that purpose.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. Downey 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.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

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

Sundry postmasters.

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

Sundry officers for appointment, by transfer, and/or promotion, in the Regular Army.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Owen W. Gaines, of Georgia, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, also to be a consul; and

Several persons for appointment as Foreign Service officers, unclassified, vice consuls of career and secretaries in the Diplomatic Service.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

FOREIGN SERVICE NOMINATIONS CONFIRMED

Mr. CONNALLY. Mr. President, earlier in the day three Foreign Service nominations were favorably reported from the Committee on Foreign Relations. They are the nomination of Owen W. Gaines, of Georgia, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America; and of Howard Brandon, of Maryland, and Terry B. Sanders, Jr., of Texas, to be Foreign Service officers, unclassified, vice consuls of career and secretaries in the Diplomatic Service of the United States of America. I ask unanimous consent for present consideration of the nominations.

The PRESIDING OFFICER. Is there objection to the present consideration of the nominations? The Chair hears none. Without objection, the nominations are confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all nominations confirmed today, as well as the nominations confirmed on August 20. I understand that no such request was made in connection with those nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

ABSENTEE VOTING BY MEMBERS OF THE ARMED FORCES SERVING IN THE UNITED STATES

The Senate, in legislative session, resumed the consideration of the bill (H. R. 7416) to provide for a method of voting, in time of war, by members of the land and naval forces absent from the place of their residence and serving within the continental United States.

Mr. BARKLEY. Mr. President, every effort has been made to secure the presence of a quorum today. The Senator from Georgia has made the point of no quorum. If the point is insisted upon a roll call will be required, which will probably develop the fact that we lack one or two of the number necessary to constitute a quorum. I am satisfied that we shall have a quorum by tomorrow.

I am fundamentally in sympathy with the amendment which has been offered by the Senator from Illinois and supported by the Senator from Florida. Whenever the bill which is now pending before the Committee on the Judiciary, or any similar bill, comes before the Senate, it will be my purpose to support it. I do not believe in the poll-tax qualification for voting. In my judgment it is essentially a property qualification. Long ago the American system of democracy got away from the property qualification as a prerequisite for voting.

Yet, I and many others who feel that way about the situation are confronted by the problem of whether to complicate the bill—which in its present form relieves members of the armed forces from the requirement for registration in the States—by the proposed amendment, or any similar amendment, which may result in no legislation whatever. The poll-tax qualification applies only to 8 States. I believe that it is more important that the soldiers in all the 48 States be allowed to vote than that we amend the law as it applies to 8 States by undertaking to repeal the poll-tax qualification for suffrage in those States. It is unfair to those of us who are in sympathy with the objective of the Senator offering the amendment. It puts us in the position of having to vote against an amendment in which we fundamentally believe, in order to secure legislation which will enable all soldiers to vote, or run the risk of denying all of them the right to vote merely because in 8 States there has been provided a poll-tax qualification.

I make this observation in order that Senators who no doubt are sincere in their efforts to amend the bill in this fashion may think it over and determine whether after all we are justified in running the risk of defeating the right of all the forces to vote in order that we may adopt some amendment of a political nature which does not affect the constituents of the Senators who are offering the amendment and supporting it. Much as I sympathize with their view—and I will vote for that view on a separate bill—I myself and other Senators who think as I do are put in the position of having to decide whether we shall block this bill,

and probably deny the members of the armed forces the right to vote, in order to register our sentiments on the question of the qualification of voters in eight States in this Union.

I do not attribute any political motive to anyone in regard to this matter, but we are faced with a practical situation, and it seems to me it is worthy of consideration.

The only object of the bill as it passed the House, and as it has been reported to the Senate, has been to waive the question of registration, to allow soldiers who are absent, who have not been able to vote, and who have not been able to register, and who cannot register, the right to vote in congressional elections and in Presidential elections, regardless of their situations, for which they are not responsible.

The bill originally, and as it is reported in the Senate, did not intend, as I see it, to go into the question of the fundamental qualifications for voting under the laws of the States in which the soldiers reside. It raises a very serious practical situation.

I am satisfied the Senator from Illinois and the Senator from Florida would not want to deprive all the soldiers who can vote under the laws of their respective States of the right to do so. I cannot predict what will happen if the amendment should be inserted in the bill and have to go to conference. Undoubtedly there is not a quorum of the other House in Washington. Whether it is possible to get a quorum before the tax bill shall be sent to the House from the Senate I do not know, but I think it is within the bounds of reason to suggest that if the proposed amendment should be put into the bill, and a quorum should be demanded in the other House when the bill gets there—and it cannot be acted upon until a quorum is brought back to Washington—it is very questionable whether we could enact any legislation in time to allow the soldiers to vote in the coming November election. That is a practical matter which will appeal to every man according to his own judgment and his own convictions on the subject. It is a matter worthy of consideration.

Mr. McNARY. Mr. President, I have only this observation to make, that no one wants to impede the speedy enactment of the proposed legislation. I do not understand why such a condition as has been described should occur if we should accept the amendment offered by the able Senator from Illinois. The bill now contains some amendments which would require action by the House. We can pass on the amendment this afternoon. I think a quorum is present, or we can have one tomorrow. It will take only a few minutes to call the roll and determine whether there is a quorum present. The bill must go to the House. The conferees can either accept the amendments or not, but it must go to the House for further consideration. The House Members are not at all influenced by any action of the Senate, so far as delaying the final passage of the bill is concerned.

If the able Senator from Kentucky wants to vote to eliminate the poll tax and is only prevented by the embarrassment of the thought that it will delay the

bill, I can assure him and his colleague that there will be no unnecessary delay caused whatever, and he is perfectly privileged to vote this afternoon or tomorrow for the amendment offered by the able Senator from Illinois.

Mr. BARKLEY. Mr. President, I appreciate the guaranty of the Senator from Oregon, the very distinguished and cooperative minority leader, that the insertion of the amendment will cause no delay in the ultimate enactment of the bill. If I thought his guaranty worth anything, I should be willing to accept it, but I do not think it is worth anything, because in my opinion the Senator from Oregon cannot control the action of the House of Representatives or of the conferees on this subject, and I do not think he or any other Senator can guarantee that the amendment would not delay the enactment of the bill. I should hope that it would not. Certainly I want to see the bill enacted in time to do some good. I am getting a little tired of "horse play" in connection with a bill proposing to give the soldiers of our Army and the sailors of our Navy the right to vote. One delay or another has occurred, so that we have put it off from day to day. We cannot tell whether tomorrow, if we meet then, some other amendment may not be offered. One has been offered by the Senator from Connecticut, proposing that the bill apply to primary elections, which injects another controversial subject into the consideration of the bill. I do not see how any Senator can guarantee that any amendment we adopt here will not delay the enactment of the bill.

I shall suggest that we go over until tomorrow. I do not think there is a quorum in the city. I have consulted the officers of the Senate on both sides who have the duty of determining and ascertaining the presence of Senators, and there are 15 Republicans in the city of Washington out of some 27 or 28 or 29, and there are some 32 or 33 Democrats out of 60-odd. That does not constitute a quorum. If my count is not correct, the officers of the Senate whose business it is to check up on the return and presence of Senators have been mistaken about it. I do not think we have a quorum today, and if one did not develop on a call we would have to go over until tomorrow. I do think there will be a quorum present tomorrow, and I do not see any use in going through the form of a roll call now to determine whether or not a quorum is present. I hope we can dispose of the bill tomorrow. It is not my fault that we cannot dispose of it today, but I think that under the circumstances the only thing we can do is to wait until tomorrow.

The PRESIDING OFFICER. Before the Senator presses his motion for adjournment, will he not yield to the Senator from Illinois, who has been seeking recognition for some time?

Mr. BARKLEY. If I have the floor, I am glad to yield, and I am willing to yield the floor so that the Senator from Illinois may occupy it.

Mr. BROOKS. Mr. President, I am not impressed with any statement that because an amendment is offered to a

bill and eight States are affected, offering the amendment will delay the bill or prevent its ultimate enactment. Many times in the Senate during my short experience here I have been outvoted, and as soon as the majority has voted I have not delayed in following the decision of the majority. It will not take long to vote on this amendment, once we have a quorum, and when that quorum casts its vote, if any of the eight States prevents this bill being passed, let us direct attention to them, and not to those who offer a simple amendment.

Mr. President, my amendment applies to a poll tax, which the distinguished Senator from Georgia said amounted to \$1 and was not applicable to all people in the State, that the clergy were exempt, and that certain other men were exempt. In the name of heaven, who should be exempt more than boys who have been taken from their State by the vote of this body and by officials elected by those for whom we now ask that this simple little restriction be eliminated, so that the soldiers can cast their votes? There may be great questions in the future handled by the executive and the legislative branch of the Government which affect the very blood and life of these men. The State is not going to decide them, and those men who have a right to vote should have a right to say who should vote for those laws. Too many people, through the period of history, have voted for war and paid no sacrifice in the war. Here is a group of men, ordered, if you please, to the far corners of the earth, and we are asking not that a State be invaded for anything that pertains to the States, but we ask for something which pertains to the right of boys to vote for Members of this body, who are to determine the course which will affect their very lives in the future; and that should not long delay the consideration of the bill.

Mr. President, I offer the amendment; and if the majority outvotes me, and votes the amendment down, I shall still vote for the bill. I am not impressed with any argument that the mere presentation of the amendment will block the enactment of the bill, for, if that be true, then eight States determine the course of the United States on so vital a question as whether a boy shall have to take care of the simple detail of sending home a dollar and seeing that it is recorded properly that he has paid his poll tax.

Mr. BARKLEY. Mr. President, I reiterate what I said when I expressed the hope that absent Senators who are able to return, and who have not returned to Washington on the call we sent out last Friday, will return by tomorrow. I shall make further effort, through the officers of the Senate, to secure the return to Washington of a sufficient number of Senators to form a quorum tomorrow.

Mr. McNARY. Mr. President, I only have this finally to say, that a few moments ago I was advised by the officers of the Senate that a quorum was present, 49 Senators. That is my advice, and that is the latest I have had on the subject.

I am willing to proceed this afternoon. I do not want any delay, nor do I think there has been any "horse play" in connection with this matter. There have been many Senators playing around, but there has been no "horse play," because we have had the bill here for only 1 day.

Mr. BARKLEY. No; the bill has been before us—

Mr. McNARY. Just a moment. There has been no "horse play," but Senators have been offering amendments in good faith. The able Senator from Illinois has offered an amendment the virtues of which are admitted by the able leader of the Senate.

I will state, Mr. President, knowing the rules of the Senate and of the House, that enough amendments have been made to the bill, and enough modifications made, to require action by the House. The House will be in session in a few days, and the amendment we are now discussing would not in any way deter the progress of the bill in the House. That is a fact which I guarantee, because anyone who knows the rules can guarantee a rule, and that is all I am doing.

Mr. BARKLEY. I still insist that I must take with some discount the Senator's guaranty as to what the House may do and when they may do it. The Senator knows that a majority of the House is not in the city. The House is taking a series of 3-day recesses, with the understanding that the Members probably will not have to return until the Senate passes the tax bill and sends that bill back to the House. There is no way to deny the constitutional right of Members of the House to call for a quorum, but whether a quorum could be brought back to consider this particular amendment, I am not in a position to say, and I do not guarantee, and I do not think any Senator can guarantee, that that would be done. We are not responsible for House action or inaction, of course, on this or on any other question.

Mr. McNARY. I am not interested in whether the Senator takes my guaranty or not. His slur passes by as the idle wind. I am merely saying that knowledge of the rules of the House leads me to say that House action is required on what we in the Senate do in the way of amending a House bill. I do not know what their action will be, but I know some action must be taken, and to add a little more action to what action must be taken will not mean very much action, after all.

I think the matter is too important to be passed by with a glib remark that there has been "horse play," that the bill must go through in its present form, as brought out of the committee and designed by the able Senator from Kentucky and his associate from Rhode Island. I have been a Member of the Senate for a good many years, and I state that it is the privilege of a Senator to offer such amendments as he may desire to offer, and no one can question the good faith of the amendment offered by the able Senator from Illinois,

and in part by the able Senator from Florida.

I think it is time for us to act deliberately. We have boasted of the Senate for many years as being the only deliberative body left in the world, and I for one insist that we have a deliberate consideration of the bill before us. I say that a quorum is present in the Senate now, or will be tomorrow or the next day. There not only will be a quorum but there will be a roll-call vote on the proposal sponsored by the Senator from Illinois, or the one offered, or to be offered, by the distinguished Senator from Connecticut. That is my guaranty.

Mr. BARKLEY. Mr. President, I do not wish to make any further contribution to the "horse play" to which I referred awhile ago. When I used that expression I did not mean it as a slur upon any Senator who has offered an amendment or who has not offered an amendment, but the pending bill has been before the Senate now for more than a week, it has been put off from time to time because the point of no quorum was either made or threatened. As a result of the threat of the point being made last Thursday, an effort has been made to secure the presence of a quorum, and I may say that the Senator from Oregon has cooperated on his side in the effort to secure the return of a sufficient number of Senators to bring about a quorum.

Tomorrow two or three States will hold their primary elections, and I can very well excuse Senators who are involved in those elections for not returning today, when they would have to return home tomorrow if they desired to exercise the right of voting within their States. But we all understand, regardless of amendments, that unless the bill is speedily passed, no amendments will be of any value, and the bill itself will be of no value.

I do not know what will happen in the House, but we are all reasonable men, we are practical men, and we know what usually happens with amendments which are controversial. I do not think either the Senator from Oregon [Mr. McNARY], or I, or any other Senator, or any Member of the House of Representatives, could guarantee that with this amendment in the bill, or the amendment offered by the Senator from Connecticut [Mr. DANAHY], or any controversial amendment in it, when the bill returns to the House, some Member would not demand that a quorum be present. I do not think anyone can guarantee that a Senator or a Member of the House will forego his constitutional right to make a point that there is no quorum present.

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

Mr. BARKLEY. I yield.

Mr. DAVIS. I wonder if it would not be possible to recess until Wednesday in order to give Senators who are away because of primary elections an opportunity to be here.

Mr. BARKLEY. It would be possible to do so.

Mr. DAVIS. Some of them live a great distance from Washington.

Mr. BARKLEY. I appreciate that, but so far as I am concerned, I am not willing to recess over a single day, to Wednesday, or Thursday, or any other day beyond tomorrow.

I think there will be a quorum present tomorrow. I do not know where the Senator from Oregon gets the information, which seems to have come to him by a grapevine method, that we have a quorum present. The Senator and I consulted together within the last half hour or hour, and with the employees of the Senate charged with the duty of determining the return of Members and keeping a check upon the presence of Members. If the Senator from Oregon has received some private information which has not been imparted to me by either one of those officers, I confess that he has an advantage over me. I have not received such information.

Mr. McNARY. That may be possible, but I do not like to exert the advantage any more than necessary.

Mr. BARKLEY. Of course, far be it from me to deny the Senator from Oregon any advantage over me which he claims on that score.

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

Mr. BARKLEY. I yield.

Mr. McNARY. I simply wish to straighten out the facts which seem to be somewhat confused in the mind of the very distinguished Senator from Kentucky. The information which I received is not grapevine information, because it has its genesis in a Senate official.

Mr. BARKLEY. Neither the secretary to the majority, Mr. Biffle, nor the secretary to the minority, Mr. Loeffler, has given me such advice. But in order to settle that point, to determine whether there is a quorum present here now, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Andrews	Gerry	Murray
Barkley	Green	Norris
Bone	Hayden	Radcliffe
Bridges	Johnson, Calif.	Rosier
Brooks	Johnson, Colo.	Schwartz
Byrd	Kilgore	Taft
Capper	La Follette	Thomas, Idaho
Clark, Mo.	Lodge	Thomas, Utah
Connally	McCarran	Vandenberg
Danaher	McFarland	Van Nuys
Davis	McKellar	White
Downey	McNary	Wiley
George	Maloney	

Mr. BARKLEY. I announce that the Senator from Michigan [Mr. BROWN] is necessarily absent, attending the funeral of a friend who died in Michigan.

The Senator from Kentucky [Mr. CHANDLER] and the Senator from Washington [Mr. WALLGREN] are members of the committee to investigate national defense, and are absent in the performance of their duties.

The Senator from Utah [Mr. MURDOCK] the Senator from New Mexico [Mr. HATCH], and the Senator from Wyoming [Mr. O'MAHONEY], are absent on official business.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr.

BILBO], the Senator from South Dakota [Mr. BULOW], the Senator from Nevada [Mr. BUNKER], the Senator from Arkansas [Mrs. CARAWAY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CLARK], the Senator from Mississippi [Mr. DOXEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Iowa [Mr. HERRING], the Senator from Alabama [Mr. HILL], the Senator from Delaware [Mr. HUGHES], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from South Carolina [Mr. MAYBANK], the Senator from New York [Mr. MEAD], the Senator from Texas [Mr. O'DANIEL], the Senator from Louisiana [Mr. OVERTON], the Senator from North Carolina [Mr. REYNOLDS], the Senator from New Jersey [Mr. SMATHERS], the Senator from South Carolina [Mr. SMITH], the Senator from Arkansas [Mr. SPENCER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Missouri [Mr. TRUMAN], the Senator from Delaware [Mr. TUNNELL], the Senator from Maryland [Mr. TYDINGS], the Senator from New York [Mr. WAGNER], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. McNARY. I announce that the Senator from Ohio [Mr. BURTON] is absent on Senate duties as a member of the subcommittee of the committee to investigate the national defense and the war program.

The Senator from Oregon [Mr. HOLMAN] and the Senator from South Dakota [Mr. GURNEY] are absent on official business of the Senate.

The senior Senator from Vermont [Mr. AUSTIN], the junior Senator from Vermont [Mr. AIKEN], the Senator from Minnesota [Mr. BALL], the Senator from Maine [Mr. BREWSTER], the Senator from Nebraska [Mr. BUTLER], the Senator from North Dakota [Mr. LANGER], the Senator from Colorado [Mr. MILLIKIN], the Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], the Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The PRESIDING OFFICER. Thirty-eight Senators having answered to their names, a quorum is not present. The clerk will call the names of absent Senators.

The legislative clerk called the names of absent Senators, and Mr. BAILEY, Mr. RUSSELL, and Mr. STEWART answered to their names when called.

The PRESIDING OFFICER. Forty-one Senators having answered to their names, a quorum is not present.

ADJOURNMENT

Mr. BARKLEY. Mr. President, in view of the developments as the result of the roll call, I move that the Senate do now adjourn.

The motion was agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until tomorrow, Tuesday, August 25, 1942, at 12 o'clock noon.

NOMINATIONS

Executive nominations received by the Senate August 24, 1942:

APPOINTMENTS IN THE REGULAR ARMY TO BE FIRST LIEUTENANTS, DENTAL CORPS, WITH RANK FROM DATE OF APPOINTMENT

First Lt. Burdette Alden Stone, Dental Corps Reserve.

First Lt. John Francis Donovan, Jr., Dental Corps Reserve.

First Lt. Perry Wilson Bascom, Dental Corps Reserve.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES TO SIGNAL CORPS

Lt. Col. Ernest Stratton Barker, Infantry, with rank from November 29, 1940.

PROMOTION IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONEL WITH RANK FROM AUGUST 14, 1942

Lt. Col. Clarence Corinth Benson, Cavalry, TO BE LIEUTENANT COLONELS WITH RANK FROM SEPTEMBER 2, 1942

Maj. Robert Hilton Offley, Infantry (temporary colonel)

Maj. John Mesick, Field Artillery (temporary lieutenant colonel)

Maj. Francis Parker Tompkins, Cavalry (temporary colonel)

Maj. John Arthur Weeks, Quartermaster Corps (temporary colonel)

Maj. Frederick William Gerhard, Chemical Warfare Service (temporary colonel)

Maj. Cornelius Comegys Jadwin, Cavalry (temporary lieutenant colonel)

Maj. Howard Harvey Newman, Coast Artillery Corps (temporary colonel)

Maj. Richard Gray McKee, Infantry (temporary lieutenant colonel)

Maj. William Lillard Barriger, Cavalry (temporary colonel)

Maj. Frederick Williams Fenn, Cavalry (temporary colonel)

Maj. Joseph Charles Kovarik, Finance Department (temporary lieutenant colonel)

Maj. Jonathan Lane Holman, Ordnance Department (temporary colonel)

Maj. Wynot Rush Irish, Infantry (temporary lieutenant colonel)

Maj. Francis Earle Rundell, Quartermaster Corps (temporary colonel)

Maj. Royal Adam Machle, Infantry (temporary lieutenant colonel)

Maj. Leonard Randall Nachman, Infantry (temporary lieutenant colonel)

Maj. Clark Hazen Mitchell, Field Artillery (temporary lieutenant colonel)

Maj. William Maynadier Miley, Infantry (temporary brigadier general)

Maj. George Baird Hudson, Cavalry (temporary lieutenant colonel)

Maj. Harry Clay Mewshaw, Cavalry (temporary colonel)

Maj. Alfred Armstrong McNamee, Infantry (temporary lieutenant colonel)

Maj. Francis Joseph Achatz, Field Artillery (temporary lieutenant colonel)

Maj. Leon Calhoun Boineau, Adjutant General's Department (temporary colonel)

Maj. Harold Wilbert Gould, Infantry (temporary lieutenant colonel)

Maj. George Bittmann Barth, Field Artillery (temporary lieutenant colonel)

Maj. Harry Benham Sherman, Infantry (temporary lieutenant colonel)

Maj. Thomas Quinton Donaldson, Jr., Cavalry (temporary colonel)

Maj. Philip Edward Gallagher, Infantry (temporary colonel)

Maj. Carroll Kimball Leeper, Infantry (temporary lieutenant colonel)

Maj. Charlie Quillian Lifsey, Quartermaster Corps (temporary lieutenant colonel)

Maj. Hugh McCalla Wilson, Jr., Quartermaster Corps (temporary lieutenant colonel)

Maj. Robert Trueheart Foster, Infantry (temporary lieutenant colonel)

TO BE LIEUTENANT COLONELS WITH RANK FROM SEPTEMBER 4, 1942

Maj. Frederick von Harten Kimble, Air Corps (temporary colonel).

Maj. William Jones Hanlon, Air Corps (temporary colonel).

Maj. John Harold McFall, Finance Department (temporary colonel).

Maj. Howard Arnold Craig, Air Corps (temporary colonel).

Maj. David Robert Stinson, Air Corps (temporary colonel).

Maj. Joseph Theodore Morris, Air Corps (temporary colonel).

Maj. Don Elwood Lowry, Quartermaster Corps (temporary colonel).

TO BE LIEUTENANT COLONELS WITH RANK FROM SEPTEMBER 5, 1942

Maj. William Robert Sweeley, Air Corps (temporary colonel).

Maj. George Allan McHenry, Air Corps (temporary colonel)

TO BE LIEUTENANT COLONEL WITH RANK FROM SEPTEMBER 17, 1942

Maj. Claude Leslie Gamble, Quartermaster Corps (temporary lieutenant colonel), subject to examination required by law.

TO BE LIEUTENANT COLONELS WITH RANK FROM SEPTEMBER 19, 1942

Maj. Henry Charles Wolfe, Corps of Engineers (temporary colonel).

Maj. Lemuel Edwin Edwards, Finance Department (temporary colonel).

TO BE LIEUTENANT COLONEL WITH RANK FROM SEPTEMBER 30, 1942

Maj. Joseph Franklin Battley, Chemical Warfare Service (temporary colonel).

TO BE FIRST LIEUTENANTS WITH RANK FROM SEPTEMBER 1, 1942

Second Lt. James Nelson Jean, Infantry (temporary captain).

Second Lt. Hubert Denwood Thomte, Infantry (temporary captain).

Second Lt. John Sewanee Baskin, Infantry (temporary captain).

Second Lt. Harold Otto Johnson, Coast Artillery Corps (temporary captain).

Second Lt. Frank Halliday Todd, Signal Corps (temporary captain).

Second Lt. Frank Gordon Ratliff, Field Artillery (temporary captain).

Second Lt. Sylvan Preston Lay, Field Artillery (temporary captain).

Second Lt. Ira Bertram Richards, Jr., Cavalry (temporary captain).

Second Lt. Earl Robert Kindig, Field Artillery (temporary captain).

Second Lt. Eugene Allen Dees, Infantry (temporary captain).

Second Lt. Donald William Coons, Infantry (temporary captain).

Second Lt. Ralph Charles McCrum, Infantry (temporary captain).

Second Lt. Walter Reeve Bruyere 3d, Infantry (temporary captain).

Second Lt. Raymond Dunlap Hill, Infantry (temporary captain).

Second Lt. Lemuel Edwin Pope, Cavalry (temporary captain).

Second Lt. Vladimir Bohdan Kovac, Infantry (temporary captain).

Second Lt. Benson Walker Campbell, Jr., Field Artillery (temporary captain).

Second Lt. Stephen Wheeler Downey, Cavalry (temporary first lieutenant).

Second Lt. James Gleason Foley, Infantry (temporary captain).

Second Lt. Robert Parrish McQuall, Infantry (temporary captain).

Second Lt. Lewis Lee Copley, Infantry (temporary captain).

Second Lt. Johnson Grant Lemmon, Infantry (temporary captain).

Second Lt. Vernon Ehler Rex Rawie, Field Artillery (temporary captain).

Second Lt. Sterling Charles Holmes, Infantry (temporary captain).

Second Lt. James Hardesty Critchfield, Cavalry (temporary captain).

Second Lt. William Isadore Wood, Signal Corps (temporary captain).

Second Lt. William Henry Hastings, Field Artillery (temporary captain).

Second Lt. John Robert Snow, Coast Artillery Corps (temporary captain).

Second Lt. Willys Hicks Pearson, Infantry (temporary captain).

Second Lt. Samuel Ezra Shoemaker, Infantry (temporary captain).

Second Lt. Louis Robert Moore, Jr., Infantry (temporary first lieutenant).

Second Lt. Thomas Latta Mann, Infantry (temporary captain).

Second Lt. William Overton Gall, Field Artillery (temporary captain).

Second Lt. Charles Francis Heasty, Jr., Coast Artillery Corps (temporary captain).

Second Lt. Avery W. Masters, Field Artillery (temporary captain).

Second Lt. William Louis Thorkelson, Coast Artillery Corps (temporary captain).

Second Lt. Ralph Longwell Foster, Cavalry (temporary captain).

Second Lt. Thomas Augustine Kenan, Infantry (temporary captain).

Second Lt. Jonathan Adams Wolcott, Infantry (temporary captain).

Second Lt. William Frederick Beaty, Cavalry (temporary captain).

Second Lt. Frederick William Hasselback, Jr., Field Artillery (temporary captain).

Second Lt. Robert Burns Barry, Jr., Coast Artillery Corps (temporary captain).

Second Lt. Alan Buck White, Coast Artillery Corps (temporary captain).

Second Lt. Richard Franklin Kent, Infantry (temporary first lieutenant).

Second Lt. Harold Henkel Smith, Infantry (temporary captain).

Second Lt. Richard Logan Irby, Cavalry (temporary captain).

Second Lt. Chester Clay Holloway, Jr., Field Artillery (temporary captain).

Second Lt. William Henry Craig, Infantry (temporary captain).

Second Lt. Morgan Garrott Roseborough, Infantry (temporary captain).

Second Lt. Charles Cantrell, Field Artillery (temporary captain).

Second Lt. Dorsey Elwood McCrory, Infantry (temporary captain).

Second Lt. Howard Dayle Balliett, Infantry (temporary captain).

Second Lt. Aleck Francis MacDonald, Coast Artillery Corps (temporary first lieutenant).

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

MEDICAL CORPS

To be majors

Capt. John Ellsworth Roberts, Medical Corps (temporary lieutenant colonel), with rank from September 1, 1942.

Capt. Ralph Vernon Flew, Medical Corps (temporary lieutenant colonel), with rank from September 25, 1942.

Capt. Wayne Glassburn Brandstadt, Medical Corps (temporary major), with rank from September 25, 1942.

To be captains

First Lt. Frederick Joseph Frese, Jr., Medical Corps (temporary major), with rank from September 7, 1942.

First Lt. Theodore Livingston Hartridge, Medical Corps (temporary major), with rank from September 17, 1942.

First Lt. Julian Rex Bernheim, Jr., Medical Corps (temporary major), with rank from September 18, 1942.

DENTAL CORPS

To be colonel

Lt. Col. Brantley Ingold Newsom, Dental Corps (temporary colonel), with rank from September 23, 1942.

To be captain

First Lt. Grayson Gwynne Garrison, Dental Corps (temporary captain), with rank from September 17, 1942.

VETERINARY CORPS

To be captain

First Lt. Russell Martin Madison, Veterinary Corps (temporary captain), with rank from September 5, 1942.

PROMOTION, FOR TEMPORARY SERVICE, IN THE NAVY

Capt. William K. Harrill to be a rear admiral in the Navy, for temporary service, to rank from the 7th day of July 1942.

APPOINTMENTS AND PROMOTIONS IN THE MARINE CORPS

Maj. (temporary) John Wehle to be a major in the Marine Corps from the 29th day of April 1942.

Capt. (temporary) James B. Glennon, Jr., to be a first lieutenant in the Marine Corps from the 1st day of June 1942.

The following-named citizens to be second lieutenants in the Marine Corps from the 15th day of May 1942:

George L. Sheard, a citizen of Indiana.
Charles J. Bailey, Jr., a citizen of Georgia.
Stanley M. Adams, a citizen of California.
William H. Kennedy, Jr., a citizen of Arkansas.

Martin F. Rockmore, a citizen of New York.

Sidney J. Altman, a citizen of New York.
Kenneth N. Hilton, a citizen of Washington.
Henry A. Lassiter, a citizen of North Carolina.

Walter Antin, a citizen of Louisiana.

Carl W. Proehl, a citizen of Illinois, to be a second lieutenant in the Marine Corps from the 13th day of June 1942.

POSTMASTERS

ALABAMA

Madge S. Jefferies, Citronelle, Ala., in place of M. S. Jefferies. Incumbent's commission expired June 23, 1942.

Ruth Duffey, Dadeville, Ala., in place of Ruth Duffey. Incumbent's commission expired June 23, 1942.

Ferne W. Rainer, Union Springs, Ala., in place of F. W. Rainer. Incumbent's commission expired June 23, 1942.

ARIZONA

Charles C. Stemmer, Cottonwood, Ariz., in place of C. C. Stemmer. Incumbent's commission expired June 23, 1942.

Charles J. Moody, Superior, Ariz., in place of C. J. Moody. Incumbent's commission expired June 23, 1942.

ARKANSAS

Elodie E. Holland, Dyess, Ark., in place of R. R. Holland. Incumbent's commission expired August 19, 1941.

Lucy F. Harris, Earl, Ark., in place of L. F. Harris. Incumbent's commission expired June 23, 1942.

Benjamin S. Kent, Mountain View, Ark., in place of J. B. Lancaster, resigned.

Lola B. Gregory, Portland, Ark., in place of L. B. Gregory. Incumbent's commission expired June 1, 1942.

James O. Woolly, Quitman, Ark., in place of W. F. Bryant, transferred.

Nannie A. Rogers, State College, Ark., in place of C. V. Warr, retired.

CALIFORNIA

Jay K. Battin, Angwin, Calif., in place of J. K. Battin. Incumbent's commission expired April 20, 1942.

Roy W. Scott, Baldwin Park, Calif., in place of R. W. Scott. Incumbent's commission expired June 8, 1942.

Walter A. Johnson, Bishop, Calif., in place of W. A. Johnson. Incumbent's commission expired April 20, 1942.

Elaine M. Strohl, Imola, Calif., in place of E. M. Strohl. Incumbent's commission expired April 15, 1942.

Edith B. Smith, Patton, Calif., in place of E. B. Smith. Incumbent's commission expired June 23, 1942.

James B. Stone, Redlands, Calif., in place of J. B. Stone. Incumbent's commission expired June 23, 1942.

Lewis E. Erbes, San Bruno, Calif., in place of F. W. Kickbush, deceased.
Robert de Journal, Sanger, Calif., in place of A. G. Stewart, deceased.

COLORADO

Roy Staley, Arvada, Colo., in place of Roy Staley. Incumbent's commission expired April 1, 1942.

James E. Adams, Englewood, Colo., in place of J. E. Adams. Incumbent's commission expired June 23, 1942.

Agnes M. Padan, Fort Logan, Colo., in place of A. M. Padan. Incumbent's commission expired June 23, 1942.

Carl E. Wagner, Fort Morgan, Colo., in place of C. E. Wagner. Incumbent's commission expired June 23, 1942.

Angeline B. Adkisson, Longmont, Colo., in place of A. B. Adkisson. Incumbent's commission expired June 23, 1942.

Elmer M. Ivers, Loveland, Colo., in place of E. M. Ivers. Incumbent's commission expired June 23, 1942.

Grover C. Huffnagle, Ridgway, Colo., in place of G. C. Huffnagle. Incumbent's commission expired May 31, 1942.

CONNECTICUT

George H. Robertson, South Coventry, Conn., in place of G. H. Robertson. Incumbent's commission expired May 11, 1942.

Aaron A. French, Jr., Sterling, Conn., in place of A. A. French, Jr. Incumbent's commission expired May 12, 1942.

FLORIDA

Katharine S. Grey, Atlantic Beach, Fla., in place of K. S. Grey. Incumbent's commission expired June 23, 1942.

Charles W. Ten Eick, Hollywood, Fla., in place of B. L. David, deceased.

ILLINOIS

George R. Gampher, Eldorado, Ill., in place of G. R. Gampher. Incumbent's commission expired May 11, 1942.

Ernest R. Lightbody, Glasford, Ill., in place of E. R. Lightbody. Incumbent's commission expired June 23, 1942.

Lyle O. Kistler, Joy, Ill., in place of L. O. Kistler. Incumbent's commission expired June 23, 1942.

Pearl W. Blackwelder, Litchfield, Ill., in place of P. W. Blackwelder. Incumbent's commission expired May 3, 1942.

Joseph E. Fitzgerald, Lockport, Ill., in place of J. E. Fitzgerald. Incumbent's commission expired June 23, 1942.

George W. Collins, Lombard, Ill., in place of G. W. Collins. Incumbent's commission expired June 23, 1942.

George K. Brenner, Madison, Ill., in place of G. K. Brenner. Incumbent's commission expired June 23, 1942.

Margaret M. O'Brien, Mokena, Ill., in place of M. M. O'Brien. Incumbent's commission expired June 23, 1942.

Henry Cottlow, Oregon, Ill., in place of Henry Cottlow. Incumbent's commission expired June 23, 1942.

Hugh J. Gorman, Pectone, Ill., in place of H. J. Gorman. Incumbent's commission expired June 23, 1942.

Paul R. Smoot, Petersburg, Ill., in place of P. R. Smoot. Incumbent's commission expired June 23, 1942.

Arthur B. Caughlan, Pittsfield, Ill., in place of A. B. Caughlan. Incumbent's commission expired April 1, 1942.

Martin J. Naylon, Polo, Ill., in place of M. J. Naylon. Incumbent's commission expired June 23, 1942.

Benjamin W. Sharp, Reynolds, Ill., in place of B. W. Sharp. Incumbent's commission expired June 23, 1942.

Leon J. Walsh, South Beloit, Ill., in place of L. J. Walsh. Incumbent's commission expired June 23, 1942.

Marie E. Holquist, Stillman Valley, Ill., in place of M. E. Holquist. Incumbent's commission expired June 23, 1942.

Oliver M. Colwell, Toulon, Ill., in place of O. M. Colwell. Incumbent's commission expired June 23, 1942.

George A. Larimer, Tuscola, Ill., in place of G. A. Larimer. Incumbent's commission expired April 1, 1942.

Mathew L. McHugh, Westmont, Ill., in place of M. L. McHugh. Incumbent's commission expired June 23, 1942.

Mary I. Quinn, Wilmington, Ill., in place of M. I. Quinn. Incumbent's commission expired June 23, 1942.

INDIANA

Richard A. Conn, Brook, Ind., in place of R. A. Conn. Incumbent's commission expired June 23, 1942.

Lowell B. Pontius, Claypool, Ind., in place of L. B. Pontius. Incumbent's commission expired June 23, 1942.

Charles H. Apple, French Lick, Ind., in place of C. H. Apple. Incumbent's commission expired June 23, 1942.

Arthur G. Houser, Garrett, Ind., in place of A. G. Houser. Incumbent's commission expired June 23, 1942.

Hazel R. Widdows, Geneva, Ind., in place of H. R. Widdows. Incumbent's commission expired June 23, 1942.

Maurice L. Cory, Kingman, Ind., in place of M. L. Cory. Incumbent's commission expired June 23, 1942.

Ira J. Dye, Kouts, Ind., in place of I. J. Dye. Incumbent's commission expired June 23, 1942.

Albert M. Leis, Mount St. Francis, Ind., in place of A. M. Leis. Incumbent's commission expired June 23, 1942.

Charles A. Webster, North Vernon, Ind., in place of C. A. Webster. Incumbent's commission expired June 23, 1942.

Josiah J. Hostetler, Shpshewana, Ind., in place of J. J. Hostetler. Incumbent's commission expired June 23, 1942.

IOWA

John S. Vifquain, Belle Plaine, Iowa, in place of J. S. Vifquain. Incumbent's commission expired June 23, 1942.

John A. Davis, Colfax, Iowa, in place of J. A. Davis. Incumbent's commission expired June 23, 1942.

Nettie Blair Lewis, Columbus Junction, Iowa, in place of N. B. Lewis. Incumbent's commission expired June 23, 1942.

Jessie Branagan, Emmetsburg, Iowa, in place of Jessie Branagan. Incumbent's commission expired June 23, 1942.

Clara E. Kennedy, Estherville, Iowa, in place of C. E. Kennedy. Incumbent's commission expired June 23, 1942.

Howard C. Shafer, Hampton, Iowa, in place of H. C. Shafer. Incumbent's commission expired June 23, 1942.

Robert A. Mortland, Montezuma, Iowa, in place of R. A. Mortland. Incumbent's commission expired June 23, 1942.

Elmer T. Treinen, Remsen, Iowa, in place of C. J. Bunkers, resigned.

Arthur C. Kohlmann, Waverly, Iowa, in place of A. C. Kohlmann. Incumbent's commission expired June 23, 1942.

KANSAS

Raymond J. Kaufman, Moundridge, Kans., in place of S. E. Hatfield, resigned.

John W. Sheridan, Paola, Kans., in place of J. W. Sheridan. Incumbent's commission expired May 6, 1942.

KENTUCKY

George W. Tye, Barbourville, Ky., in place of G. W. Tye. Incumbent's commission expired February 24, 1942.

Susan R. Hill, Carrollton, Ky., in place of S. R. Hill. Incumbent's commission expired June 23, 1942.

Herman A. House, London, Ky., in place of H. A. House. Incumbent's commission expired March 30, 1942.

MAINE

Floyd A. Smith, Caribou, Maine, in place of F. A. Smith. Incumbent's commission expired April 15, 1942.

Carroll A. Matthieu, Farmington, Maine, in place of C. A. Matthieu. Incumbent's commission expired June 23, 1942.

Ernest F. Poulin, Waterville, Maine, in place of E. F. Poulin. Incumbent's commission expired May 11, 1942.

MARYLAND

Lewis H. Stoner, Emmitsburg, Md., in place of L. H. Stoner. Incumbent's commission expired March 25, 1942.

Elizabeth H. S. Boss, Laurel, Md., in place of E. H. S. Boss. Incumbent's commission expired June 23, 1942.

MASSACHUSETTS

George F. Cramer, Amherst, Mass., in place of G. F. Cramer. Incumbent's commission expired June 23, 1942.

Thomas V. Sweeney, Harding, Mass., in place of T. V. Sweeney. Incumbent's commission expired June 23, 1942.

Catherine A. Lamoureux, Hinsdale, Mass., in place of C. A. Lamoureux. Incumbent's commission expired June 23, 1942.

John H. Fletcher, Westford, Mass., in place of J. H. Fletcher. Incumbent's commission expired June 23, 1942.

MICHIGAN

Frank C. Jarvis, Grand Rapids, Mich., in place of F. C. Jarvis. Incumbent's commission expired April 12, 1942.

Mary A. Ripley, Sault Ste. Marie, Mich., in place of M. A. Ripley. Incumbent's commission expired June 23, 1942.

MINNESOTA

Marvin E. Rohrer, St. Clair, Minn. Office became Presidential July 1, 1941.

MISSOURI

Fred H. Kurz, Savannah, Mo., in place of F. H. Kurz. Incumbent's commission expired June 23, 1942.

Alexander Rankin, Tarkio, Mo., in place of Alexander Rankin. Incumbent's commission expired May 3, 1942.

MONTANA

Joseph M. Astle, Hardin, Mont., in place of J. M. Astle. Incumbent's commission expired June 23, 1942.

Ethel C. Hockman, Kevin, Mont., in place of E. C. Hockman. Incumbent's commission expired June 23, 1942.

Albert W. Schammel, Scobey, Mont., in place of A. W. Schammel. Incumbent's commission expired June 23, 1942.

NEBRASKA

Arlo A. Anderson, Arapahoe, Nebr., in place of G. B. Hill. Incumbent's commission expired March 30, 1942.

NEW HAMPSHIRE

David F. Jackson, Pittsfield, N. H., in place of D. F. Jackson. Incumbent's commission expired May 6, 1942.

NEW YORK

James E. McWilliams, Prattsville, N. Y., in place of J. E. McWilliams. Incumbent's commission expired March 25, 1942.

NORTH DAKOTA

Ann Marie Bimler, Munich, N. Dak., in place of V. L. Ludowese, resigned.

OHIO

Francis J. Daubel, Fremont, Ohio, in place of F. J. Daubel. Incumbent's commission expired April 29, 1942.

Herman E. Homberger, Mansfield, Ohio, in place of H. E. Homberger. Incumbent's commission expired June 23, 1942.

Robert J. Hickin, Rittman, Ohio, in place of R. J. Hickin. Incumbent's commission expired May 6, 1942.

Theodore A. Lauber, Sandusky, Ohio, in place of T. A. Lauber. Incumbent's commission expired March 25, 1942.

Charles A. Kirk, Toledo, Ohio, in place of C. A. Kirk. Incumbent's commission expired May 4, 1942.

Donald K. Studer, Whitehouse, Ohio, in place of D. K. Studer. Incumbent's commission expired June 23, 1942.

Anna Mary Tesi, Yorkville, Ohio, in place of A. M. Tesi. Incumbent's commission expired February 24, 1942.

OREGON

George A. Hartman, Pendleton, Oreg., in place of G. A. Hartman. Incumbent's commission expired June 23, 1942.

PENNSYLVANIA

Joseph D. Plumer, Franklin, Pa., in place of J. D. Plumer. Incumbent's commission expired June 23, 1942.

James O. Bergantz, Huntingdon, Pa., in place of J. O. Bergantz. Incumbent's commission expired June 23, 1942.

Mary C. Duke, South Connellsville, Pa., in place of M. C. Duke. Incumbent's commission expired December 9, 1941.

Samuel Calarie, Yatesboro, Pa., in place of F. W. McCartan, transferred.

RHODE ISLAND

Michael F. Coyne, Providence, R. I., in place of E. F. Carroll, retired.

SOUTH CAROLINA

Jack C. Pate, Sumter, S. C., in place of J. C. Pate. Incumbent's commission expired June 23, 1942.

SOUTH DAKOTA

Joseph A. Crowley, Sioux Falls, S. Dak., in place of J. A. Crowley. Incumbent's commission expired May 14, 1942.

TENNESSEE

Cyril W. Jones, Athens, Tenn., in place of C. W. Jones. Incumbent's commission expired June 23, 1942.

Lois McReynolds, South Pittsburg, Tenn., in place of Lois McReynolds. Incumbent's commission expired May 28, 1942.

Raymond B. Gibson, Spring City, Tenn., in place of R. B. Gibson. Incumbent's commission expired May 28, 1942.

TEXAS

Nat Shick, Big Spring, Tex., in place of Nat Shick. Incumbent's commission expired June 23, 1942.

Thomas A. Key, Desdemona, Tex. Office became Presidential July 1, 1941.

Harry S. Merts, McAllen, Tex., in place of H. S. Merts. Incumbent's commission expired April 6, 1942.

Perry Hartgraves, Menard, Tex., in place of Perry Hartgraves. Incumbent's commission expired June 23, 1942.

Carl R. Nall, Sherman, Tex., in place of C. R. Nall. Incumbent's commission expired May 23, 1942.

VIRGINIA

Robert P. Holt, Newport News, Va., in place of R. P. Holt. Incumbent's commission expired June 23, 1942.

Willie R. Slagle, Virgilia, Va., in place of W. R. Slagle. Incumbent's commission expired June 23, 1942.

WEST VIRGINIA

Dewey Ellis, Man, W. Va., in place of E. B. Butcher, removed.

WISCONSIN

Charles R. Lawton, Barron, Wis., in place of A. J. Osborne, removed.

WYOMING

Vernon L. Green, Cokeville, Wyo., in place of M. E. Geer, deceased.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 24, 1942:

DIPLOMATIC AND FOREIGN SERVICE
TO BE A CONSUL OF THE UNITED STATES OF AMERICA

Owen W. Gaines

TO BE FOREIGN SERVICE OFFICERS, UNCLASSIFIED, VICE CONSULS OF CAREER, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Howard Brandon

Terry B. Sanders, Jr.

IN THE NAVY

TEMPORARY SERVICE

To be rear admirals for temporary service

Harold C. Train

Andrew C. Bennett

IN THE MARINE CORPS

PROMOTIONS

To be lieutenant colonel

Harry E. Dunkelberger

To be major

Edward H. Forney, Jr.

To be first lieutenants

Hamilton Lawrence Richard T. McNewn

James C. Lindsay Francis C. Clagett

Harlan Rogers Harland E. Draper

Jino J. D'Alessandro Henry J. Revane

To be second lieutenants

Scott S. Corbett, Jr. Warren E. Whipple

Theodore "A" Demos-John P. Lanigan

thenes George H. Bantley

Sydney A. Woodd-Ca-Joseph A. Bruder

husac James B. Carpenter, Jr.

William J. Barnatt Frederick T. Finucane

Robert E. Brown Glen E. Norris

Frank E. Granucci Edward J. Powers, Jr.

Kenneth C. Greenough Bradley K. Schwarz

Natt K. Hammer Edward Sherman

Walter T. Kuhlmeier Frank R. Walker

Floyd V. D. Ladd Frank R. Wilkinson, Jr.

John H. L'Estrange Gordon R. Worthington, Jr.

Truman K. Lyford Gustaf Jonsson

Charles F. Martin III Richard V. Lusby

James P. Metzler

POSTMASTERS

ALABAMA

Jewell C. Horn, Brantley.

Mim C. Parish, Grove Hill.

J. Thomas Martin, Jacksonville.

Herman Grimes, Pine Apple.

Hattie Tabb Forster, Thomasville.

ILLINOIS

George A. McFarland, Avon.

Thomas Bernard Meehan, Bluffs.

Alice Dillon, Braidwood.

Meda Lorton, Cowden.

Fabian F. Colgan, Dunlap.

James F. Grogan, Elmhurst.

Richard L. Lauwerens, Kincaid.

Daisy Lindsey, Mahomet.

Joseph A. Maier, Marseilles.

John A. Peters, Mason City.

Lawrence E. Hodges, Mount Prospect.

Robert J. Blum, Nauvoo.

William Kehe, Jr., Palatine.

Walter Hill, Pana.

Michael E. Sullivan, Park Ridge.

Homer J. Swope, Quincy.

Earl B. Strickland, Tolono.

Armand Rossi, Wilsapville.

LOUISIANA

James W. Melvin, Trout.

OHIO

William J. Grandy, Byesville.

Paul C. Miller, Canal Winchester.

Mabel A. Merrilees, Cleves.

Lois V. Wick, McDonald.

Charles Fishley, Mineral City.

Thomas J. Holden, New Lexington.

Hark F. Williams, Pleasant City.

Cyril S. Hendershot, Quaker City.

TENNESSEE

Mabel W. Hughes, Arlington.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 24, 1942

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. BULWINKLE.

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

Almighty God, our Father, reverently we are calling upon Thy name, praying that our minds and hearts may be inspired with a vision of Thy presence and an assurance of Thy power.

Help us to realize that unless we have this vision and this assurance our life will ebb out its little day in weariness and weakness, in folly and futility, in sorrows that sear, and sins that stain.

Grant that in these strange and troubled times, so full of trials and tribulations, sufferings and sorrows, we may live by a steadfast faith in the Lord, our God, who alone can make us equal to the world's tragic necessities.

In the name of the Christ, we pray. Amen.

The Journal of the proceedings of Thursday, August 20, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of War.
4. Government Printing Office.
5. The National Archives
6. War Production Board.

ADJOURNMENT OVER

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. VOORHIS] may have permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

COMMUNICATION FROM AMERICAN EMBASSY AT CARACAS

The SPEAKER pro tempore laid before the House the following communication from the Department of State, which was

read and referred to the Committee on Foreign Affairs:

AUGUST 20, 1942.

The Honorable SAM RAYBURN,

Speaker of the House of Representatives.

MY DEAR MR. SPEAKER: There is enclosed herewith, for such disposition as you may deem appropriate, a copy of a despatch from the American Embassy at Caracas, informing the Department of the passage by the Venezuelan Congress on July 4 of a resolution acknowledging the receipt of a resolution adopted by the United States House of Representatives on February 2, 1942. The resolution of February 2 expressed appreciation for the courteous treatment accorded a group of American Congressmen who visited Venezuela during 1941. There is also enclosed a copy of the *Gaceta Oficial* in which the July 4 resolution was published.

The despatch from the Embassy indicates that while passage of the resolution had been agreed upon at an earlier date, signature was effected on July 4 to lend further significance to the act.

Sincerely yours,

CORDELL HULL.

Enclosures:

1. Copy of despatch from Caracas dated July 7, 1942.
2. Copy of *Gaceta Oficial*.

The honorable the SECRETARY OF STATE,
Washington.

SIR: I have the honor to refer to the Department's circular instruction of April 29, 1942, file No. 120.1/576A, with which were enclosed enrolled copies of resolutions adopted by the House of Representatives February 2, 1942, expressing appreciation for the courteous treatment accorded a visiting group of Congressmen last year, and, in reply, to furnish herewith a translation of a resolution of the Venezuelan Congress (1) acknowledging receipt of the resolution, (2) ordering the placing of the American House's resolution in the Library of the National Congress, and (3) ordering that an enrolled copy of the Venezuelan Congress' resolution be forwarded to the House of Representatives:

"THE CONGRESS OF THE
UNITED STATES OF VENEZUELA.

"Considering that the House of Representatives of the United States of America on February 2nd past passed a resolution expressing 'to the President, Congress and people of the United States of Venezuela, its profound thanks for the hospitable and cordial reception' which—in compliance with the grateful obligations of international courtesy, of the traditional and fraternal friendship uniting us with the people of the United States, and of the continental solidarity which today binds all of the peoples of America in a single community of ideals and efforts—we extended to various members of the Ways and Means Committee who recently honored us by an official visit, and

"Considering that this act of the House of Representatives of the United States of America is another affirmation of the fraternal feeling and the democratic aspirations which unite our free and sovereign nations, and an affirmation, also, of good neighborliness and desire to be of mutual help within the continent,

Resolves—

"First. To acknowledge receipt, by means of this resolution, of the expressive and pleasing message contained in the resolution of February 2, 1942 of the House of Representatives of the United States of America.

"Second. To file the authenticated copy of the resolution we have received with the important documents contained in the Library of the National Congress.

"Third. To forward an enrolled and authenticated copy of this resolution to the House of Representatives of the United

States of America through the conduct of the Minister of Foreign Relations.

"Given, signed and sealed in the Federal Legislative Palace, Caracas, the fourth day of July, nineteen hundred and forty two. The 133rd year of Independence and the 84th year of the Federation.

"The President:

(SIGNED) MANUEL SIMON ITRIAGO.

"The Vice President:

(SIGNED) LUIS E. SANTOS.

"The Secretaries:

(SIGNED) FRANCISCO CARREÑO DELGADO.

(SIGNED) OCTAVIO LAZO MARTI DELGADO."

I was informed that although the passage of the resolution had been agreed upon at an earlier date signature was effected on July 4th to lend further significance to the act, and several Congressmen took occasion to inform me personally that the courtesy of our House of Representatives in passing and forwarding copies of the resolution had been most gratifying.

The text of the resolution was printed in the July 4, 1942 (No. 20,840), issue of the *Gaceta Oficial*, copies of which are transmitted herewith for forwarding to the Congressmen.

In the event that the enrolled copy of the Venezuelan Congress' resolution should be delivered to the Embassy it will be forwarded at once.

Respectfully yours,

FRANK P. CORRIGAN.

PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that on today after disposition of matters on the Speaker's desk I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There was no objection.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address which I delivered before the forty-fourth annual national encampment of the United Spanish War Veterans and Auxiliary at Cleveland, Ohio, on Monday, August 17, 1942.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by Roy Miller on the Honorable JOSEPH J. MANSFIELD, a Member of the House of Representatives.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. GOSSETT]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland [Mr. MEYER]?

There was no objection.

Mr. MEYER of Maryland. Mr. Speaker, last Monday I took this floor on the gasoline-and-fuels shortage and demanded for a speedy remedy—Nation-wide rationing—and action instead of statements, to help the fuels shortage in the East and avoid untold suffering from

cold homes this winter, with the further demand that if Donald Nelson fails to act, Congress must. Immediately the Midwest patriotically agreed to acquiesce if it would help the East, and many tank cars in the Midwest and Southwest are now being rerouted by Petroleum Coordinator Ickes, as suggested by me, and Donald Nelson has publicly stated that he is going to crack down and demand action, too. He has assigned this task to three top-ranking Government officials, Under Secretary of War Patterson, Secretary of the Interior Ickes, and Price Administrator Henderson.

Meanwhile steps were taken to spread distribution of petroleum products by banning transportation of gasoline by rail in 20 Midwestern and Southwestern States, releasing from 5,000 to 7,000 tank cars to carry 100,000 barrels of fuel oil daily to the East. Furthermore, in connection with my barge bill, recently introduced, to construct barges and towboats for use on the Atlantic Intracoastal Waterway to relieve the present shortage of fuels, it is gratifying to know that plans have just been approved for the 165-mile pipe line from Greensboro, N. C., to Richmond, Va., which will make 30,000 barrels of oil daily available for transshipment by barges to Baltimore, Washington, Philadelphia, and Trenton. Today I am very happy to know and inform my constituents that my prompt action on this floor helped bring about these splendid results. While present developments, as the result of Mr. Nelson's recent action, indicate some real progress in the matter of distributing fuels throughout the Nation, yet as Members of the Congress, we are still charged with the duty and responsibility of making sure that the people of this country have an adequate supply of fuels for their homes this winter.

As fellow Members of the House, I know that you approve my constant efforts on behalf of my constituents, for while I may have taken the floor more than most new Members, it was purely for the reason that I felt it my duty to express my personal conviction and judgment on so many of the vital issues, in addition to casting my vote on all legislative measures. Some of these, as you all no doubt recall, were the declarations of war, the selective-service extension, the Defense Housing Act, the roads bill providing access roads for defense plants, nondefense economy, the increase of pay for all men and women in our armed services, the establishment of the Office of Civilian Defense, the construction of petroleum pipe lines for the east coast, Hobbs' concentration-camp bill, the construction of intracoastal waterway barges, the rationing of gasoline and fuels. It was also my privilege to make the closing address of the first session of the Seventy-seventh Congress.

But in this connection I am enormously proud of this letter, directed to me by the Clerk of the House, South Trimble, which reads:

DEAR CONGRESSMAN MEYER: An examination of the official voting and attendance record of the Members of the House of Representatives for the entire Seventy-seventh Congress to date reveals that you have the

unique distinction of being 1 of 18 Members who have a perfect record covering this period.

Permit me to congratulate you on attaining this coveted distinction.

Very sincerely yours,

SOUTH TRIMBLE,

Clerk of the House of Representatives.

But I do not want to stop here with rationing of gasoline and fuels alone. I want also to help bring about the speedy integration of all our war efforts. W. P. B. specialists now studying British methods soon will return with new ideas on the industry concentration plan to standardize and simplify production, but all of this which may be necessary and good requires for its constructive working an equal concentration of responsibility. Why can we not have a board with absolute powers, answerable only to the Commander in Chief, President Roosevelt—an over-all board known as the War Board, comprising the following three members: the Secretary of War, the Secretary of the Navy, and a third member to be designated by the President? The purpose of this board would be to administer and coordinate the entire war effort of the United States by integrating all functioning groups and agencies, both military and civilian, in order to win the war at the earliest possible moment with the least cost and the minimum distress.

The object of this new board would be to replace the present large and unwieldy Board made up of so many members that maximum efficiency and harmony in operation is not being attained. At the same time it will eliminate the many contradictory statements and decisions that have emanated from the innumerable agencies and generate a higher degree of public confidence, unity, and morale.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address which I delivered on Thursday, August 20, 1942, over a network of the Mutual Broadcasting System.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HAINES] may be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Michigan [Mr. WOODRUFF] may be permitted to extend his own remarks in the RECORD and to include a statement by the Honorable Sam Pettengill, former Member of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. GEARHART]?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Indiana [Mr. GRANT] may be permitted to extend his own remarks in the Appendix of the RECORD and to include a statement by Mr. Pettengill, also of Indiana.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. GEARHART]?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my own remarks in the Appendix of the RECORD and to include a brief poem that was printed recently in the National Bulletin of the Reserve Officers' Association.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California [Mr. GEARHART]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include an article from the Boston Herald of yesterday, a release by the Department of the Interior on the subject of oil, and various petitions from the State of Massachusetts upon that subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

OIL

Mrs. ROGERS of Massachusetts. Mr. Speaker, it seems incredible to me that we do not have a well-organized oil department, well coordinated, under one head. It is also incredible that we do not have such a department to act authoritatively and at once, and do away with the chaos and upset conditions which exist today on the east coast regarding oil and gasoline. New England will have real suffering if more is not done and done at once.

Mr. Speaker, it is very obvious that this war can be won or lost by oil, inasmuch as oil plays such a vital part in it. The war cannot be waged without a proper distribution of oil. In other words, oil will decide the outcome of the war. I earnestly urge that you, Mr. Speaker, and everyone else join me in getting immediate action on the very vital subject which means so much not only to New England but to the entire country and the countries who are fighting to preserve freedom.

The following information was given to me by the Office of Petroleum Coordination for War last Friday:

Hauling of automotive gasoline by rail was banned today in 20 States of the Middle West and Southwest by a directive from the Office of Petroleum Coordinator for War Harold L. Ickes.

This action releases an estimated 5,000 to 7,000 additional tank cars for oil movement to the east coast.

Constituting an important new move in the continuing effort to relieve the critical supply deficiency on the Atlantic seaboard, the directive (No. 57 of the Coordinator) forces the affected area to rely entirely upon pipe lines, trucks, and barges for its supply of gasoline.

Explaining the action, Deputy Petroleum Coordinator Ralph K. Davies stated:

"With the increased efficiency achieved in the handling of tank-car movements by the railroads and the oil companies, it is now possible to utilize more cars in the Atlantic coast service. It has been the policy of this office to provide additional tank cars for hauling oil to the east coast shortage area as rapidly as the railroads and the oil companies could handle them. The number so assigned to the east coast run has now risen from about 1,000 to a total of approximately 70,000, and more now can be effectively employed.

"Accordingly, the Office of Petroleum Coordinator for War is today acting to withdraw from the Mid-Continent and the Southwest areas a large additional number of tank cars for this east coast service. This action takes the form of directive No. 57 of the Coordinator, ordering the withdrawal from 20 States of the Middle West and Southwest of all tank cars used there in the movement of gasoline and the assignment of this equipment to Atlantic seaboard movement.

"This means that approximately 5,000 to 7,000 additional cars will be assigned to the east coast, which will bring the total of tank cars in that service to more than 75,000, or almost 70 percent of all the cars in petroleum service in the United States. The railroads and the oil companies feel confident that they will now be able to utilize that number. If experience proves otherwise, the cars can always be returned."

In addition to stopping gasoline movement by rail in the 20 States, directive 57 provides that, subject to review by the Office of Petroleum Coordinator, all suppliers and distributors affected by the withdrawal of these additional tank cars shall make such joint purchases, sales, loans, or exchanges of products, together with appropriate arrangements for joint use of terminals, transportation and distribution facilities, as may be required in order to attain the maximum efficient utilization of all facilities. Of this provision Mr. Davies said:

"The supplies and distribution subcommittees for districts 2 or 3 shall, subject to the direction of the Director of Supply, Office of Petroleum Coordinator for War, or of such District Director as he may designate, arrange for such common purchases, sales, exchanges, and loans of petroleum products and for such common use of transportation, terminal, or distribution facilities as may be necessary to attain maximum efficient utilization of all available transportation, supply, and distribution facilities, as will insure the maintenance of adequate supplies of petroleum products throughout the area included within the States. All such common purchases, sales, exchanges, and loans of products, together with the common use of available transportation, terminal, or distribution facilities shall be made upon such terms and conditions as will afford every supplier and distributor in the area affected a fair share of and equitable opportunity to share in the total supply and use of facilities throughout the area affected."

Mr. Speaker, the transfer of these cars will be a help, but we need more than the 7,000 cars transferred to the east coast in New England alone.

[Here the gavel fell.]

THE FLIGHT OF THE FARMER

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

Mr. PIERCE. Mr. Speaker, as a Congressman and as a friend and supporter of the administration, I want to go along with the suggestions of the Secretary of Agriculture just as far as possible. His recent radio address asking for the repeal of the present law calling for 110 percent of parity has aroused much interest. This year thousands of tons of fruit and vegetables have rotted because the owners have been unable to pay the wages that were being paid in the industries and in shipbuilding. Experienced farm labor has largely been drafted. The farmer, had he paid the wages and gathered the products of his farm, would have lost money in the harvest.

The statement has been made and repeated that the farm products are today above parity, and the appeal has been made continually to the farmer by the press in industrial sections that he should continue to produce even though he makes no profit, not even cost of production. I can assure you that there is no more patriotic group in all the land than the tillers of the soil. Their boys have gone by the thousands into the services, and today they are forming the backbone of many a battalion in the Army, the Navy, and the Marine Corps.

The actual fact is that wages are today much higher from one end of the country to the other than they were in the first World War, and farm products are not nearly so high. I was a farmer during the first World War, actually on my farm. I paid the highest wages in the county, and ordinary help was \$4.50 a day and board and room. During the first World War I sold fat steers \$13.50, Portland; \$11.50, dry fat cows; hogs, \$22; and more than \$2 a bushel for wheat. Such prices are paid nowhere in the United States today for similar products. Wages on the average are 50 percent higher than during the first World War and prices for farm products about 25 percent less.

I just received the following letter from a wheat farmer in my district. Let the officials solve such a problem before calling for repeal of the law:

MR. DEAR CONGRESSMAN: A man formerly employed by us on our ranches is now employed by the Kaiser Shipyards at Vancouver, Wash. He is earning \$123 per week—\$492 per month—as a pattern maker in the shipyards. This figures \$16.40 per day, average.

We have a father and son (15 years of age) working in harvest, drawing \$17 per day for the two of them. Last year we paid \$11 for the same job. The increased labor cost is 40 percent. Our increased loan value on wheat is 16 percent.

Our second crop of alfalfa hay is still in the field, as we are unable to obtain any men to put it up at less than harvest wages. The minimum harvest wage is \$7 per day. They need 10,000 more men in the Vancouver shipyards and they are willing to pay ordinary labor at the rate of \$70 per week, figuring 6 days per week.

No doubt you are aware of the above facts and the disproportion between the wages paid in shipyards and those paid by farmers. No other comment seems necessary.

The master of the National Grange, Mr. Albert A. Goss, is a keen and deep student of farm problems. His views on Secretary Wickard's radio address have been widely quoted in the press. In order to put his thoughtful statement before the Members of this House, I desire to include it as part of my remarks:

In an interview following Secretary Wickard's radio broadcast of August 20 Mr. Goss, master of the National Grange, said:

"First I want to make it clear that the National Grange is in accord with the efforts of the administration to prevent inflation. Last November, before Pearl Harbor, we outlined a program which stands today as the most practical plan yet suggested. We do not insist on our plan, but we maintain that any plan must be practical and must not strangle production, for ample production is the best possible preventive of inflation.

"As to putting a ceiling on livestock, the Secretary has said that he would approve such ceiling if a practical plan for livestock marketing can be evolved. We have no quarrel with that. We want to know, however, that a practical plan is evolved before any such ceiling is established. We have not yet seen such a plan.

"The Grange is on record opposed to 110 percent of parity. Our official record states: 'Farmers should not ask more nor agree to accept less than actual parity, but it is essential that a just rule be provided for determining parity.' Our present rule is very unjust. Until it is made modern and the inequities ironed out we would oppose any change in section 3 of the Price Control Act. We will work hard to get a just rule adopted so that we can support the repeal of the 110-percent provision.

"We do not agree with the Secretary that 'It is in the national interest to give farmers increased returns through subsidies rather than through increased prices which may endanger the price-control structure.' We believe that it is not necessary to resort to subsidies in order to avoid endangering the price-control structure; if we have the courage to bring labor and everyone else under control and to meet reasonable increases in costs, if we are to try the impossible, of fighting the war and maintaining our standards of living at the same time and plan to pass on all the cost to future generations through subsidies paid from an empty Treasury, we are headed directly for inflation. A just price level can be developed now without subsidies and we shall continue to contend for such a just level and to oppose subsidies."

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include therein a letter that I have received from a large wheat farmer in Oregon; and also I should like to include as a part of my remarks a release of the Associated Press that was given by Albert Goss, master of the National Grange.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon [Mr. PIERCE]?

There was no objection.

PAYMENT OF ALLOWANCES TO DEPENDENT WIVES AND MOTHERS

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

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio [Mr. YOUNG]?

There was no objection.

Mr. YOUNG. Mr. Speaker, during this August I have remained at my post of duty in Washington, and of important public business which has come to our attention none is more important than passage of legislation to speed up payment of dependent allowances to the wives and mothers of the young men in our armed forces. There are thousands of servicemen's dependents who are in dire need of this relief at this time. I hail the passage of this measure as a real and needful public service rendered by those of us who have remained here in Washington.

The War Department, in a letter of explanation at the time this legislation was originally passed in the House of Representatives, stated that November 1 was the earliest date it would be prepared to issue checks to dependents. The only reason payments were deferred to November 1 was because both the Navy and War Departments requested it. Evidently their request was based strictly on the vast amount of investigation and accounting involved in applying a new system to men in the armed forces and those dependent upon them. In all fairness, we must admit it takes time for Army and Navy officials to consider some 5,000,000 separate cases and to determine what, if any, dependents' allowances are to be paid in each of those cases. It appears that our efforts in connection with the passage of H. R. 7461 to amend the Servicemen's Dependents Allowance Act has expedited payments and moved forward the date that the first checks are to be mailed to these dependents, so many of whom are in need.

We have stimulated the morale of our people and relieved distress among those dependents who have been left behind. Mothers, wives, and children will benefit, and, as a matter of fact, there will be no added cost whatever to the administration of the law as originally enacted nor in the total amount of payments to be made. I know from letters that have come to me that many thousands of mothers and wives in Ohio who will receive their first allotment checks in September or October instead of in November will be thankful to us for remaining at our post of duty and acting in a forthright manner in their behalf.

EXTENSION OF REMARKS

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ARNOLD] may be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama [Mr. JARMAN]?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 10 minutes.

THE GUBERNATORIAL NOMINATION IN NEW YORK

Mr. CELLER. Mr. Speaker, numerous of the daily columnists have made a sad

spectacle of themselves in castigating President Roosevelt in his espousal of Senator MEAD for the Democratic nomination of Governor in New York.

Westbrook Pegler screeched with panther rage. Arthur Krock seemed angrier than a wet hen. Mark Sullivan took a connoisseur's fit. Those whom the gods would destroy they first make mad.

In their diatribes they showed about as much respect for the Commander in Chief of our armed forces as does a Nazi.

Their solicitude for John J. Bennett was amusing. How many of them will support John as against Dewey? None—despite the fact that Bennett is far superior.

They have a sharp business sense. They pattern their views as closely as possible after the editorial policy of their employers. And the latter are anti-New Deal. Bennett has properly espoused Roosevelt's policies. They will be "agin" him.

Many Presidents before Roosevelt assumed most active interest in gubernatorial elections—notably Andrew Jackson, Martin Van Buren, Teddy Roosevelt, Woodrow Wilson. Let the columnists who carp at Roosevelt read their history.

Why should not Roosevelt show keenest interest in the New York State contest? How can Roosevelt, a realist in politics, lightly disregard these factors?

First. The American Labor Party gave Lehman 419,979 votes in 1938 and he was elected Governor over Dewey by only 64,394 votes.

Second. The American Labor Party refuses to endorse Bennett.

President Roosevelt wants the Democratic nominee for Governor not to have merely a pyrrhic victory, at a convention—he wants him to be elected Governor. That is why Roosevelt intervened. He had a right to. In fact, it was his duty as head of the Democratic Party to do so.

Roosevelt wishes nothing to happen in New York that would jeopardize acceptance and continuation of his policies, both domestic and foreign. He honestly expressed his preference, primarily to continue democracy in control of New York State. He wants to be sure that Dewey and the economic royalists will not become entrenched in power at Albany—a power that might well pollute the national springs of social progress and reform.

Some of the disgruntled columnists speak of the rebuff to Roosevelt's suggestion at the convention as a repudiation of his administration of the affairs of the Nation and a denial of the New Deal. That is so much hokum. The delegates and all the speakers, including Bennett and MEAD, endorsed Roosevelt's foreign and domestic policies. They accepted the party platform, which in essence could have readily been written by Roosevelt personally. They want continuation of the New Deal and all it entails. They pledged complete allegiance to Roosevelt and applauded his leadership.

John J. Bennett, a splendid gentleman, and able administrator and follower of the New Deal, is our candidate. We must and shall elect him. Dewey must be

beaten at all costs. The princes of privilege want to elect him and thus strike at Roosevelt.

THE LATE CHARLES A. HAMILTON

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

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

There was no objection.

Mr. SABATH. Mr. Speaker, since arriving here this morning I have learned with real regret and sorrow of the passing of Mr. Charles Hamilton, the dean of the press in Washington. When I came to the House 36 years ago he was already one of the outstanding newspapermen in the Press Gallery. During my service I have learned to admire him and to appreciate the great service which he has rendered to the public in his factual reporting. He was a gentleman, a man of deep understanding, and a loyal, true, and patriotic American. Although it has been my pleasure to know many of the gentlemen who are molding public opinion, some of whom, unfortunately, from time to time unjustly and unfairly assail and attack the Congress, I am happy to say as I look back to the few times that Charles Hamilton saw fit to criticize a Member or this body, I always felt such criticism was justified and timely.

Of course, I do not blame the gentlemen sitting above us here for some of the unfair stories which appear. If they had their own way, they would always be much kinder to the Members and to the Congress than those gentlemen who have the last word and who correct or revise their articles as they are sent to them from here to satisfy their own or their publishers' whims. I always regret that we cannot get these writings or these reports as they are written, because then we would get the truth and would appreciate their activities and their fairness toward us. They know what we do and they know in their own hearts that many of the articles that are reedited by their home offices are so warped that oftentimes the press reporters themselves are barely able to recognize them. Consequently, the public at times does not obtain a true picture of our activities.

Mr. Speaker, I can truthfully say that this Congress and the Congress before this have been the hardest working Congresses during all the years of my service. I know that nearly all the Members are loyal and patriotic, aiming to do their share and part to aid our country during these trying days. Sure, there are some Members who, from time to time, for home consumption, and without realizing the damage they do, say things that would be much better if remained unsaid, because they are used by our enemies for the purpose of bringing about disunity. I hope even those few will recognize the conditions that confront our beloved country and in the future will desist from saying anything that might be helpful to Hitler or which could be or would be used by Hitler and his gang.

Mr. Speaker, no one resented unfair criticism and unpatriotic utterances more than Mr. Hamilton. He saw many Pres-

idents and many Speakers come and go and has witnessed the coming and going of over 4,000 Members of this House. He had a splendid knowledge of the activities of the Members, and the loss of his efficient service is not only to the papers which he represented but to the younger members of the press and to the country as well. I am indebted to my beloved friend William Tyler Page, who has served us longer than any other officer or aide in the House, who called my attention to the passing of our mutual friend, and I am thankful that I have had the opportunity to pay this small tribute to such an outstanding character as Charles Hamilton.

[Here the gavel fell.]

LABOR SHORTAGE IN CALIFORNIA

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

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

There was no objection.

Mr. GEARHART. Mr. Speaker, during the last several sessions of the House of Representatives I have risen to call attention to the developing labor shortage in California. For 8 months I have been warning the executive departments and the war agencies of that which has today developed into a crisis. Unless we can have on California's soil within the next two weeks some 29,000 to 30,000 agricultural workers, grape pickers in this instance, losses mounting well into millions of dollars are bound to ensue. The production of tens of thousands of tons of raisins—food for our soldiers—will be halted.

To forestall the consequences of the development of such a dire situation the President of the United States entered into an executive agreement with the Republic of Mexico several weeks ago for the importation of 50,000 laborers and by Executive order allocated \$500,000 from his war-emergency funds to cover the expense incident to this planned mass migration. Now we are told by those to whom the execution of the program has been confided that because of bureaucratic reasons that it will not be possible to import any Mexican farm laborers for some months, perhaps none this year.

I have in my hands a teletype release of the United Press, which informs us that there are 5,000 Mexicans standing on the Mexican-American border awaiting the opportunity to cross the border to relieve this situation, yet the executive departments and the war agencies tell us they are powerless to cut the red tape or cut the corners or otherwise to let these Mexicans come in, the necessity of immediate action notwithstanding.

Mr. Speaker, if these Mexicans are not at the farmers' gates within the next 2 weeks, this is going to be one of the most glaring examples of Executive failure that could possibly be cited. The Mexicans are there, ready and anxious to accept the employment that is offered and thereby bring an end to this labor scarcity problem. It is only red tape and Executive procrastination that is preventing them from coming into the

United States to save this vast crop of over 300,000 tons of raisins.

Let us get them in. Let us cut this red tape, let us round these corners, and let us show the world that Government can act—and not always too late and with too little.

[Here the gavel fell.]

THE LATE MR. CHARLES A. HAMILTON

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I had not heard of the passing of the dean of the press, Mr. Charles A. Hamilton. I am anxious to add my word of tribute and to express my gratitude to him for his contribution to the United States. I have been in Washington a good many years and I have known of his work and of his high honor. I knew the man as well as his writings. I shall miss both.

All of us realize the value of the press to the Nation and its value in preserving freedom of thought, speech, and action in our republican form of government. It must be a great strain to give the news quickly to the Nation and give it accurately and with honor. It is a grueling pace for all who take part in giving the news to the Nation and today also giving the news of the nations of the world, because news travels so fast and so far.

I am glad for the years of splendid service of Mr. Hamilton. I know he has gone to a fine reward.

[Here the gavel fell.]

EXTENSION OF REMARKS

(By unanimous consent, Mr. JENKS of New Hampshire was granted permission to revise and extend his own remarks in the RECORD.)

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on August 20, 1942, present to the President, for his approval, bills of the House of the following titles:

H. R. 6484. An act to suspend temporarily the running of statutes of limitations applicable to certain offenses; and

H. R. 7461. An act to amend section 107 of the Servicemen's Dependents Allowance Act of 1942.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 12 o'clock and 28 minutes p. m.) the House, pursuant to its order heretofore entered, adjourned until Thursday, August 27, 1942, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold the following public hearings:

Tuesday, September 1, 1942, at 10 a. m.: On H. R. 7481—To provide that the fund for the relief of sick and disabled and

destitute seamen belonging to the United States merchant marine service shall also be for the relief of sick, disabled, destitute, or needy dependents of deceased seamen, and for other purposes.

Wednesday, September 2, 1942, at 10 a. m.: On H. R. 7424—To amend and clarify certain provisions of law relating to functions of the War Shipping Administration, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

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

1865. A letter from the president, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to provide for the better registration of births in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1866. A letter from the Secretary of War, transmitting a draft of a proposed bill to suspend until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws; to the Committee on the Judiciary.

1867. A letter from the Secretary of War, transmitting a draft of a proposed bill to preserve the retirement equities of certain officers of the Army; to the Committee on Military Affairs.

1868. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to reimpose the trust on certain allotted lands of the Klamath River Indian Reservation, Calif., and the jurisdiction of the Hoopa Valley Indian Agency; to the Committee on Indian Affairs.

1869. A letter from the Comptroller General of the United States, transmitting a report of investigation by representatives of the Comptroller General's office of the contracts and other records of the United States Maritime Commission; to the Committee on Expenditures in the Executive Departments.

1870. A message from the Secretary of State, transmitting a copy of a despatch from the American Embassy at Caracas informing the Department of the passage by the Venezuelan Congress on July 4 of a resolution acknowledging the receipt of a resolution adopted by the United States House of Representatives on February 2, 1942; to the Committee on Foreign Affairs.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. RANDOLPH:

H. R. 7500. A bill to amend section 927 of the Code of Laws of the District of Columbia, relating to insane criminals; to the Committee on the District of Columbia.

By Mr. TREADWAY:

H. Con. Res. 82. Concurrent resolution requesting the President to appoint an Emergency Committee on Petroleum Supply; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. EBERHARTER:

H. R. 7501. A bill for the relief of Morton Fiedler; to the Committee on Claims.

By Mr. PITTINGER:

H. R. 7502. A bill for the relief of Angeline Arbuckle; to the Committee on Claims.

SENATE

TUESDAY, AUGUST 25, 1942

Chaplain (Lt. Col.) HARRY LEE VIRDEN, S. T. M., assistant to the Chief of Chaplains, United States Army, offered the following prayer:

Eternal God and Father of mankind, who knowest our thoughts even before the earth or the sea was created, to whom the darkness and the light are one, shed Thy light and Thy love upon us as we follow our several tasks this day.

So lead us by Thy spirit's gentle voice that those who look to us may never be disappointed in their hope. Bless all those who serve this Nation, those of high estate and those of low, whether upon the land, upon the sea, or in the air, and may we serve as in Thy sight.

Guide, we beseech Thee, the nations of the entire world into the way of justice and truth, and establish among us that peace which is the fruit of righteousness, that we may become the kingdom of our Lord and Saviour, Jesus Christ. Amen.

CALL OF THE ROLL

Mr. BARKLEY. In order to determine at this time whether there is a quorum of the Senate in the city, I make the point of order that no quorum is present.

The VICE PRESIDENT. The clerk will call the roll.

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

Andrews	Guffey	Reynolds
Bailey	Hayden	Rosier
Barkley	Herring	Russell
Bone	Johnson, Calif.	Schwartz
Brewster	Johnson, Colo.	Smathers
Bridges	Kilgore	Stewart
Brooks	La Follette	Taft
Brown	Lodge	Thomas, Idaho
Byrd	McCarran	Thomas, Utah
Capper	McFarland	Truman
Clark, Idaho	McKellar	Tunnell
Clark, Mo.	McNary	Tydings
Connally	Maloney	Vandenberg
Danaher	Mead	Van Nuys
Downey	Murray	Walsh
George	Norris	White
Gerry	Pepper	Wiley
Green	Radcliffe	

Mr. BARKLEY. I announce that the Senator from Delaware [Mr. HUGHES] is absent because of illness.

The Senator from Kentucky [Mr. CHANDLER] and the Senator from Washington [Mr. WALLGREN] are absent in the performance of their duties as members of the Committee to Investigate National Defense.

The Senator from New Mexico [Mr. HATCH], the Senator from Utah [Mr. MURDOCK], and the Senator from Wyoming [Mr. O'MAHONEY] are conducting hearings in the West and are therefore necessarily absent.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senators from Mississippi [Mr. BILBO and Mr. DOXEY], the Senator from South Dakota [Mr. BULOW], the Senator from Nevada [Mr. BUNKER], the Senators from Arkansas [Mrs. CARAWAY and Mr. SPENCER], the Senator from New Mexico [Mr. CHAVEZ], the Senators from Louisiana [Mr. OVERTON and Mr. ELLENDER], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS],