

evening, a companion measure to the one now being considered, Senate Joint Resolution 121. The House joint resolution was passed by the House early today, and I am asking that the House joint resolution be considered at this time, and then I shall ask that Senate Joint Resolution 121 be indefinitely postponed.

This is a stereotyped measure, granting to the commission appointed by the President to investigate the disaster in Hawaii the power to subpoena witnesses, and to petition courts, in the event an obstinate witness should refuse to testify or should refuse to produce books and papers, so that such witness might be punished for contempt in any of the Federal courts. There was no objection to the measure in the Committee on the Judiciary of either House, and I understand the joint resolution passed the House this morning without a dissenting vote. If there are any questions to be asked, I shall be glad to answer them. It is necessary that the commission have the power sought, because they will start on their labors very shortly, and they want to subpoena some witnesses before they proceed to Hawaii to inaugurate the investigation.

Mr. McNARY. Mr. President, this is essential legislation, and there is no objection to it.

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

The joint resolution (H. J. Res. 259) was ordered to a third reading, read the third time, and passed.

Mr. VAN NUYS. I ask that Senate Joint Resolution 121, Calendar No. 955, the companion measure, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### REGISTRATION OF PROPAGANDA AGENTS

The Senate resumed the consideration of the bill (S. 2060) to amend the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938, as amended.

Mr. KILGORE. Mr. President, I should like briefly to explain Senate bill 2060. It is an amendment to the act of June 8, 1938, for the registration of foreign-propaganda agents. The pending bill has the approval of the Department of Justice, the Post Office Department, and the Department of State. It is not a punitive bill necessarily, but a bill of disclosure. It enlarges the registration powers and makes them more complete. It defines what is meant by propaganda agents of foreign political powers, and also forces a disclosure of their principals.

The amendment, which was adopted unanimously in the Judiciary Committee, merely makes some slight changes for clarity in the bill as originally drafted, but we felt that in order to shorten the bill the amendment should be substituted for the original language of the bill.

In four or five respects the bill enlarges the present law. It requires full information as to principals, not only one but all principals. It requires full information

as to agents of foreign governments. It excludes proper diplomatic representatives of foreign governments from its provisions, and affects only those who are engaged in the dissemination of political propaganda. It requires the labeling of all political propaganda, and requires registration, so that this country cannot be used as the base for dissemination of political propaganda in the South American republics.

If there are any questions to be asked on the matter I shall be glad to answer.

The PRESIDING OFFICER. The clerk will state the committee amendment.

The amendment of the Committee on the Judiciary was to strike out, beginning in line 1, page 2, down to and including line 21 on page 24, and to insert from line 22 on page 24 to line 6 on page 49, so as to make the bill read:

*Be it enacted, etc.,* That the act of June 8, 1938 (52 Stat. 631, U. S. C., title 22, sec 233 (a) to sec. 233 (g)), entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," as amended, is hereby amended to read as follows:

#### "POLICY AND PURPOSE

"It is hereby declared to be the policy and purpose of this Act to protect the national defense, internal security, and foreign relations of the United States by requiring public disclosure by persons engaging in propaganda activities and other activities for or on behalf of foreign governments, foreign political parties, and other foreign principals so that the Government and the people of the United States may be informed of the identity of such persons and may appraise their statements and actions in the light of their associations and activities.

#### "DEFINITIONS

"SECTION 1. As used in and for the purposes of this act—

"(a) The term 'person' includes an individual, partnership, association, corporation, organization, or any other combination of individuals;

"(b) The term 'foreign principal' includes—

"(1) A government of a foreign country and a foreign political party;

"(2) An individual affiliated or associated with, or supervised, directed, controlled, financed, or subsidized, in whole or in part, by any foreign principal defined in clause (1) of this section 1 (b);

"(3) A person outside of the United States, unless it is established that such person is an individual and is a citizen of and domiciled within the United States or that such person is not an individual, is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States, and has its principal place of business within the United States. Nothing in this clause (3) shall limit the operation of clause (5) of this section 1 (b);

"(4) A partnership, association, corporation, organization, or other combination of individuals organized under the laws of, or having its principal place of business in, a foreign country;

"(5) A domestic partnership, association, corporation, organization, or other combination of individuals, subsidized directly or indirectly, in whole or in part, by any foreign principal defined in clause (1), (3), or (4) of this section 1 (b);

"(c) Except as provided in section 1 (d) hereof, the term 'agent of a foreign principal' includes—

"(1) Any person who acts or agrees to act, within the United States, as, or who is or

holds himself out to be whether or not pursuant to contractual relationship, a public-relations counsel, publicity agent, information-service employee, servant, agent, representative, or attorney for a foreign principal;

"(2) Any person who within the United States collects information for or reports information to a foreign principal; who within the United States solicits or accepts compensation, contributions, or loans, directly or indirectly, from a foreign principal; who within the United States solicits, disburses, dispenses, or collects compensation, contributions, loans, money, or anything of value, directly or indirectly, for a foreign principal; who within the United States acts at the order, request, or under the direction, of a foreign principal;

"(3) Any person who assumes or purports to act within the United States as an agent of a foreign principal in any of the respects set forth in clauses (1) and (2) of this section 1 (c); and

"(4) Any person who is an officer or member of the active or reserve military, naval, or other armed forces of any foreign principal defined in clause (1) of section 1 (b) hereof, or who is an officer of or employed by any such foreign principal; and proof of any affiliation or employment, specified in this clause (4), of any person within a period of 5 years previous to the effective date of this act shall create a rebuttable presumption that such person is an agent of a foreign principal;

"(d) The term 'agent of a foreign principal' does not include any news or press service or association organized under the laws of the United States or of any State or other place subject to the jurisdiction of the United States, or any newspaper, magazine, periodical, or other publication for which there is on file with the Postmaster General a sworn statement in compliance with section 2 of the act of August 24, 1912 (37 Stat. 553), as amended, published in the United States, solely by virtue of any bona fide news or journalistic activities, including the solicitation or acceptance of advertisements, subscriptions, or other compensation therefor, so long as it is at least 80 percent beneficially owned by, and its officers and directors, if any, are citizens of the United States, and such news or press service or association, newspaper, magazine, periodical, or other publication is not owned, directed, supervised, controlled, subsidized, or financed, and none of its policies are determined by any foreign principal defined in clause (1), (2), or (4) of section 1 (b) hereof, or by any agent of a foreign principal required to register under this act;

"(e) The term 'government of a foreign country' includes any person or group of persons exercising sovereign de facto or de jure political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign de facto or de jure authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States;

"(f) The term 'foreign political party' includes any organization or any other combination of individuals in a country other than the United States, or any unit or branch thereof, having for an aim or purpose, or which is engaged in any activity devoted in whole or in part to, the establishment, administration, control, or acquisition of administration or control, of a government of a foreign country or a subdivision thereof, or the furtherance or influencing of the political or public interests, policies, or relations of a government of a foreign country or a subdivision thereof;

"(g) The term 'public-relations counsel' includes any person who engages directly or indirectly in informing, advising, or in any way representing a principal in any matter pertaining to political or public interests, policies, or relations;

"(h) The term 'publicity agent' includes any person who engages directly or indirectly in the publication or dissemination of oral, visual, graphic, written, or pictorial information or matter of any kind, including publication by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or otherwise;

"(i) The term 'information-service employee' includes any person who is engaged in furnishing, disseminating, or publishing accounts, descriptions, information, or data with respect to the political, industrial, employment, economic, social, cultural or other benefits, advantages, facts, or conditions of any country other than the United States or of any government of a foreign country or of a foreign political party or of a partnership, association, corporation, organization, or other combination of individuals organized under the laws of, or having its principal place of business in, a foreign country;

"(j) The term 'political propaganda' includes any oral, visual, graphic, written, pictorial, or other communication or expression by any person (1) which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, or in any other way influence a recipient or any section of the public within the United States with reference to the political or public interests, policies, or relations of a government of a foreign country or of a foreign political party or with reference to the foreign policies of the United States or promote in the United States racial, religious, or social dissension, or (2) which advocates, advises, instigates, or promotes any racial, social, political, or religious disorder, civil riot, or other conflict involving the use of force or violence in any other American republic or the overthrow of any government or political subdivision of any other American republic by any means involving the use of force or violence. As used in this section 1 (j) the term 'disseminating' includes transmitting or causing to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce or offering or causing to be offered in the United States mails;

"(k) The term 'registration statement' means the registration statement required to be filed with the Attorney General under section 2 (a) hereof; and any supplements thereto required to be filed under section 2 (b) hereof, and includes all documents and papers required to be filed therewith or amendatory thereof or supplemental thereto, whether attached thereto or incorporated therein by reference;

"(l) The term 'American republic' includes any of the states which were signatory to the Final Act of the Second Meeting of the Ministers of Foreign Affairs of the American Republics at Habana, Cuba, July 30, 1940;

"(m) The term 'United States', when used in a geographical sense, includes the several States, the District of Columbia, the Territories, the Canal Zone, the insular possessions, including the Philippine Islands, and all other places now or hereafter subject to the civil or military jurisdiction of the United States;

"(n) The term 'prints' means newspapers and periodicals, books, pamphlets, sheet music, visiting cards, address cards, printing proofs, engravings, photographs, pictures, drawings, plans, maps, patterns to be cut out, catalogs, prospectuses, advertisements, and printed, engraved, lithographed, or auto-graphed notices of various kinds, and, in general, all impressions or reproductions obtained on paper or other material assimilable to paper, on parchment or on cardboard, by

means of printing, engraving, lithography, autography, or any other easily recognizable mechanical process, with the exception of the copying press, stamps with movable or immovable type, and the typewriter.

#### "REGISTRATION

"Sec. 2. (a) No person shall act as an agent of a foreign principal unless he has filed with the Attorney General a true and complete registration statement and supplements thereto as required by this section 2 (a) and section 2 (b) hereof or unless he is exempt from registration under the provisions of this act. Except as hereinafter provided, every person who is an agent of a foreign principal on the effective date of this act shall within 10 days thereafter, and every person who becomes an agent of a foreign principal after the effective date of this act shall, within 10 days thereafter, file with the Attorney General, in duplicate, a registration statement, under oath, on a form prescribed by the Attorney General, of which one copy shall be transmitted promptly by the Attorney General to the Secretary of State for such comment, if any, as the Secretary of State may desire to make from the point of view of the foreign relations of the United States. Failure of the Attorney General so to transmit such copy shall not be a bar to prosecution under this act. The registration statement shall include the following, which shall be regarded as material for the purposes of this act:

"(1) Registrant's name, principal business address, and all other business addresses in the United States or elsewhere, and all residence addresses, if any;

"(2) Status of the registrant; if an individual, nationality; if a partnership, name, residence addresses, and nationality of each partner and a true and complete copy of its articles of copartnership; if an association, corporation, organization, or any other combination of individuals, the name, residence addresses, and nationality of each director and officer and of each person performing the functions of a director or officer and a true and complete copy of its charter, articles of incorporation, association, constitution, and bylaws, and amendments thereto; a copy of every other instrument or document and a statement of the terms and conditions of every oral agreement relating to its organization, powers, and purposes; and a statement of its ownership and control;

"(3) A comprehensive statement of the nature of registrant's business; a complete list of registrant's employees and a statement of the nature of the work of each, unless, and to the extent, this requirement is waived in writing by the Attorney General; the name and address of every foreign principal for whom the registrant is acting, assuming or purporting to act or has agreed to act; the character of the business or other activities of every such foreign principal, and, if any such foreign principal be other than a natural person, a statement of the ownership and control of each; and the extent, if any, to which each such foreign principal is supervised, directed, owned, controlled, financed, or subsidized, in whole or in part, by any government of a foreign country or foreign political party;

"(4) Copies of each written agreement and the terms and conditions of each oral agreement, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is an agent of a foreign principal; a comprehensive statement of the nature and method of performance of each such contract, and of the existing and proposed activity or activities engaged in or to be engaged in by the registrant as agent of a foreign principal for each such foreign principal;

"(5) The nature and amount of contributions, income, money, or thing of value, if any, that the registrant has received within

the preceding 60 days from each such foreign principal, either as compensation or for disbursement or otherwise, and the form and time of each such payment and from whom received;

"(6) A detailed statement of every activity which the registrant is performing or is assuming or purporting or has agreed to perform for himself or any other person other than a foreign principal and which requires his registration hereunder;

"(7) The name, business, and residence addresses, and, if an individual, the nationality, of any person who has within the preceding 60 days contributed or paid money or anything of value to the registrant in connection with any of the activities referred to in clause (6) of this section 2 (a) and the amount or value of the same;

"(8) A detailed statement of the money and other things of value spent or disposed of by the registrant during the preceding 60 days in furtherance of or in any way in connection with activities which require his registration hereunder and which have been undertaken by him either as an agent of a foreign principal or for himself or any other person;

"(9) Copies of each written agreement and the terms and conditions of each oral agreement, including all modifications of such agreements, or where no contract exists, a full statement of all the circumstances, by reason of which the registrant is performing or assuming or purporting or has agreed to perform for himself or for a foreign principal any activities which require his registration hereunder;

"(10) Such other statements, information, or documents pertinent to the purposes of this act as the Attorney General, having due regard for the national security and the public interest, may from time to time require;

"(11) Such further statements and such further copies of documents as are necessary to make the statements made in the registration statement and supplements thereto, and the copies of documents furnished therewith, not misleading.

"(b) Every agent of a foreign principal who has filed a registration statement required by section 2 (a) hereof shall, within 30 days after the expiration of each period of 6 months succeeding such filing, file with the Attorney General a supplement thereto under oath, on a form prescribed by the Attorney General, which shall set forth with respect to such preceding 6 months' period such facts as the Attorney General, having due regard for the national security and the public interest, may deem necessary to make the information required under section 2 hereof accurate, complete, and current with respect to such period. In connection with the information furnished under clauses (3), (4), (6), and (9) of section 2 (a) hereof, the registrant shall give notice to the Attorney General of any changes therein within 10 days after such changes occur. If the Attorney General, having due regard for the national security and the public interest, determines that it is necessary to carry out the purposes of this act, he may, in any particular case, require supplements to the registration statement to be filed at more frequent intervals in respect to all or particular items of information to be furnished.

"(c) The registration statement and supplements thereto shall be executed under oath as follows: If the registrant is an individual, by him; if the registrant is a partnership, by a majority of the members thereof; if the registrant is a person other than an individual or a partnership, by a majority of the officers thereof or persons performing the functions of officers or by a majority of the board of directors thereof or persons performing the functions of directors, if any.

"(d) The fact that a registration statement or supplement thereto has been filed shall

not necessarily be deemed a full compliance with this act and the regulations thereunder on the part of the registrant; nor shall it indicate that the Attorney General has in any way passed upon the merits of such registration statement or supplement thereto; nor shall it preclude prosecution, as provided for in this act, for willful failure to file a registration statement or supplement thereto when due or for a willful false statement of a material fact therein or the willful omission of a material fact required to be stated therein or the willful omission of a material fact or copy of a material document necessary to make the statements made in a registration statement and supplements thereto, and the copies of documents furnished therewith, not misleading.

"(e) If any agent of a foreign principal, required to register under the provisions of this act, has previously thereto registered with the Attorney General under the provisions of the act of October 17, 1940 (54 Stat. 1201), the Attorney General, in order to eliminate inappropriate duplication, may permit the incorporation by reference in the registration statement or supplements thereto filed hereunder of any information or documents previously filed by such agent of a foreign principal under the provisions of the act of October 17, 1940 (54 Stat. 1201).

#### "EXEMPTIONS

"Sec. 3. The requirements of section 2 (a) hereof shall not apply to the following agents of foreign principals:

"(a) A duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, while said officer is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such officer;

"(b) Any official of a foreign government, if such government is recognized by the United States, who is not a public-relations counsel, publicity agent, information-service employee, or a citizen of the United States, whose name and status and the character of whose duties as such official are of public record in the Department of State, while said official is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such official;

"(c) Any member of the staff of, or any person employed by, a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, other than a public-relations counsel, publicity agent, or information-service employee, whose name and status and the character of whose duties as such member or employee are of public record in the Department of State, while said member or employee is engaged exclusively in the performance of activities which are recognized by the Department of State as being within the scope of the functions of such member or employee;

"(d) Any person engaging or agreeing to engage only in private, nonpolitical, financial, mercantile, or other activities in furtherance of the bona fide trade or commerce of such foreign principal or in the soliciting or collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering, if such solicitation or collection of funds and contributions is in accordance with and subject to the provisions of the act of November 4, 1939, as amended (54 Stat. 48), and such rules and regulations as may be prescribed thereunder.

"The exemption under this subsection shall not be available to any person who knowingly secures or acquires, or assists in securing or acquiring, or attempts to secure or acquire, on behalf of a foreign principal or principals, for any purpose whatsoever, the ownership or control, direct or indirect, of

1 percent or more of the outstanding voting securities, or the direction or control by any means whatsoever of any of the policies of or of any partnership, association, corporation, organization, or other combination of individuals, organized or operating as a business enterprise under the laws of the United States or of any State or other place subject to the political or military jurisdiction of the United States;

"(e) Any person engaging or agreeing to engage only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts.

#### "FILING AND LABELING OF POLITICAL PROPAGANDA

"Sec. 4. (a) Every person within the United States who is an agent of a foreign principal and required to register under the provisions of this act and who transmits or causes to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce any political propaganda (1) in the form of prints, or (2) in any other form which is reasonably adapted to being, or which he believes will be, or which he intends to be, disseminated or circulated among two or more persons shall, not later than forty-eight hours after the beginning of the transmittal thereof, send to the Librarian of Congress two copies thereof and file with the Attorney General one copy thereof and a statement, duly signed by or on behalf of such agent, setting forth full information as to the places, times, and extent of such transmittal.

"(b) It shall be unlawful for any person within the United States who is an agent of a foreign principal and required to register under the provisions of this act to transmit or cause to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce any political propaganda (1) in the form of prints, or (2) in any other form which is reasonably adapted to being, or which he believes will be, or which he intends to be, disseminated or circulated among two or more persons, unless such political propaganda is conspicuously marked at its beginning with, or preceded or accompanied by, a true and accurate statement, in the language or languages used in such political propaganda, setting forth that the person transmitting such political propaganda or causing it to be transmitted is registered under this act with the Department of Justice, Washington, D. C., as an agent of a foreign principal, together with the name and address of such agent of a foreign principal and of each of his foreign principals; that, as required by this act, his registration statement is available for inspection at and copies of such political propaganda are being filed with the Department of Justice; and that registration of agents of foreign principals required by the act does not indicate approval by the United States Government of the contents of their political propaganda. The Attorney General, having due regard for the national security and the public interest, may by regulation prescribe the language or languages and the manner and form in which such statement shall be made and require the inclusion of such other information contained in the registration statement identifying such agent of a foreign principal and such political propaganda and its sources as may be appropriate.

"(c) The copies of political propaganda required by this act to be sent to the Librarian of Congress shall be available for public inspection under such regulations as he may prescribe.

"(d) For purposes of the Library of Congress, other than for public distribution, the Secretary of the Treasury and the Postmaster General are authorized, upon the request of the Librarian of Congress to forward to the Library of Congress 50 copies, or as many fewer thereof as are available, of all foreign prints determined to be prohibited entry

under the provisions of section 305 of title III of the act of June 17, 1930 (48 Stat. 688), and of all foreign prints excluded from the mails under authority of section 1 of title XII of the act of June 15, 1917 (40 Stat. 230).

"Notwithstanding the provisions of section 305 of title III of the act of June 17, 1930 (48 Stat. 688), and of section 1 of title XII of the act of June 15, 1917 (40 Stat. 230), the Secretary of the Treasury is authorized to permit the entry and the Postmaster General is authorized to permit the transmittal in the mails of foreign prints imported for governmental purposes by authority or for the use of the United States or for the use of the Library of Congress.

#### "BOOKS AND RECORDS

"Sec. 5. Every agent of a foreign principal registered under this act shall keep and preserve while he is an agent of a foreign principal such books of account and other records with respect to all his activities, the disclosure of which is required under the provisions of this act, as the Attorney General, having due regard for the national security and the public interest, may by regulation prescribe as necessary or appropriate for the enforcement of the provisions of this act and shall preserve the same for a period of 3 years following the termination of such status. Until regulations are in effect under this section every agent of a foreign principal shall keep books of account and shall preserve all written records with respect to his activities. Such books and records shall be open at all reasonable times to the inspection of any official charged with the enforcement of this act. It shall be unlawful for any person willfully to conceal, destroy, obliterate, mutilate, or falsify, or to attempt to conceal, destroy, obliterate, mutilate, or falsify, or to cause to be concealed, destroyed, obliterated, mutilated, or falsified, any books or records required to be kept under the provisions of this section.

#### "PUBLIC EXAMINATION OF OFFICIAL RECORDS

"Sec. 6. The Attorney General shall retain in permanent form one copy of all registration statements and all statements concerning the distribution of political propaganda furnished under this act, and the same shall be public records and open to public examination and inspection at such reasonable hours, under such regulations, as the Attorney General may prescribe, and copies of the same shall be furnished to every applicant at such reasonable fee as the Attorney General may prescribe. The Attorney General may withdraw from public examination the registration statement and other statements of any agent of a foreign principal whose activities have ceased to be of a character which requires registration under the provisions of this act.

#### "LIABILITY OF OFFICERS

"Sec. 7. Each officer, or person performing the functions of an officer, and each director, or person performing the functions of a director, of an agent of a foreign principal which is not an individual shall be under obligation to cause such agent to execute and file a registration statement and supplements thereto as and when such filing is required under sections 2 (a) and 2 (b) hereof and shall also be under obligation to cause such agent to comply with all the requirements of sections 4 (a), 4 (b), and 5 and all other requirements of this act. In case of failure of any such agent of a foreign principal to comply with any of the requirements of this act, each of its officers, or persons performing the functions of officers, and each of its directors, or persons performing the functions of directors, shall be subject to prosecution therefor.

#### "ENFORCEMENT AND PENALTIES

"Sec. 8. (a) Any person who—  
 "(1) Willfully violates any provision of this act or any regulation thereunder, or  
 "(2) In any registration statement or supplement thereto or in any statement under

section 4 (a) hereof concerning the distribution of political propaganda or in any other document filed with or furnished to the Attorney General under the provisions of this act willfully makes a false statement of a material fact or willfully omits any material fact required to be stated therein or willfully omits a material fact or a copy of a material document necessary to make the statements therein and the copies of documents furnished therewith not misleading—shall, upon conviction thereof, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 5 years, or both.

"(b) In any proceeding under this act in which it is charged that a person is an agent of a foreign principal with respect to a foreign principal outside of the United States, proof of the specific identity of the foreign principal shall be permissible but not necessary.

"(c) Any alien who shall be convicted of a violation of, or a conspiracy to violate, any provision of this act or any regulation thereunder shall be subject to deportation in the manner provided by sections 19 and 20 of the Immigration Act of 1917 (39 Stat. 889, 890) as amended.

"(d) The Postmaster General may declare to be nonmailable any communication or expression falling within clause (2) of section 1 (j) hereof in the form of prints or in any other form reasonably adapted to, or reasonably appearing to be intended for, dissemination or circulation among two or more persons, which is offered or caused to be offered for transmittal in the United States mails to any person or persons in any other American republic by any agent of a foreign principal, if the Postmaster General is informed in writing by the Secretary of State that the duly accredited diplomatic representative of such American republic has made written representation to the Department of State that the admission or circulation of such communication or expression in such American republic is prohibited by the laws thereof and has requested in writing that its transmittal thereto be stopped.

#### "APPLICABILITY OF ACT

"Sec. 9. This act shall be applicable in the several States, the District of Columbia, the Territories, the Canal Zone, the insular possessions, including the Philippine Islands, and all other places now or hereafter subject to the civil or military jurisdiction of the United States.

#### "RULES AND REGULATIONS

"Sec. 10. The Attorney General may at any time make, prescribe, amend, and rescind such rules, regulations, and forms as he may deem necessary to carry out the provisions of this act.

#### "REPORTS TO THE CONGRESS

"Sec. 11. The Attorney General shall, from time to time, make a report to the Congress concerning the administration of this act, including the nature, sources, and content of political propaganda disseminated or distributed.

#### "SEPARABILITY OF PROVISIONS

"Sec. 12. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

"Sec. 13. This act is in addition to and not in substitution for any other existing statute.

#### "SHORT TITLE

"Sec. 14. This act may be cited as the 'Foreign Agents Registration Act of 1938, as amended.'

#### TRANSFER OF ADMINISTRATION

Sec. 2. Upon the effective date of this act, all powers, duties, and functions of the

Secretary of State under the act of June 8, 1938 (52 Stat. 631), as amended, shall be transferred to and become vested in the Attorney General, together with all property, books, records, and unexpended balances of appropriations used by or available to the Secretary of State for carrying out the functions devolving on him under the above-cited act. All rules, regulations, and forms which have been issued by the Secretary of State pursuant to the provisions of said act, and which are in effect, shall continue in effect until modified, superseded, revoked, or repealed.

#### EFFECTIVE DATE

Sec. 3. This act shall take effect on the sixtieth day after the date of its approval, except that prior to such sixtieth day the Attorney General may make, prescribe, amend, and rescind such rules, regulations, and forms as may be necessary to carry out the provisions of this act.

Mr. DANAHER. Mr. President, will the Senator yield to me for a moment?

Mr. KILGORE. Certainly.

Mr. DANAHER. Mr. President, as our colleague from West Virginia knows, he and I with others on the subcommittee of the Committee on the Judiciary who considered this proposed legislation, spent many hours in consideration and study of the problems involved. I should like to invite the attention of the Senator from West Virginia to page 40, the section which commences with line 6, and runs through line 20, and to recall to him the discussion we had as to whether, in the first place, that exemption should be in the bill, and whether the 1 percent or more should be retained as a basis for the degree of control of a corporation which was being sought. Does the Senator recall our discussions about that?

Mr. KILGORE. I do.

Mr. DANAHER. Let me say to the Senator that I have within the last 24 hours been consulted by several members of the House Committee on the Judiciary, who renewed to me much of the sort of argument and objection which we considered at such length in our committee. They tell me that if that section were out there would be no slightest obstacle, in their judgment, to the House receiving the bill, giving it a House number, and passing it at once. Whether the consideration of speed and expedition in the handling of the legislation is such as to justify our reconsidering the committee amendment in that particular at this time I leave to the Senator. I suggest to him respectfully, however, that the exemption we then discussed and placed in the bill, may not be necessary in the light of the fact that since the bill was reported from the committee we have also amended the Trading With the Enemy Act on the floor by passing the President's war powers bill. In that particular we have gone much farther with reference to the prohibition, much less the licensing, of the acquisition of stock in this country in behalf of a foreign principal, and it may well be that the powers given by the President's war powers measure go so much farther than anything we are doing or saying here that the proposed action may be unnecessary.

With such considerations in mind, if our colleague from West Virginia shares my view, as I now express it, that we

would be wise in deleting lines 6 to 20 inclusive, on page 20, I should be glad to have him offer the amendment, or if he chooses, I shall offer it.

Mr. KILGORE. I thank the Senator from Connecticut for his suggestion. We discussed the matter in the committee. The weakness which I see in the stand taken by the House is the fact that the Trading With the Enemy Act does not apply to puppet states such as Vichy, France, and Spain, and other countries whose nationals could come in and acquire stock. That was my only reason, as I stated in the committee, for insisting on the 1-percent rule, and requiring registration in order to block the Swiss or any other nationals in Europe from dealing through agents. This would not prevent the purchase of stock. It would simply require the registration of the principal who purchased it. I do not think it is an unreasonable requirement at a time like this. But the Department of Justice has no objection to striking out the provision, though I feel it should be left in the bill as a proper safeguard, as did the entire committee when we discussed it. What influence has been working in the House committee I do not know. But I still cling to my belief.

Mr. DANAHER. Let me say simply to the Senator that there is no amendment to the committee amendment pending; none has been offered by me. I am still supporting my own committee's position on the matter. I say, however, that it is a perfectly proper consideration to entertain at this time, in view of the fact that under the provisions of the Trading With the Enemy Act, as they appear in the War Powers Act which the Senate passed 2 or 3 days ago, the President may prohibit entirely all transactions of whatever kind for any foreign government, including puppet states. Let me say further, that he also may permit transactions under such regulations as he chooses to make. Therefore, since under his regulations he will have the power and, in fact, does have the power, to reach the very type of transaction involved here, I think we might be well advised to strike out lines 6 to 20, inclusive, on page 40 of the bill.

Mr. KILGORE. I may suggest to the Senator from Connecticut that he offer the amendment and let the Senate decide with respect to it, because I think as a result of this discussion, the Members of the Senate are well aware of the circumstances. Let the question be decided by the Senate.

Mr. DANAHER. I thank the Senator from West Virginia for his cooperation and courtesy in considering the matter. In order to bring it to a head, I move to strike from page 40 lines 6 to 17, inclusive.

The PRESIDING OFFICER (Mr. BARKLEY in the chair). The question is on agreeing to the amendment to the committee amendment offered by the Senator from Connecticut (Mr. DANAHER).

Mr. NORRIS. Mr. President, may we have the amendment stated?

The PRESIDING OFFICER. The amendment to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 40 of the committee amendment it is pro-

posed to strike out lines 6 to 17, inclusive, as follows:

"The exemption under this subsection shall not be available to any person who knowingly secures or acquires, or assists in securing or acquiring, or attempts to secure or acquire, on behalf of a foreign principal or principals, for any purpose whatsoever, the ownership or control, direct or indirect, of 1 percent or more of the outstanding voting securities, or the direction or control by any means whatsoever of any of the policies of or of any partnership, association, corporation, organization, or other combination of individuals, organized or operating as a business enterprise under the laws of the United States or of any State or other place subject to the political or military jurisdiction of the United States."

Mr. NORRIS. Mr. President, I asked that the provision be read because, as I remember, the action of the Judiciary Committee did strike out what the amendment seeks to strike out. I may not have been present when final action was taken, but I heard the discussion in the Judiciary Committee, and it was my opinion that the consensus there was that there should be no limitation of 1 percent. A dozen corporations might each acquire 1 percent, which would not be very difficult, and thus be exempted from the operation of the law. I remember that in my participation in that discussion I took the attitude that I did not think that 1 percent ought to save a corporation if it were otherwise guilty, and that there ought to be no exemption. Therefore, I believe that the amendment should be agreed to.

The PRESIDING OFFICER. Does the Senator from West Virginia (Mr. KILGORE) desire recognition on the amendment?

Mr. KILGORE. I agree to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut (Mr. DANAHER), to the amendment reported by the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

The bill (S. 2060) was passed.

#### EXTENSION OF MILITARY SERVICE AND REGISTRATION OF MANPOWER—CONFERENCE REPORT

Mr. REYNOLDS submitted the following conference report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6215) to amend the Selective Training and Service Act of 1940 by providing for the extension of liability for military service and for the registration of the manpower of the Nation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with amendments, as follows:

On page 2, line 3, of the Senate engrossed amendment strike out "nineteen" and in lieu thereof insert "twenty."

On page 2, line 4, of such Senate amendment strike out "nineteen" and in lieu thereof insert "twenty."

On page 4, line 11, of such Senate amendment strike out "nineteen" and in lieu thereof insert "twenty."

On page 4, line 12, of such Senate amendment strike out "nineteenth" and in lieu thereof insert "twentieth."

On page 4, lines 17 and 18, of such Senate amendment strike out all of section 8.

On page 4, line 19, of such Senate amendment strike out "Sec. 9" and in lieu thereof insert "Sec. 8."

On page 5, line 7, of such Senate amendment strike out "Sec. 10" and in lieu thereof insert "Sec. 9."

On page 5, line 11, of such Senate amendment strike out "Sec. 11" and in lieu thereof insert "Sec. 10."

On page 5, line 22, of such Senate amendment strike out "them" and in lieu thereof insert "him."

And the Senate agree to the same.

ROBERT R. REYNOLDS,  
ELBERT D. THOMAS,  
EDWIN C. JOHNSON,  
WARREN R. AUSTIN,  
STYLES BRIDGES.

Managers on the part of the Senate.

A. J. MAY,  
R. EWING THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,  
DEWEY SHORT.

Managers on the part of the House.

#### The conference report was agreed to. RESPONSIBILITIES OF DISBURSING AND CERTIFYING OFFICERS

Mr. HILL. Mr. President, I rise to ask unanimous consent for the present consideration of House bill 5785, Calendar No. 953. Before submitting the request let me say that the bill is strongly urged by the Comptroller General, Mr. Warren. It passed the House unanimously, and has been favorably reported by the Senate Committee on Expenditures in the Executive Departments.

Prior to the reorganization of 1933 each of the Government departments had its own disbursing officer. By the reorganization of 1933 the disbursing officers were abolished, and one disbursing officer was set up in the Treasury Department to do all the work of disbursement for all the departments with the exception of the War Department and the Navy Department. One disbursing officer now acts on the recommendations of certifying officers in the various departments.

As the law now stands, the certifying officers are not required to be bonded, and the Comptroller General feels very strongly that the certifying officers should be under bond.

There has also been some confusion as between the duties of the disbursing officers and those of the certifying officers. The Comptroller General feels that the duties of the respective officers should be specifically stated in the statute so as to eliminate the confusion. That is what the bill does. It requires that the certifying officers of all the

various departments shall be under bond, and it makes clear and specific the duties of the disbursing officer and the duties of the various certifying officers.

I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5785) to fix the responsibilities of disbursing and certifying officers, and for other purposes.

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

There being no objection, the Senate proceeded to consider the bill.

Mr. HILL. Mr. President, I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Alabama will be stated.

The CHIEF CLERK. At the end of the bill it is proposed to add a new section, as follows:

Sec. 5. This act shall become effective on the 1st day of the fourth month following the date of its enactment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Alabama.

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 5785) was read the third time, and passed.

Mr. HILL. Mr. President, I ask unanimous consent to have printed in the Record at this point a letter from General Hines, Administrator of Veterans Affairs, addressed to me as chairman of the Senate Committee on Expenditures in the Executive Departments, enclosing a copy of a letter from the Comptroller General to General Hines.

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

VETERANS' ADMINISTRATION,  
Washington, November 17, 1941.

HON. LISTER HILL,

United States Senate, Washington, D. C.

MY DEAR SENATOR HILL: Further reference is made to your letter dated October 25, 1941, requesting a report on H. R. 5785, Seventy-seventh Congress, "An act to fix the responsibility of disbursing and certifying officers, and for other purposes."

In connection with the preparation of a report on this bill, the Veterans' Administration addressed a letter to the Comptroller General, under date of November 4, 1941, asking his views as to the effects of the bill, if enacted, on certain laws administered by the Veterans' Administration. Under date of November 12, 1941, the Comptroller General, after quoting the above-mentioned letter dated November 4, 1941, set forth his views as to the effects of the bill, if enacted, particularly with reference to the questions raised by the Veterans' Administration. A copy of the Comptroller General's letter dated November 12, 1941, is enclosed.

Assuming that your committee will concur in the views of the Comptroller General as to the purpose and effects of the bill, if enacted, the Veterans' Administration has no objection to the proposed legislation.

If the bill is to receive favorable consideration by your committee, it is suggested that it would be desirable to incorporate the Comptroller General's letter in the committee's report on the bill to remove any doubt as to its purpose and scope, if enacted.

Advice has been received from the Bureau of the Budget that there would be no objection by that office to the submission of this report to your committee.

Very truly yours,

FRANK T. HINES, *Administrator.*

COMPTROLLER GENERAL OF THE  
UNITED STATES,  
WASHINGTON, November 12, 1941.  
ADMINISTRATOR OF VETERANS' AFFAIRS,  
*Veterans' Administration.*

MY DEAR GENERAL HINES: I have your letter of November 4, 1941, as follows:

"Pursuant to understanding reached in conference between representative of this Administration and your office, I have the honor to present for your consideration certain questions of seeming doubt in connection with the probable construction of certain provisions of H. R. 5785, Seventy-seventh Congress. A bill to fix the responsibility of disbursing and certifying officers, and for other purposes."

"The bill, having been passed by the House of Representatives, is now pending before the Senate Committee on Expenditures in the Executive Departments. Pursuant to a request of the chairman of said committee for a report, there has been prepared the attached proposed letter calling attention to possible application of certain provisions of the bill which it is feared would be inimical to the purposes of the laws administered by the Veterans' Administration. It is appreciated that the bill is broadly drawn and that it could be construed other than as indicated, and in such manner as not to affect or repeal, by implication or otherwise, existing provisions of laws pertaining to veterans. In view of the doubts that have been expressed, I shall be glad to have the advantage of any views you may express regarding specifically the points mentioned herein.

"Aside from purely administrative and procedural questions, the more important points relate to (1) statutes permitting, under prescribed conditions, the waiving of overpayments under laws pertaining to veterans, (2) the relief of disbursing and certifying officers where such payments have been waived, and (3) the finality of decisions on questions of fact and law in connection with claims for gratuities and benefits provided by such laws.

"The provisions with respect to waiver have been in effect for many years and are contained in Section 28 of the Act of June 7, 1924, as amended, World War Veterans Act, which was saved from repeal by Section 7, Public No. 2, Seventy-third Congress. Such provisions have been extended to benefits under more recent legislation by the first section of Public No. 865, Seventy-sixth Congress, adding the section numbered 6 to Public No. 484, Seventy-third Congress.

"Because of the apparent inequity of holding disbursing officers in cases where recovery from the payee is waived, thereby depriving such officers of right of recoupment, legislation has been enacted from time to time relieving such officials in such instances. The present law applicable to both disbursing and certifying officers is Public No. 324, Seventy-sixth Congress, approved August 7, 1939, which provides:

"That no disbursing officer and no certifying officer of the Veterans' Administration shall be held liable for any amount paid to any person where the recovery of such amount from the payee is waived under existing laws administered by the Veterans' Administration."

"While not a necessary, it would seem that a probable construction of the pending bill, if enacted into law, would be to set up a different measure of relief for disbursing and certifying officers; and to the extent that there is any conflict it would seem that the later enacted law would be controlling.

"The third question arises through the provision of section 3 of the pending bill to the effect that certifying officers shall have the right to apply for and obtain a decision by the Comptroller General on any question of law involved in the payment on any vouchers presented to them for certification. For the purpose of expediting the granting of relief in connection with laws administered by the former Veterans' Bureau and the Veterans' Administration, provision has been made for years for the finality of decisions by the head of the agency. Section 5 of the act of June 7, 1924, World War Veterans' Act, contained such provision with respect to questions of fact, and said section, as amended July 3, 1930, included questions of law. These provisions were reenacted in more definite form in section 5, Public, No. 2, Seventy-third Congress, and were given broader uniform application in section 11, Public, No. 666, Seventy-sixth Congress. Similar provisions were enacted in section 310, World War Adjusted Compensation Act.

"Having in mind that repeal by implication is not favored, it may well be that the provisions of section 3 should not be construed or applied so as to affect the finality of decisions under the statutes mentioned above. On the other hand, if there should be any doubt with respect to this matter either as to the intent of the Congress to modify existing law or not to repeal the same, it would seem to be proper and desirable legislative procedure to amend the pending bill in the interests of certainty and clarity. If, for example, it be the intent not to repeal or modify the provisions of existing law in this respect, this could be made certain by adding a proviso to section 3 to the effect that the provisions thereof (concerning the right to request legal opinions of the Comptroller General) should not apply to any case wherein the decision of a Government agency is made final by statute. It may be, indeed, that such amendment is not considered necessary, but in view of the careful thought and attention that have been given to such matters in the past resulting in the legislation mentioned, it would seem that consideration should be given to this question in connection with the pending bill.

"As indicated, I shall be very glad to have the benefit of your views and will gladly cooperate with you to any extent desired in connection with resolving any doubtful questions."

You will understand, of course, that as a general rule it would not be proper for me to attempt an authoritative construction of a bill pending before the Congress, or to render a binding decision in that respect. However, since the bill H. R. 5785 was introduced in the Congress as a result of the recommendations of this office as contained in the Annual Reports of the Comptroller General for the fiscal years 1939 and 1940, for the purposes therein indicated and in substantially the form recommended, I have no hesitancy in informing you that if the bill be enacted in its present form I would not construe the enactment as affecting—by way of modification, repeal, suspension, or otherwise—any statutes such as those mentioned in your letter relating specifically to waiver of overpayments or recoveries, the relief of disbursing and certifying officers, the finality of administrative decisions, etc.

The need for the legislation contemplated by the bill H. R. 5785 is explained fully in the annual reports of the Comptroller General, referred to above, and has arisen by reason of the confusion presently existing as to the exact nature and extent of the duties and

responsibilities of disbursing and certifying officers. The purpose of the bill is not to enlarge the ultimate liability with respect to properly accounting for public funds but, as evidenced by its title, its purpose is to fix definitely the responsibilities of disbursing and certifying officers by clearly defining their separate respective duties and liabilities in order that the present confusion with respect thereto no longer will exist. Also, it is intended to vest in this office authority which it does not now have to grant relief in certain meritorious cases in which, under existing law, relief could be granted only by specific action thereon by the Congress. In other words, the bill would provide an additional means of relief without taking away any existing means.

There appears nothing in the bill indicating—and no apparent basis for inferring from the objects sought to be accomplished—that, in the final analysis, there should be a liability of the Government for an improper payment where, under existing laws such as those mentioned by you, there now is no liability.

The foregoing appears amply supported by the well-established principles that statutes should be given a reasonable construction consistent with the circumstances under which they are enacted and the objects and purposes sought to be accomplished; that repeals by implication are not favored; and that where there are two statutes upon the same subject, the earlier being special and the later general—as would be the situation here—the presumption is, in the absence of an express repeal or an absolute incompatibility, that the special statute is to remain in force.

Under the circumstances, I believe you will agree that no amendment to the bill H. R. 5785 is necessary to preserve any authority the Administrator of Veterans' Affairs or the Veterans' Administration now has under the specific statutes mentioned in your letter or under any other statutes.

Respectfully,

LINDSAY C. WARREN,  
*Comptroller General of the United States.*

#### PRICE CONTROL—OILS AND FATS

Mr. BROWN, Mr. President, I have been in touch with the Office of Price Administration most of the day, and I am very happy to be able to say that the Price Administrator is now engaged in a reconsideration of his orders affecting the prices of cottonseed oil and various other oils which are in the same general classification. There are about 1,800. He will endeavor to bring the prices into line with the provisions and limitations fixed in the House bill as it passed the House, and in the bill as it was recommended to the full committee by the subcommittee of the Committee on Banking and Currency, which had charge of the matter.

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

Mr. BROWN, I yield to the Senator from Tennessee.

Mr. McKELLAR, As I understand, the price of oil will be fixed at 12½ cents instead of 11¼ cents?

Mr. BROWN, I believe it is fair to say that that will be the probable result of reconsideration by the Price Administrator. I am advised that a short time—I think a matter of a few days—will be required to prepare the schedules and to make the formal announcement. But I am authorized to say that the limitations as contained in the bill passed by the House and as contained in the bill

as recommended to the full committee of the Senate by the subcommittee will be used as the basis for reconsideration of the prices fixed on oil; and I think that fully complies with the recommendations which the majority leader and myself made yesterday to the Price Administrator, and the representations which I made to the Senate at the time consideration of the Bankhead resolution was postponed.

Is there any question in the mind of any Senator interested in the matter?

Mr. WHEELER. I did not hear the Senator's opening statement with reference to what is proposed. Does he propose to introduce a bill?

Mr. BROWN. No. The Senator from Alabama [Mr. BANKHEAD] and some 27 other Senators who are interested in the prices of various fats and oils, particularly cottonseed oil, were somewhat upset by the announcement that, by a very recent order of the Price Administrator, a price of 11¼ cents per pound had been fixed as a ceiling beyond which the cottonseed price could not go. Let me say to the Senator from Montana and to any other Senators who were not present yesterday, that the House has passed, and the subcommittee of the Committee on Banking and Currency has approved, a limitation which would prevent the Administrator from fixing prices below the price level of any agricultural commodity price as of October 1, 1941. In the case of cottonseed oil that price is about 12¼ cents per pound.

In view of the resolution which the Senator from Alabama submitted, I thought it was fair to call the attention of the Price Administrator to the provision which would probably be enacted into law in the next 2 or 3 weeks as a floor below which he cannot go, and that it would be entirely proper for him to give consideration to that floor in his determination or reconsideration of this question. He is now doing so.

Mr. WHEELER. Then the Senator is not trying to take up the bill this afternoon?

Mr. BROWN. Oh, no.

The PRESIDING OFFICER. Has the Senator from Michigan completed his statement?

Mr. BROWN. I have.

#### DEFENSE HOUSING

Mr. ELLENDER. Mr. President, from the Committee on Education and Labor I report favorably, with amendments, House bill 6128, and I submit a report (Rept. No. 918) thereon. I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 6128) to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended.

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

Mr. McNARY. Mr. President, two members of the committee have ex-

pressed a desire to be present when the bill is considered. I should like to have the opportunity to send for them. 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:

Alken	Gillette	O'Mahoney
Austin	Green	Overton
Bailey	Gurney	Pepper
Bali	Hatch	Radcliffe
Barkley	Hayden	Reed
Brewster	Herring	Reynolds
Bridges	Hill	Rosier
Brooks	Holman	Russell
Brown	Johnson, Calif.	Schwartz
Bulow	Johnson, Colo.	Shipstead
Bunker	Kilgore	Spencer
Burton	La Follette	Stewart
Butler	Langer	Thomas, Idaho
Byrd	Lee	Thomas, Okla.
Capper	Lodge	Thomas, Utah
Caraway	Lucas	Tobey
Chandler	McCarran	Truman
Chavez	McFarland	Tunnell
Clark, Idaho	McKellar	Tydings
Clark, Mo.	McNary	Vandenberg
Connally	Maloney	Van Nuys
Danaher	Maybank	Wagner
Davis	Mead	Wallgren
Downey	Murdock	Walsh
Doxey	Murray	Wheeler
Ellender	Norris	White
George	Nye	Wiley
Gerry	O'Daniel	Willis

The PRESIDING OFFICER. Eighty-four Senators have answered to their names. A quorum is present.

Is there objection to the request of the Senator from Louisiana for the present consideration of House bill 6128, reported from the Committee on Education and Labor?

Mr. McNARY. Mr. President, I suggested the absence of a quorum because of the absence from the floor of the Senate of a few Senators who I thought should be present at the time the bill is considered.

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

There being no objection, the Senate proceeded to consider the bill (H. R. 6128) to amend the act entitled "An act to expedite the provision of housing in connection with national defense, and for other purposes," approved October 14, 1940, as amended, which had been reported from the Committee on Education and Labor with amendments.

Mr. ELLENDER. Mr. President, the purpose of House bill 6128 is to amend in certain particulars the so-called Lanham Act. A subcommittee of the Committee on Education and Labor of the Senate held hearings on the bill and submitted a unanimous report to the full committee. The full committee, in turn, unanimously reported the bill which is now before the Senate.

I shall endeavor to point out the most important provisions which were adopted by the House, and which were, in turn, either accepted or modified by the Senate Committee on Education and Labor.

The House provided that the cost of permanent family dwellings should be—

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

Mr. ELLENDER. I yield.

Mr. CONNALLY. Is the Senator going to move to consider the bill or has

it already been taken up by the Senate?

Mr. ELLENDER. That has already been done by the Senate and the bill is now under consideration.

Mr. CONNALLY. I think the Senator from Connecticut [Mr. MALONEY] should be present, and I hope the officers of the Senator will see that he is notified.

The PRESIDING OFFICER. The Chair is advised that the Senator from Connecticut has been sent for.

Mr. ELLENDER. Mr. President, the House of Representatives increased the average cost of permanent family dwelling units located within the continental United States from \$3,500, which is now the limit in the Lanham Act, to \$3,750. In view of the evidence adduced before it, the Committee on Education and Labor of the Senate thought the amount should remain at \$3,500.

The House of Representatives also increased the average cost of permanent dwelling units outside the continental United States, exclusive of Alaska, from \$4,000 to \$4,250, and, in like manner, the committee thought that the limit of cost should remain as is now provided in the Lanham Act. Also, the House provided an increase in the limit on any family dwelling unit from \$3,950, as provided in the Lanham Act, to \$4,500, and the Senate committee recommends that this increase be eliminated from the bill.

The only addition to that sector recommended by the committee is a provision to build housing in the Territory of Alaska, and, because Alaska is so far removed from continental United States, and it is rather difficult to obtain materials with which to build houses there, it is provided that the cost of such housing shall not exceed \$7,500 per family dwelling unit.

Under the Lanham Act three classes of employees are entitled to relief in connection with housing. They are, first, enlisted men in the naval or military services of the United States; second, employees of the United States in the Navy and War Departments assigned to duty at naval or military reservations, posts, or bases; and, third, workers engaged or to be engaged in industries connected with and essential to the national defense. The committee has added two other classes of employees. The first is:

(4) Employees of the United States whose duties are essential to the national defense.

The purpose of that amendment is to take care of housing in such places as the District of Columbia and other communities in a like situation.

Then the committee added a fifth class of persons by an amendment, which reads as follows:

(5) Officers of the Army and Marine Corps not above the grade of captain, and officers of the Navy and Coast Guard not above the grade of lieutenant, senior grade, subject to regulations to be prescribed by the Secretary of War and/or the Secretary of the Navy.

It was pointed out to the committee that the officers in the foregoing lower grades receive from \$1,800 to \$2,400 a year, and it was thought that some provision should be made in order to take

care of them. The committee concurred in that view.

The Senate committee concurs in the House amendment increasing the defense housing authorization from \$300,000,000, as presently written in the law to \$600,000,000. Then, on page 3, line 17, after the word "expended", the committee recommends that the following words of the House amendment be stricken out: In such amounts as the Congress from time to time shall make appropriations therefor.

It was thought that if that language were to remain in the bill, the Congress would first have to appropriate for each defense project as it was presented. For that reason the committee was of opinion that it is best to strike out that portion of the House language.

Section 4 of the bill now before the Senate has been stricken out by the committee. As will be noted, that section seeks to give authority to the Administrator, after the emergency shall be over, to sell or dispose as expeditiously as possible of all these housing projects. There is a further provision whereby the Administrator cannot dispose of any of these buildings or dwellings for slum-clearance purposes. The committee was of opinion that that amendment to the Lanham Act adopted by the House should be stricken from the bill, and that disposal of defense housing should be left entirely in the hands of the Administrator, as is provided, of course, under the present Lanham Act. It will be recalled that under the Lanham Act the Administrator is authorized to dispose of these projects, bearing in mind always the public interest. We have retained, however, a portion of the House provision and incorporated it in a separate amendment, reading as follows:

**Sec. 5.** Amend section 301 of such act by striking the period at the end thereof and adding a comma and the following: "Provided, That the Administrator shall, upon the request of the Secretary of War or the Secretary of the Navy, transfer to the jurisdiction of the War or Navy Departments such housing constructed under the provisions of this act as may be considered to be permanently useful to the Army or the Navy."

As will be noted, the purpose of the modified amendment is to give the Administrator the right to permit the Navy Department and the War Department to obtain title to any defense-housing projects that can be used permanently by them.

The committee accepted section 5, now numbered 4, of the House bill, increasing the amount for defense public works from \$150,000,000, as was authorized in the original Lanham Act dealing with community facilities, to \$300,000,000.

Section 6 of the House bill was stricken out for the reason that that language is already in the existing Lanham Act, except for the words "which has not been previously sold or disposed of." The committee felt that there is no need to incorporate that wording in the act, and therefore the entire section 6 of the House bill was eliminated.

In the next section, No. 7, the House sought to fix the rents to be paid by the occupants on a basis of the project cost; in other words, an economic rent.

As is now provided in the Lanham Act, discretion in fixing rentals is left to the Administrator, and the Administrator must take into account the salaries received by the occupants. At the suggestion of the Senator from Minnesota (Mr. BALL) an amendment was agreed to in committee that would have the effect of causing the Administrator to consider both the value of the dwellings and the remuneration received by the occupants in fixing the monthly rentals.

The modified amendment reads as follows:

**Sec. 6.** The second proviso of section 304 of such act, as amended, is amended to read as follows: "Provided further, That the Administrator shall fix rentals, on projects developed pursuant to this act, which, insofar as is practical, shall be based on the value thereof as determined by him, but with due consideration where necessary to the incomes of the persons intended to be housed, and that rentals to be charged for Army and Navy personnel shall be fixed by the War and Navy Departments."

The next amendment deals with section 8 of the House bill. The committee struck from the House bill all of section 8 except the wording on page 5, line 25, beginning after the period in the sentence. That House amendment which was eliminated by the Senate committee, provided that the Administrator must construct all defense-housing projects through the Public Buildings Administration, or, in his discretion, through the War Department and Navy Department. The committee thought that provision should be stricken from the bill, thereby granting the Administrator authority to use such building agencies as now exist to construct these projects, rather than tie his hands by limiting him to the use of Public Buildings Administration and the War and Navy Departments. Under the bill, if the Senate committee amendment is concurred in, the Administrator will be able to use the best talent the Government now has at its disposal in order to build these housing facilities.

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

Mr. ELLENDER. I yield to the Senator from New York.

Mr. MEAD. As I understand—and this seems to me to be the most important section of the bill—the House has restricted the Administrator in his selection of the agency to construct the projects, while the Senate amendment will permit the Administrator wider powers, which will make possible the use of experienced agencies such as the United States Housing Authority, the Public Buildings Administration, and so on.

Mr. ELLENDER. That is correct.

Mr. MEAD. When the Senate Defense Committee made an investigation of housing, we found that the projects constructed by the older agencies, particularly by the United States Housing Administration, were very efficiently and very effectively accomplished. In my judgment, it would be a sad mistake if the House provision should prevail, and the agencies with experience and ability should be no longer permitted to par-

ticipate in the defense program. I trust that the Senate will adopt this amendment, and that the Senate conferees will do everything in their power, as I know they will, to prevail upon the House to have it included in the final form of the bill, for it is very important.

Mr. ELLENDER. As I recall, when the original Lanham Act was before the Senate the same provision came from the House, and the Senate struck it out; and, as the law now reads, discretion as to which agencies shall handle the projects is left to the Administrator.

Mr. MEAD. Yes.

Mr. ELLENDER. Striking out the language suggested by the House will leave the Lanham Act as now written, which permits the Administrator to utilize the various agencies. We have retained, however, this language from the House amendment:

Section 305 of such act, as amended, is amended by the addition of the following sentence at the end thereof:

"Insofar as consistent with emergency needs, consultation shall be had with local public officials and local housing authorities to the end that projects constructed under the provisions of this act shall, so far as may be practicable, conform in location and design to local planning and tradition."

The amendment is self-explanatory, and the committee thought that it should be retained.

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

Mr. ELLENDER. I yield to the Senator from New Mexico.

Mr. CHAVEZ. In discussing the amendment in question, I believe the Senate should be informed as to what occurred before the subcommittee.

Some evidence was adduced to the effect that under the original Lanham Act possibly nine different agencies of the Government were engaged in carrying out the provisions of the act; that some agencies were doing first-class work, while other agencies were not doing such good work. Notwithstanding the fact that it would have been advisable to concentrate all the functions embraced in the Lanham Act under one head, the committee felt that it would be best if the authority were left in the hands of the Administrator; and the committee was to advise the Administrator to the effect that it was the purpose, or at least the hope, that the Administrator would be able to concentrate as many of the functions under the bill within as few as possible of the agencies, because there was much evidence of confusion due to the fact that so many agencies were handling the work. There was duplication of work; but under the circumstances it was felt that, with the proper kind of an administrator—which the committee felt the Government now has—it would be best if we left to the Administrator discretion in handling the work.

Mr. PEPPER. Mr. President, will the Senator permit me to say just a word or two?

The PRESIDING OFFICER. Does the Senator from Louisiana yield to the Senator from Florida?

Mr. ELLENDER. I yield to the Senator from Florida.



Mr. PEPPER. I thoroughly subscribe to the amendment which has been proposed by the subcommittee and approved by the full committee, vesting this discretion in the Federal Works Administrator; but I do not want this opportunity to pass without saying just a word, at least, in commendation of the excellent job which has been done by the United States Housing Authority. I am sure it is the sentiment of the committee that they should be given their just share of the work which is to be carried on under this bill, because all over the country the various housing authorities under the supervision of the United States Housing Authority here have faithfully and efficiently done a splendid job; and I know that all expect to see them continue to have a representative portion of this responsibility.

Mr. ELLENDER. I thank the able Senator from Florida. I was about to call the attention of the Senate to the splendid work that has been done by the United States Housing Authority, when I was interrupted by the Senator from New Mexico, [Mr. CHAVEZ]. The committee did not hear one word of criticism about the United States Housing Authority. On the contrary all of the evidence heard pointed to the able and efficient manner in which that agency has carried out its mandate. The records of the agency show that the cost of all projects built under its supervision were under the maximum cost per unit, fixed by Congress when it adopted the Housing Act. More could be said but I feel quite sure that Senators are anxious to vote on the pending measure.

Mr. President, the last amendment suggested by the House of importance is included on page 6 of the bill, affecting section 306.

Under the Lanham Act, the Administrator has the right to bargain with the localities in which projects are built with respect to taxes; but the House adopted an amendment making it mandatory that local communities shall be paid taxes on all projects erected under the act, and the committee concurred in that view. It is to be hoped that local communities will not take advantage of this change in the law, and will continue to cooperate and keep local taxes down to a minimum.

Mr. Charles F. Palmer, Housing Coordinator, suggested the following amendment, which was agreed to by the committee:

Sec. 10. Such act, as amended, is amended by inserting after section 311 the following new section:

"Sec. 312. Any agency designated by the President to provide temporary shelter under the provisions of Public No. 9, Seventy-seventh Congress, Public No. 73, Seventy-seventh Congress, or the Third Supplemental National Defense Appropriations Act, 1942, shall have the same powers with respect to the management, maintenance, operation, and administration of such temporary shelter as are granted to the Federal Works Administrator under section 304 and section 306 of this act with respect to projects constructed hereunder, and the provisions of section 307 shall apply to such temporary shelter projects and the occupants thereof."

The amendment is self-explanatory. It simply confers on an agency or agen-

cies that have built temporary shelter, the powers of management, maintenance, operation, and administration, as are granted to the Federal Works Administrator under the Lanham Act, over projects under his jurisdiction.

Mr. President, that is about all there is to the bill, and unless there are further questions, I shall ask for an immediate vote by the Senate.

The PRESIDING OFFICER. The clerk will state the first amendment reported by the committee.

The first amendment of the committee was, in section 1, page 2, line 11, to strike out "\$3,750" and to insert: "\$3,500"; in line 13, to strike out "\$4,250" and to insert "\$4,000"; in line 14, to strike out "\$4,500" and to insert "\$3,950"; in line 21, before the word "shall," to strike out the word "Administrator" and insert "President"; in line 23, after the word "emergency", to strike out "he shall construct"; and in line 24, after the word "temporary" to strike out "units;" and the quotation marks and insert "shall be constructed."

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 2, before the word "Provided" to insert "(4) employees of the United States whose duties are essential to the national defense; (5) officers of the Army and Marine Corps not above the grade of captain, and officers of the Navy and Coast Guard, not above the grade of lieutenant, senior grade, subject to regulations to be prescribed by the Secretary of War, and/or the Secretary of the Navy."

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 17, after the word "until", to strike out "expended in such amounts as the Congress from time to time shall make appropriations therefor," and in line 19 to insert "expended," and quotation marks.

The amendment was agreed to.

The next amendment was, in section 4, page 3, to strike out lines 20 to 25, inclusive, and lines 1 to 12, inclusive, on page 4, as follows:

Sec. 4. Such act, as amended, is amended by inserting after section 3 the following new section:

"Sec. 4. It is hereby declared to be the policy of this title to further the national defense by providing housing in those areas where it cannot otherwise be provided by private enterprise when needed, and that such housing shall be sold and disposed of as expeditiously as possible: *Provided*, That in disposing of said housing consideration shall be given to its full market value and said housing or any part thereof shall not, unless specifically authorized by Congress, be conveyed to any public or private agency organized for slum clearance or to provide subsidized housing for persons of low income: *Provided further*, That the Administrator may, in his discretion, upon the request of the Secretaries of War or Navy transfer to the jurisdiction of the War or Navy Departments such housing constructed under the provisions of this act as may be considered to be permanently useful to the Army or Navy."

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 13, to strike out "5" and insert "4."

The amendment was agreed to.

The next amendment was, in section 6, page 4, to strike out lines 16 to 21, inclusive, as follows:

Sec. 6. Clause (b) of section 301 of such act, as amended, is amended to read as follows: "(b) property acquired or constructed under this act (including schools and hospitals), which has not been previously sold or disposed of, shall be disposed of as promptly as may be advantageous under the circumstances and in the public interest."

And to insert:

Sec. 5. Amend section 301 of such act by striking the period at the end thereof and adding a colon and the following: "*Provided*, That the Administrator shall, upon the request of the Secretary of War or the Secretary of the Navy, transfer to the jurisdiction of the War or Navy Departments such housing constructed under the provisions of this act as may be considered to be permanently useful to the Army or the Navy."

The amendment was agreed to.

The next amendment was, in section 7, page 4, line 22, to strike out "7" and insert "6"; in line 24 after the word "fix", to strike out "fair"; in line 25, after the word "which", to insert "insofar as is practical"; on page 5, line 1, after the word "him", to insert "but with due consideration when necessary to the incomes of the persons intended to be housed."

The amendment was agreed to.

The next amendment was, in section 8, page 5, line 4, to strike out "8" and insert "7"; in line 5, to strike out "to read as follows" and to insert "by the addition of the following sentence at the end thereof"; after line 5, to strike out:

Sec. 305. In the construction of defense housing under this act the Administrator shall act through the Public Buildings Administration, or, in his discretion, the War Department and Navy Department: *Provided*, That any other agency lawfully designated by the Administrator to construct projects for which funds were available at the time of designation may continue such projects to completion: *And provided further*, That the Public Buildings Administration may utilize the services of local housing authorities in such construction herein authorized; and in carrying out the other provisions of this act, the Administrator is authorized to utilize and act through the Federal Works Agency and other Federal agencies and any local public agency, with the consent of such agency. Any funds appropriated pursuant to this act for defense housing or for defense public works and equipment therefor shall be available for transfer to any agency authorized in this section to construct the same. Nothing in this act shall be construed to prevent the employment or utilization of the professional services of private persons, firms, or corporations.

In line 25, after the part stricken out, to strike out the word "consultation" and to insert "insofar as consistent with emergency needs, consultation."

The amendment was agreed to.

The next amendment was, in section 9, page 6, line 5, to strike out "9" and insert "8"; and in line 18, to strike out "10" and insert "8";

The amendment was agreed to.

The next amendment was, on page 6, after line 20, to insert the following:

Sec. 10. Such act, as amended, is amended by inserting after section 311 the following new section:

"Sec. 312. Any agency designated by the President to provide temporary shelter under the provisions of Public, No. 9, Seventy-seventh Congress, Public, No. 73, Seventy-seventh Congress; or the Third Supplemental National Defense Appropriations Act, 1942, shall have the same powers with respect to the management, maintenance, operation, and administration of such temporary shelter as are granted to the Federal Works Administrator under section 304 and section 306 of this act with respect to projects constructed hereunder, and the provisions of section 307 shall apply to such temporary shelter projects and the occupants thereof."

The amendment was agreed to.

The PRESIDING OFFICER. That concludes the amendments of the committee.

Mr. TRUMAN. Mr. President, I offer an amendment to be inserted at the proper place. I ask to have it stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed to insert a new section at the end of the bill, as follows:

SEC. 11. Notwithstanding any provision of such act of October 14, 1940, none of the funds hereafter appropriated to carry out its provisions may be expended in connection with a cost-plus-a-fixed-fee form of contract; and all contracts hereafter entered into under such act shall be subject to the provisions of section 3709 of the Revised Statutes.

Mr. ELLENDER. Mr. President, I may state to the Senator from Missouri that I am willing to accept the amendment and take it to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Missouri [Mr. TRUMAN].

The amendment was agreed to.

The PRESIDING OFFICER. If there are no further amendments to be offered, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 6128) was read the third time and passed.

#### ADDITIONAL DEFENSE APPROPRIATIONS

Mr. MCKELLAR. Mr. President, as a companion measure to the bill just passed, I reported this afternoon from the Committee on Appropriations a joint resolution (H. J. Res. 258) making appropriations to carry out the provisions of the bill just passed. I ask unanimous consent for the present consideration of that joint resolution.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. As I understand, this is an appropriation measure to carry into effect the bill which has just been passed.

Mr. MCKELLAR. That is the principal purpose. However, there are two or three other items in the joint resolution, and I shall be glad to explain to the Senator and to the Senate what those items are.

Mr. McNARY. What is the amount carried by the joint resolution?

Mr. MCKELLAR. The joint resolution provides \$300,000,000 for nondefense

housing and \$50,000,000 for community facilities for those who are employed in defense areas.

Another item besides the housing appropriations is an emergency fund for the Territorial possessions. The administration needs \$15,000,000 for that purpose and has asked for it.

Under the Procurement Division there is an item of \$2,000,000.

For the relief of the Philippine Islands, for public relief and civilian defense, there is an item of \$10,000,000. That was very urgently recommended by the President of the Philippine Republic. The request was sent to the authorities in Washington, and the War Department has very earnestly recommended the appropriation, and the committee thought it should be granted.

Mr. McNARY. Was there any contest in the committee with respect to any of these items?

Mr. MCKELLAR. Yes; there was a contest with respect to the housing item. As I stated to the Senator a while ago, the bill was reported with the understanding that it would not be taken up until the so-called Lanham bill, the housing bill, was passed by the Senate.

Mr. LODGE. Mr. President, will the Senator from Tennessee yield to me?

Mr. MCKELLAR. I yield.

Mr. LODGE. In response to the question of the Senator from Oregon, I may say that some of us were curious to ascertain just how the \$300,000,000 is to be spent. We were enlightened to the extent of being told that it was to be devoted to the purposes stated in the Lanham bill, one of which purposes, as the Senate knows, is the construction of residential housing for defense workers.

Mr. MCKELLAR. It is for permanent housing.

Mr. LODGE. Yes; permanent residential housing for defense workers.

Mr. MCKELLAR. That is correct.

Mr. LODGE. I may say to the Senator from Oregon that I sought to ascertain in some detail of what this housing was to consist, and where it was to go, but the testimony on that point was incomplete. However, the legislative bill has now been passed, and whereas in normal times I should be reluctant to support an item with so slender a basis of fact, I feel justified, in view of the amendment offered by the Senator from Missouri and accepted, in supporting this appropriation, particularly in view of the fact that included in the bill is an item for the relief of the people of the Philippines, which I am sure commands the sympathy and support of all of us at this moment.

Mr. MCKELLAR. I thank the Senator from Massachusetts very much.

Mr. McNARY. In view of the statement of the Senator from Massachusetts, I have no objection to the consideration of the joint resolution.

There being no objection, the joint resolution (H. J. Res. 258) to provide additional appropriations incident to the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

#### PROTECTION FROM BOMBING ATTACKS

Mr. REYNOLDS. Mr. President, I again respectfully call the attention of Senators present to Calendar No. 942, Senate bill 1936, and ask for its present consideration.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1936) to provide protection of persons and property from bombing attacks in the United States, and for other purposes, which was read, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated such sums as may be necessary to enable the Director of Civilian Defense, appointed under authority of Executive Order No. 8757, dated May 20, 1941, to provide, under such regulations as the President may prescribe, facilities, supplies, and services to include research and development for the adequate protection of persons and property from bombing attacks in such localities in the United States, its Territories and possessions, as may be determined by said Director to be in need of, but unable to provide, such protection: *Provided*, That such facilities and supplies may be loaned to civil authorities in accordance with said regulations: *Provided further*, That any department or agency of the Federal Government having equipment or supplies not required for its use may, subject to the approval of the Division of Procurement, Treasury Department, transfer the same without charge (notwithstanding the provisions of the Act of December 20, 1928, 45 Stat. 1030) to the Director of Civilian Defense for the purpose herein authorized.

SEC. 2. It shall be unlawful for any person to wear a uniform, insignia, arm band, or other distinctive article prescribed by the Director of Civilian Defense except in accordance with the regulations promulgated under the authority of section 1 hereof. Any person found guilty of violating the provisions contained in this section shall, upon conviction, be fined not more than \$100 or imprisoned for not more than six months, or both.

Mr. REYNOLDS. Mr. President, the bill now before the Senate was considered by the Committee on Military Affairs and was reported favorably. It is designed to provide fire-fighting apparatus and equipment for various departments and agencies of the Government and gives them authority to lend it to various political subdivisions.

It also gives the Civilian Defense Administrator power to make purchases of gas masks and other equipment which will be necessary to provide the proper protection to such towns and citizens and various industrial sections of the United States as are not now prepared and equipped or financially in a position to purchase such equipment for themselves.

I may add that the proposed legislation has the approval of the Director of Civilian Defense, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, and the Secretary of the Interior, whose reports on the bill are embodied in the report of the Committee on Military Affairs.

Mr. LODGE. Mr. President, I am very glad the Senator has seen fit to call up the bill, because it is one in which I have taken considerable interest. The Senator has very ably outlined the measure.

As I see it, the bill provides four things. It authorizes the Director of Civilian Defense to provide facilities, supplies, and services in the United States and its Territories. It provides that the facilities which he has under his authority may be loaned to the civil authorities. It provides that existing Federal equipment, in the way of gas masks or fire-fighting apparatus, or other civilian defense articles, may be transferred to the States. It further provides a penalty relative to the wearing of civilian-defense insignia if not done according to regulations. As the Senator said, the bill is approved by everyone concerned, and has received the unanimous support of the committee. While I hope that the powers conferred under it may not be necessary, I feel that the Senate should take this step so that everything that can be done may be done to protect our civilian population.

Mr. REYNOLDS. Mr. President, I am very glad to have had the opportunity to yield to the able Senator from Massachusetts, because I recall with much appreciation that when the bill was under consideration by the committee he evidenced a great deal of interest in it. I may add that I had a talk today with Mayor LaGuardia, who communicated to me the necessity for bringing about the immediate passage of this measure.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

#### STATE DIRECTORS OF SELECTIVE SERVICE

Mr. VAN NUYS. Mr. President, I move that the Senate proceed to consider Senate bill 2082, Calendar No. 947.

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

There being no objection, the Senate proceeded to consider the bill (S. 2082) to extend the provisions of Public Law 47, Seventy-seventh Congress, to State directors of selective service, which had been reported from the Committee on the Judiciary with an amendment at the end of the bill to insert "or because of his appointment as a member of an Alien Enemy Hearing Board to assist the Attorney General in the execution of any proclamations heretofore or hereafter issued by the President under the authority of the Alien Enemy Act of 1798, as amended (U. S. C., title 50, secs. 21-24", so as to make the bill read:

Be it enacted, etc., That Public Law 47, Seventy-seventh Congress, approved May 5, 1941 (55 Stat. 160), be amended to read as follows:

"That nothing in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 198 and 203) or in section 190 of the Revised Statutes (U. S. C., title 5, sec. 99) shall be deemed to apply to any person because of his appointment under authority of the Selective Training and Service Act of 1940 or the Selective Service Regulations made in pursuance thereof as a member of a local board, a board of appeal, an advisory board for registrants, as a State director, a Government appeal agent, or as an individual to conduct hearings on appeals of persons claiming exemption from combatant training and serv-

ice because of conscientious objections as provided in section 5 (g) of the Selective Training and Service Act of 1940; or because of his appointment as a member of an alien enemy hearing board to assist the Attorney General in the execution of any proclamations heretofore or hereafter issued by the President under the authority of the Alien Enemy Act of 1798 as amended (U. S. C., title 50, secs. 21-24)."

Mr. McNARY. Mr. President, may we have an explanation of the bill?

Mr. VAN NUYS. The bill as originally introduced added to the exceptions from prosecution under the restrictions placed on the practice of law by former officers of the Government, certain persons appointed under authority of the Selective Training and Service Act of 1940 or the Selective Service Regulations made in pursuance thereof. The committee amendment also adds members of the alien enemy hearing boards which are now being set up in each judicial district in the country by the Attorney General to hear the cases of aliens who have been incarcerated under the Enemy Alien Act. The added provision exempts the members of those boards. It is impossible to get members of these boards from the legal profession because nearly every law firm has some claim or some contract or proceeding in which the Government is interested. Such persons could not get any compensation, directly or indirectly, for their services if they were named to these boards; in fact, they would be subject to prosecution.

Mr. McNARY. Mr. President, is this a House bill or a Senate bill?

Mr. VAN NUYS. It is a Senate bill. Mr. McNARY. Did the committee report it unanimously?

Mr. VAN NUYS. It did.

Mr. McNARY. Were hearings had? Mr. VAN NUYS. No; the measure was considered by the full committee. No subcommittee was appointed. A representative of the Department of Justice appeared before the committee and explained the measure.

Mr. McNARY. Is the bill on the calendar?

The PRESIDING OFFICER. It is on the calendar. The Chair will state to the Senator that it is Calendar No. 947.

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

Mr. VAN NUYS. I yield.

Mr. McKELLAR. The State Department, which heretofore has had jurisdiction, and the Post Office Department, which heretofore has in part had jurisdiction, have agreed that the matter should be placed entirely in the hands of the Department of Justice.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. VAN NUYS. I now move that the title be amended by adding thereto "and members of Alien Enemy Hearing Boards," so as to read:

A bill extending the provisions of Public Law 47, Seventy-seventh Congress, to State directors of selective service and members of Alien Enemy Hearing Boards.

The amendment to the title was agreed to.

#### AUTHORIZATION TO RECEIVE MESSAGES AND SIGN BILLS

The PRESIDING OFFICER. The Chair will take the liberty to announce that, without objection, the Secretary of the Senate is authorized, during the adjournment or recess of the Senate following today's session to receive messages from the House, and that the PRESIDING OFFICER of the Senate is authorized to affix his signature to bills and joint resolutions ready for his signature.

#### EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. BARKLEY in the chair), as in executive session, 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

As in executive session.

The following favorable reports of nominations were submitted:

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

By Mr. WALSH, from the Committee on Naval Affairs:

Capt. John F. Shafroth, Jr., to be rear admiral in the Navy for temporary service to rank from the 2d day of November 1941.

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

Spruille Braden, of New York, now Ambassador Extraordinary and Plenipotentiary to Columbia, to be Ambassador Extraordinary and Plenipotentiary to Cuba; and Frank A. Schuler, Jr., of Michigan, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul.

#### GEN. DOUGLAS MACARTHUR

The PRESIDING OFFICER. As in executive session, the Chair lays before the Senate a message from the President of the United States nominating Lt. Gen. Douglas MacArthur, general, United States Army, retired, Army of the United States, to be general.

The Chair wishes to state that the Senator from North Carolina (Mr. REYNOLDS) desires to ask unanimous consent for the present consideration of the nomination of Lieutenant General MacArthur to be general without reference to the Committee on Military Affairs.

Mr. CONNALLY. Mr. President, I hope the Senator will not make that request.

Mr. McNARY. Mr. President, I did not hear the nature of the request. Does that apply to all the nominations?

The PRESIDING OFFICER. No; only to the nomination of General MacArthur.

Mr. McNARY. And the other nominations go to the committee?

The PRESIDING OFFICER. Yes.

Mr. McNARY. The Senator from North Carolina proposes to ask unanimous consent for the confirmation of the nomination of Lieutenant General MacArthur to be general, without reference to the committee?

Mr. REYNOLDS. Yes.

Mr. McNARY. I have consulted some members of the committee, but I have

not been able to reach them all. Personally, I have no objection.

Mr. CONNALLY. Mr. President, I have a very high estimate of General MacArthur, and have no objection to the confirmation of the nomination except that I am in some doubt as to whether there is a grade of general in addition to that of Chief of Staff. If we have ever authorized such a grade I do not know. I should like to have the Military Affairs Committee look into that question, and also the question of how many lieutenant generals are authorized. I believe we once authorized the promotion of four officers to be lieutenant generals. There are now nine. A representative of the War Department claims it can appoint as many officers to be lieutenant generals as the Department pleases without any further congressional authorization. I do not believe that is the law. General MacArthur is a fine gentleman and a good soldier. I do not begrudge him the rank of general. But I do not think a non-institution should be made to a grade which is nonexistent.

Mr. REYNOLDS. Mr. President, it has never occurred to me to question the right of the authorities to name General MacArthur, or anyone whom they should desire to designate, as a full general. It has never occurred to me to question that right because certainly those in authority would not make a recommendation of such importance unless they knew they were possessed of the authority.

The reason it is now asked that the nomination be immediately considered by the Senate, without the usual formality and procedure of referring it to the Military Affairs Committee, is that General MacArthur is now in the Philippine Islands, at one of the most important points of all the world, where one of the most important battles of the war is taking place, and I know that no Member of the Senate doubts in the slightest that, insofar as ability and experience and military information and training are concerned, he is qualified to the very nth degree. His record is known to every Senator. I do not believe there is any military man anywhere in all the world who has a finer record, or a finer reputation than General MacArthur has. Senators remember his grades at West Point Military Academy on the Hudson. I believe they were at least as high as those of any young man who was ever graduated from that institution. My recollection is that he was the youngest Chief of Staff the Army ever had. I might mention many other qualifications which he has from the standpoint of experience.

Mr. LODGE. Mr. President, in connection with the point raised by the Senator from Texas, I think that undoubtedly under the National Defense Act of 1920 the President has authority to make an appointment of this kind. I cannot refer the Senator to the exact paragraph.

Mr. CONNALLY. Mr. President, it is claimed that there is legal authority for an appointment of this kind. The clerk of the Military Affairs Committee showed me the act. There is no such authority.

Mr. LODGE. The Senator is a very able lawyer.

Mr. CONNALLY. There may be such authority in some of the bills which the Military Affairs Committee has been reporting. However, a man may not be appointed to a grade when there is no such grade established by law. The War Department cannot create a grade. Congress must create it.

I have no objection to General MacArthur. I think he is a splendid officer. But he is out there, and I assume he will fight just as valiantly for a couple of days as a lieutenant general as he would as a full general. I see no reason for undue haste. I shall not object to the confirmation of the nomination, but I shall enter on the Journal a motion to reconsider. If I find that there is no such grade, I will make such a motion.

The PRESIDING OFFICER. The motion will be entered.

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

Mr. CONNALLY. I yield.

Mr. TRUMAN. I think that we are simply profiting by the experience which we had in the World War. At that time it became absolutely essential to create four full generals for the purpose of transacting business with our Allies on an equal plane. I think the necessity for General MacArthur's promotion at this time is that if our Allies, with whom we shall have to deal in the Dutch East Indies, in the Malay Peninsula, and in the Philippines, create eight full generals to command over there, which they have done in one instance of which I know, General MacArthur will be outranked, and cannot do business with them on an equal plane. That is the reason for this nomination.

Mr. CONNALLY. Mr. President, the Senator is mistaken. In the World War we had only two full generals.

Mr. TRUMAN. I can name four of them.

Mr. CONNALLY. Who were they?

Mr. TRUMAN. General Bliss, General March, General Pershing, and I cannot remember the other name, but there were four.

Mr. CONNALLY. My recollection is that we had two full generals, General March, Chief of Staff, and General Pershing. General Liggett was a lieutenant general in command of an army.

Mr. TRUMAN. The other three generals were at the peace conference.

Mr. CONNALLY. They may have been at the peace conference, but that did not make them full generals.

Mr. TRUMAN. They were full generals.

Mr. CONNALLY. The general from Alabama was a lieutenant general. There were two lieutenant generals and two full generals.

If Congress has authorized such an appointment, I shall not object. I shall not object to the confirmation of the nomination; but I cannot find out from the Military Affairs Committee how many lieutenant generals we have authorized. No one on the committee seems to know.

Mr. TRUMAN. I think the authorization is for as many as military necessity may call for.

Mr. CONNALLY. That is exactly what I am not in favor of. If we are to let the Army have all the lieutenant generals it wants, it will have as many lieutenant generals as it has colonels. It now has more lieutenant colonels than captains.

I shall not object to the confirmation of the nomination if the Senator insists on it; but the idea that a man cannot fight unless he is a general is ridiculous. I am surprised at the Senator from Missouri. He says that our allies are to have eight lieutenant generals. So far the Allies have not acted as though they had much more than eight soldiers. [Laughter.]

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Carolina?

The Chair hears none, and the nomination is confirmed.

Mr. CONNALLY. As I have already stated, I wish to enter a motion to reconsider.

The PRESIDING OFFICER. The motion will be entered on the Journal.

Mr. LA FOLLETTE. Mr. President, let me suggest that the purpose of the Senator from North Carolina will not be served if a motion to reconsider is pending. Why would not the best thing to do be to have the nomination referred to the committee and let it be reported at the next session of the Senate? The entering on the Journal of a motion to reconsider will prevent the transmission of any information to the President. Therefore, the nomination of General MacArthur will not be confirmed until the motion to reconsider is acted upon. Would not the Senator from North Carolina better achieve his purpose by letting the nomination go to the committee and let it be reported at the next session of the Senate?

Mr. CONNALLY. Mr. President, I withdraw the motion to reconsider, because of the zeal of the chairman of the committee. However, I serve notice now that I will not vote for any more confirmations of nominations as generals or lieutenant generals until I know that there is legal authority for making such appointments.

The PRESIDING OFFICER. Without objection, the motion of the Senator from Texas is withdrawn; and without objection, the President will be immediately notified of the confirmation of the nomination.

There is no Executive Calendar printed for today.

#### CONFIRMATION OF NOMINATIONS IN THE FOREIGN SERVICE

Mr. CONNALLY. Mr. President, as in executive session, I ask unanimous consent for the present consideration of two nominations in the Foreign Service which I reported earlier in the day from the Committee on Foreign Relations. I refer to the nomination of Frank A. Schuler, Jr., to be a consul of the United States, and the nomination of Spruille Braden, of New York, to be Ambassador to Cuba.

The PRESIDING OFFICER. The nominations will be stated for the information of the Senate.

The legislative clerk read the nomination of Frank A. Schuler, Jr., of Michigan, 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.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed; and without objection, the President will be immediately notified.

The legislative clerk read the nomination of Spruille Braden, of New York, now Ambassador Extraordinary and Plenipotentiary to Colombia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba.

Mr. CONNALLY. Mr. President, Mr. Messersmith has been nominated and confirmed as Ambassador to Mexico. He is at present Ambassador to Cuba. Before he can leave for Mexico his successor must be appointed. Mr. Braden has been nominated to be his successor.

I am sure that most Senators know Mr. Messersmith. He is a career man of many years service. He was Assistant Secretary of State for a considerable period. He is especially capable in Latin American affairs. He speaks Spanish fluently and has done a good job. The President told me in conferring on the nomination that he felt that Mr. Messersmith had done the finest job in Cuba that has been done by any Ambassador we have had there in recent years.

Mr. REYNOLDS. Mr. President, Mr. Messersmith, our present Ambassador to Cuba, has been named by the President to serve our country as Ambassador to Mexico. Mr. Braden, who has been serving us most creditably in Colombia, has recently been nominated to be Ambassador to Cuba. I do not think that our Government could have chosen a finer man or a man of better experience for that post. He has served well in a number of South American countries. It will be recalled that he was instrumental in bringing about a satisfactory conclusion of the dispute between Paraguay and Bolivia. I am very glad that we have the occasion to confirm his nomination as Ambassador to Cuba.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination of Spruille Braden to be Ambassador to Cuba? The Chair hears none. Without objection, the nomination is confirmed; and without objection, the President will be immediately notified.

#### ADJOURNMENT TO MONDAY

Mr. McNARY. I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 4 o'clock and 48 minutes p. m.) the Senate adjourned until Monday, December 22, 1941, at 12 o'clock meridian.

#### NOMINATIONS

Executive nominations received by the Senate December 19 (legislative day, December 16), 1941:

#### TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

##### To be general

Lt. Gen. Douglas MacArthur (general, U. S. Army, retired), Army of the United States.

##### To be major generals

Brig. Gen. Edward Postell King, Jr., United States Army.

Brig. Gen. George Fleming Moore (colonel, Coast Artillery Corps), Army of the United States.

Brig. Gen. George Marshall Parker, Jr. (colonel, Infantry), Army of the United States.

Brig. Gen. Richard Karens Sutherland (lieutenant colonel, Infantry), Army of the United States.

##### To be brigadier generals

Col. Clifford Bluemel, Infantry.

Col. James Roy Newman Weaver, Infantry.

Col. William Edward Brougher, Infantry.

Col. Albert Monmouth Jones, Infantry.

Col. Joseph Peter Vachon, Infantry.

Col. Bradford Grethen Chynoweth (lieutenant colonel, Infantry), Army of the United States.

Col. William Fletcher Sharp, Field Artillery.

Col. Allan Clay McBride, Field Artillery.

Col. Clyde Andrew Selleck, Field Artillery.

Col. Spencer Ball Akin, Signal Corps.

Col. Charles Chisholm Drake (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. Richard Jaquelin Marshall (lieutenant colonel, Quartermaster Corps), Army of the United States.

#### TEMPORARY APPOINTMENT IN THE NAVY

##### To be rear admiral

Capt. John F. Shaforth, Jr., to be a rear admiral in the Navy, for temporary service, to rank from the 2d day of November 1941.

#### POSTMASTERS

##### ALABAMA

Evie L. Griffin, to be postmaster at Moundville, Ala., in place of G. B. Pickets, retired.

##### ARKANSAS

Ralph R. Rea to be postmaster at Harrison, Ark., in place of C. V. Wagley, transferred.

##### CALIFORNIA

William D. Gilchrist to be postmaster at Arrowhead Springs, Calif. Office became Presidential July 1, 1941.

##### CONNECTICUT

Bruce B. Randall to be postmaster at Bridgewater, Conn. Office became Presidential July 1, 1941.

Leola W. Beck to be postmaster at Columbia, Conn. Office became Presidential July 1, 1941.

##### FLORIDA

Luther L. Callaway to be postmaster at Chiefland, Fla., in place of L. L. Callaway. Incumbent's commission expired August 23, 1941.

Bessie E. Guthrie to be postmaster at Cortez, Fla. Office became Presidential July 1, 1941.

Minnie Blanch Payne to be postmaster at Longwood, Fla., in place of M. B. Payne. Incumbent's commission expired August 23, 1941.

##### GEORGIA

Arthur C. Turner to be postmaster at Statesboro, Ga., in place of G. T. Groover, deceased.

##### ILLINOIS

Delmar D. Debault to be postmaster at Mason, Ill., in place of C. A. Ruffner, transferred.

Minnie D. Davis to be postmaster at Moccasin, Ill., in place of M. D. Davis. Incumbent's commission expired August 14, 1941.

Charles E. Myers to be postmaster at Pontiac, Ill., in place of K. M. Murphy. Incumbent's commission expired February 6, 1941.

##### INDIANA

Mary C. Shaffer to be postmaster at Arcadia, Ind., in place of Alva Davis, deceased.

Alva E. Staggs to be postmaster at Monticello, Ind., in place of Galen Benjamin, deceased.

##### LOUISIANA

Silvio Broussard to be postmaster at New Iberia, La., in place of Silvio Broussard. Incumbent's commission expired May 21, 1941.

Clifton T. Bigner to be postmaster at Pollock, La., in place of C. T. Bigner. Incumbent's commission expired July 30, 1941.

Robert H. Nelson to be postmaster at Shreveport, La., in place of R. H. Nelson. Incumbent's commission expired March 16, 1941.

##### MAINE

Howard F. Wright to be postmaster at Wilton, Maine, in place of H. F. Wright. Incumbent's commission expired April 21, 1940.

##### MARYLAND

Guy M. Coale to be postmaster at Upper Marlboro, Md., in place of G. M. Coale. Incumbent's commission expired May 28, 1941.

##### MASSACHUSETTS

Auna R. Ellis to be postmaster at Norwood, Mass., in place of A. R. Ellis. Incumbent's commission expired August 23, 1941.

Elizabeth B. Phinney to be postmaster at Pocasset, Mass., in place of A. T. Swift, resigned.

##### MINNESOTA

Kenneth N. Hullett to be postmaster at Lakeville, Minn., in place of W. C. Ackerman, deceased.

Charles R. Whitcomb to be postmaster at Morgan, Minn., in place of A. J. Tauer, transferred.

##### MISSISSIPPI

Thomas E. Goodman to be postmaster at New Albany, Miss., in place of T. E. Goodman. Incumbent's commission expired August 23, 1941.

Lee E. Beckett to be postmaster at Pittsboro, Miss. Office became Presidential July 1, 1941.

Lloyd C. Hopkins to be postmaster at Walnut, Miss., in place of L. C. Hopkins. Incumbent's commission expired July 29, 1941.

##### MISSOURI

Byron E. Thornhill to be postmaster at Archie, Mo., in place of S. M. Cramer, transferred.

Charles A. Lawrence to be postmaster at Fenton, Mo. Office became Presidential July 1, 1941.

Lawrence M. Fry to be postmaster at Lake Ozark, Mo. Office became Presidential July 1, 1941.

Fannie F. Norris to be postmaster at Wyatt, Mo. Office became Presidential July 1, 1941.

##### MONTANA

Herman J. Webster to be postmaster at Custer, Mont. Office became Presidential July 1, 1941.

Oscar C. Clute to be postmaster at Dixon, Mont. Office became Presidential July 1, 1941.

Goldie G. Dobravec to be postmaster at Noxon, Mont. Office became Presidential July 1, 1941.

##### NEBRASKA

Blanche E. Kammerer to be postmaster at Ashland, Nebr., in place of B. E. Kammerer. Incumbent's commission expired August 21, 1941.

Edith F. Francis to be postmaster at Belton, Nebr. Office became Presidential July 1, 1941.

Ethel L. Talcott to be postmaster at Crofton, Nebr., in place of Ethel Talcott. Incumbent's commission expired May 23, 1940.

Glenn D. Young to be postmaster at Elrth, Nebr. Office became Presidential July 1, 1941.  
A. Otto Erdman to be postmaster at Venango, Nebr., in place of A. O. Erdman. Incumbent's commission expired July 30, 1941.

Mary May Holley to be postmaster at Waverly, Nebr. Office became Presidential July 1, 1941.

Edith C. Hackl to be postmaster at Wynot, Nebr. Office became Presidential July 1, 1941.

## NEVADA

Florence Sears Jackson to be postmaster at Imlay, Nev. Office became Presidential July 1, 1941.

## NEW HAMPSHIRE

Theodore W. Drew to be postmaster at Intervale, N. H. Office became Presidential July 1, 1941.

## NEW JERSEY

Joseph R. Johnson to be postmaster at Mount Arlington, N. J., in place of J. E. Johnson. Incumbent's commission expired August 23, 1941.

William Guy Weaver to be postmaster at Woodbridge, N. J., in place of W. G. Weaver. Incumbent's commission expired August 10, 1941.

## NEW MEXICO

Arvil M. Waggoner to be postmaster at Bayard, N. Mex. Office became Presidential July 1, 1941.

## NEW YORK

Ethel M. Cross to be postmaster at Burlington Flats, N. Y. Office became Presidential July 1, 1941.

Edward E. J. Kent to be postmaster at Cambridge, N. Y., in place of D. J. Sheridan, deceased.

Jay W. Mercalf to be postmaster at Deansboro, N. Y. Office became Presidential July 1, 1941.

Roxa A. Youker to be postmaster at Dolgeville, N. Y., in place of R. A. Youker. Incumbent's commission expired August 23, 1941.

David J. McHenry to be postmaster at Granville, N. Y., in place of D. J. McHenry. Incumbent's commission expired May 22, 1940.

Walter B. Jaynes to be postmaster at Greene, N. Y., in place of W. B. Jaynes. Incumbent's commission expired August 23, 1941.

Marion L. Jenkins to be postmaster at Ronsselaer Falls, N. Y. Office became Presidential July 1, 1941.

## NORTH CAROLINA

Charles R. McNair to be postmaster at Rockingham, N. C., in place of R. N. Stansill, deceased.

Ola A. Sutton to be postmaster at Windsor, N. C., in place of W. M. Sutton, deceased.

## OHIO

John Roth to be postmaster at Excello, Ohio, in place of John Roth. Incumbent's commission expired April 21, 1941.

Josephine M. Furey to be postmaster at Hanoverton, Ohio. Office became Presidential July 1, 1941.

Virginia Lange to be postmaster at Kelleys Island, Ohio, in place of Virginia Lange. Incumbent's commission expired July 29, 1941.

Bertha R. Murphey to be postmaster at Lakemore, Ohio. Office became Presidential July 1, 1941.

Theodore C. Gilroy to be postmaster at Waynesfield, Ohio, in place of T. C. Gilroy. Incumbent's commission expired August 19, 1941.

## OKLAHOMA

Laura Lonnie Dolphin to be postmaster at Boley, Okla., in place of L. L. Dolphin. Incumbent's commission expired August 19, 1941.

Benjamin F. Cooksey to be postmaster at Fairland, Okla., in place of B. F. Cooksey. Incumbent's commission expired August 23, 1941.

Jennie R. Whitsett to be postmaster at Freedom, Okla., in place of O. D. Moreland, transferred.

Carroll C. Sanders to be postmaster at Soper, Okla. Office became Presidential July 1, 1941.

George W. Blair to be postmaster at Yale, Okla., in place of G. W. Blair. Incumbent's commission expired February 18, 1941.

## OREGON

Odden L. Dickens to be postmaster at John Day, Oreg., in place of O. L. Dickens. Incumbent's commission expired August 23, 1941.

## PENNSYLVANIA

Eleanor E. McNally to be postmaster at Alliquippa, Pa., in place of E. E. McNally. Incumbent's commission expired August 23, 1941.

Edward P. Shamborsky to be postmaster at Eynon, Pa. Office became Presidential July 1, 1941.

Sara J. Leonard to be postmaster at Groveton, Pa., in place of S. J. Leonard. Incumbent's commission expired August 14, 1941.

Lewis H. Mensch to be postmaster at Marienville, Pa., in place of L. H. Mensch. Incumbent's commission expired August 2, 1941.

Mina H. Corbett to be postmaster at Mont Clare, Pa., in place of M. H. Corbett. Incumbent's commission expired August 23, 1941.

Sara A. Jeffries to be postmaster at New Salem, Pa., in place of S. A. Jeffries. Incumbent's commission expired August 2, 1941.

William Lamar Sames to be postmaster at Richlandtown, Pa., in place of W. L. Sames. Incumbent's commission expired August 23, 1941.

James K. Morrison to be postmaster at Williamsburg, Pa., in place of J. K. Morrison. Incumbent's commission expired August 14, 1941.

## SOUTH CAROLINA

Dexter E. Elliott to be postmaster at Florence, S. C., in place of E. D. Sallenger, deceased.

Bertie Lee B. Williams to be postmaster at Neeses, S. C., in place of B. L. B. Williams. Incumbent's commission expired August 23, 1941.

## TENNESSEE

Burrell G. White to be postmaster at Bell Buckle, Tenn., in place of B. G. White. Incumbent's commission expired February 2, 1941.

## TEXAS

Elsie G. Parker to be postmaster at Azle, Tex. Office became Presidential July 1, 1941.

Ruth B. Reeves to be postmaster at Boling, Tex., in place of R. B. Reeves. Incumbent's commission expired August 2, 1941.

George V. Norman to be postmaster at Hempstead, Tex., in place of G. V. Norman. Incumbent's commission expired August 23, 1941.

Vernon R. Brooks to be postmaster at Joshua, Tex. Office became Presidential July 1, 1941.

Alex Jones to be postmaster at Keller, Tex. Office became Presidential July 1, 1941.

Frank J. Williams to be postmaster at Lipan, Tex., in place of F. J. Williams. Incumbent's commission expired August 23, 1941.

Fowler Magee to be postmaster at Montague, Tex., in place of Fowler Magee. Incumbent's commission expired August 2, 1941.

Ruby N. Hart to be postmaster at New Boston, Tex., in place of R. N. Hart. Incumbent's commission expired July 30, 1941.

Tug S. Pfeuffer to be postmaster at New Braunfels, Tex., in place of Richard Pfeuffer, deceased.

Louis H. De Mouche to be postmaster at Portland, Tex. Office became Presidential July 1, 1941.

Frederick A. Benedict to be postmaster at Randolph Field, Tex., in place of F. A. Benedict. Incumbent's commission expired February 6, 1941.

Hattie M. Sims to be postmaster at Ropesville, Tex., in place of H. M. Sims. Incumbent's commission expired August 2, 1941.

Rose Franger to be postmaster at Runge, Tex., in place of Rose Franger. Incumbent's commission expired August 11, 1941.

Dorothy B. Statton to be postmaster at Skellytown, Tex., in place of D. B. Statton. Incumbent's commission expired August 2, 1941.

Steve R. Selleh to be postmaster at Thompson, Tex. Office became Presidential July 1, 1941.

Lillian M. Bradberry to be postmaster at Warren, Tex. Office became Presidential July 1, 1941.

## VERMONT

James Emil Petersen to be postmaster at Salisbury, Vt. Office became Presidential July 1, 1941.

## VIRGINIA

Betty L. Morrisette to be postmaster at Middlethorpe, Va. Office became Presidential July 1, 1941.

Peter D. Holland to be postmaster at Moneta, Va. Office became Presidential July 1, 1941.

Bessie J. Deane to be postmaster at New Canton, Va., in place of B. J. Deane. Incumbent's commission expired June 2, 1941.

Robert L. McConnell to be postmaster at Nickelsville, Va. Office became Presidential July 1, 1941.

James R. Parker, Jr., to be postmaster at Providence Forge, Va. Office became Presidential July 1, 1941.

Nannie Lee Sticklely to be postmaster at Rose Hill, Va., in place of N. L. Sticklely. Incumbent's commission expired July 30, 1941.

Edgar L. Boone to be postmaster at Troutville, Va., in place of E. L. Boone. Incumbent's commission expired August 23, 1941.

Mary R. White to be postmaster at Vinton, Va., in place of M. R. White. Incumbent's commission expired August 19, 1941.

## WEST VIRGINIA

Peter J. Groseclose to be postmaster at Homphill, W. Va., in place of P. J. Groseclose. Incumbent's commission expired August 21, 1941.

## CONFIRMATIONS

Executive nominations confirmed by the Senate December 19 (legislative day, December 16), 1941:

## DIPLOMATIC AND FOREIGN SERVICE

Spruille Braden to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Cuba.

Frank A. Schuler, Jr., to be a consul of the United States of America.

## TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

## To be general

Lt. Gen. Douglas MacArthur (general, U. S. Army, retired), Army of the United States.

## HOUSE OF REPRESENTATIVES

FRIDAY, DECEMBER 19, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who dost make known to us the secret and disposition of God; Thou

who didst humble Thyself unto death, grant that we may be confirmed in the holy faith. We pray that we may arise in the blessedness of hope and cheer and believe the words of comfort which Thou hast spoken unto us: "They that wait upon the Lord shall renew their strength, they shall run and not be weary, they shall walk and not faint." We pray Thee to bless all churches, breathing upon them the sympathy and the joy of true brotherhood; unite them more and more in confidence, in cooperation of labor, and in the sacrifice of brotherly love. Oh, do Thou breathe upon our land the spirit of understanding, of duty, of temperance, that men may learn to love as they have learned to hate. Oh, blessed consummation, oh, joyful hour, when man to man shall brother be. In the name of our Saviour. Amen.

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

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 8215. An act to amend the Selective Training and Service Act of 1940 by providing for the extension of liability for military service and for the registration of the manpower of the Nation, and for other purposes.

The message also announced that the Senate insists upon its amendment to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. REYNOLDS, Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. AUSTIN, and Mr. BRIDGES to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 5558) entitled "An act increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1949," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCARRAN, Mr. OVERTON, and Mr. BURTON to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 588) entitled "An act to give to the Secretary of Agriculture permanent authority to make payments to agricultural producers in order to effectuate the purposes specified in section 7 (a) of the Soil Conservation and Domestic Allotment Act."

#### ORDER OF BUSINESS

The SPEAKER. The Chair desires to announce that, on account of the condition of the calendar today, the Chair would rather not recognize Members for unanimous-consent requests to proceed for 1 minute, or for any time, until the business of the day is concluded.

The Chair, however, intends to recognize the gentleman from Massachusetts (Mr. MARTIN) on a personal matter.

#### HON. WILLIAM TYLER PAGE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, today marks the sixtieth anniversary of continuous service in this House by our distinguished friend, William Tyler Page, the senior minority clerk.

On December 19, 1881, Mr. Page entered the service of the House as a page boy. Advancing steadily through diligent application, faithful service, and abiding loyalty, he has served under 14 Speakers and through the terms of 11 Presidents—a record of service and achievement without a parallel in the history of our beloved nation. From 1919 to 1931 Mr. Page served 6 terms with distinction as Clerk of the House.

A native of Maryland, where he still resides in Montgomery County, adjoining the District of Columbia, Mr. Page is a descendant of Carter Braxton, a signer of the Declaration of Independence, from Virginia. He is likewise a collateral descendant of John Tyler, the tenth President of the United States. His first ancestor on this continent was John Page, who settled in Williamsburg, Va., in 1650. Colonel Matthew Page, the son of John Page, was one of the founders of the College of William and Mary. Another John Page was Governor of Virginia, and later was elected to the First and Second Congresses under the Constitution. From such deep root stems William Tyler Page's fine patriotism and unflagging zeal in defense of the fundamentals of American constitutional government. He is in a very real sense the personification of the America we all love and strive to preserve and defend.

When, as a lad barely 13 years of age, William Tyler Page left his employment as a printer's assistant in a small shop in Frederick, Md., to begin his service in the House of Representatives, Chester A. Arthur was President; Queen Victoria ruled the British Empire with the aid and guidance of Gladstone and Disraeli; and Bismarck was triumphant on the Continent of Europe.

From that day Tyler Page has seen the great panorama of world history unrolled—and in much of that history he has been a participant as well as an observer and recorder.

He began serving a Union of only 38 States—almost a whole generation before the first telephone was installed in this Capitol. He lived and breathed American history; and as his devotion to our national traditions matured, it fell to him at length to write for a Nation of 48 States the one great document which faithfully epitomizes the living spirit of America since its founding—the American's Creed.

That great work, which most Members of this House during the last quarter century, recite from memory, was composed by Tyler Page during the World War 23 years ago. Woven from the classic utterances of every generation of Americans, it will serve as an inspira-

tion to patriots so long as this Nation shall prevail as the land of the free and the home of the brave.

On this happy occasion, I need not remind this House of the noble qualities of character and warm attributes of loyalty and friendship which have made Tyler Page an institution among us. You all have known his cordial greeting and friendly guidance. You have known his quick wit and lively humor. He has, on occasion, presided briefly in the Speaker's chair and at other times he has been called upon to open our sessions with prayer. For 60 years nothing about the House of Representatives has been above or beneath, or beyond the earnest and conscientious attention of our good friend and wise counsellor, William Tyler Page.

I know that today I voice the sentiments of every Member of this House on both sides of the aisle when I wish for William Tyler Page continued happiness and prosperity which, as a great American, he justly merits.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, speaking for myself and also for my Democratic colleagues of the House, I join with the distinguished minority leader, the gentleman from Massachusetts (Mr. MARTIN), in the fitting remarks he has made with reference to our distinguished friend, William Tyler Page.

To us of the House he is an institution. To the country he is a great American and an example to all. I know I speak the sentiments of my Democratic colleagues as well as all of my colleagues when I make the statement that I join with the distinguished gentleman from Massachusetts (Mr. MARTIN) in the appropriate remarks he has made on this occasion with reference to William Tyler Page, and to add one additional thought, that there are few men in the life of our Nation who have made a more profound and constructive impression upon the Americans of any generation than has William Tyler Page in his great lifetime.

Mr. CANFIELD. Mr. Speaker, the late Speaker Champ Clark one day approached Tyler Page and, placing a hand upon his shoulder, said:

"Is it true, Tyler, you were born right here in the Capitol?"

"Not exactly, Mr. Speaker," replied Page. "Not exactly, but, like our old friend, John Quincy Adams, I hope to die here."

Seventeen years before I first saw the light of day and 25 years before the dean of the House, the distinguished gentleman from Illinois (Mr. SABATH) first came to Congress, Tyler Page was here. Coming as a page boy at the age of 13 and later holding various key positions as an employee of the House, he has been with the legislative branch for almost 40 percent of the full period our country has enjoyed the blessings of constitutional government. He has witnessed the evolution, yes, the revolution, of House pro-

cedure, observing the transformation from a so-called do-nothing body to a business body and today a defense institution unanimously determined to preserve our Republic and defeat the forces of aggression and oppression.

Tyler Page has been exceedingly kind to me during my years on Capitol Hill. He has been like a father. I love him for what he has done for our country.

He is the author of *The American's Creed*, which literally breathes the soul of America. Today it hangs in practically every schoolroom, lodge, veterans' home; it can be seen on the mastheads of many of our leading dailies, and I learned yesterday that it has a place of honor on every major vessel in the American Navy.

A salute for Tyler Page. Sixty years he has labored in this structure.

Some allude to him as the Patriarch of Pages. To me he is the helping hand in the House. And to America he must be inspiration itself.

Mr. CHIPERFIELD. Mr. Speaker, one Sunday evening not long ago, I was listening to a radio program in tribute to a great American upon reaching his seventy-third birthday—the Honorable William Tyler Page, eminent author of the *American's Creed*, and at the present time clerk of the minority of the House of Representatives.

He began his life work at the age of 13 as a page boy, and since that time has held numerous offices in the House of Representatives. Today he has completed 60 years of service—the longest any individual has ever worked on Capitol Hill. He has served under 14 Speakers of the House. Every office that he has ever held he has filled with simple dignity and distinction. His personal charm and superior mental ability are known to all.

William Tyler Page carries in his veins the blood of many great Americans, and his philosophy of life and of Government has upheld the finest traditions and ideals of his ancestors.

It is a rare occasion to be able to eulogize a man, even though he is respected and loved, and at the same time pay tribute to a symbol of pure Americanism.

There is no need of my telling you how Mr. Page has helped me and other Members of Congress with his kindly counsel on numerous occasions. But in these times our thoughts are turned toward love of country and patriotism, and while you are undoubtedly familiar with the story of how he came to write the *American's Creed*, I think it is well worth repeating as I believe it is the pattern by which he lives.

This is what he told me. He was born 73 years ago in Frederick, Md., and early in life formed a friendship with a boy named Schley. Later on Schley went to Annapolis while Tyler Page went to the Capitol. This warm friendship between these two boys continued for many years. Finally, in the Spanish-American War, Schley, who had risen to the rank of commodore of the Navy, and who was temporarily in charge of the American Fleet, won a glorious American victory on July 3, 1898. The marvelous news of the victory of his old friend Schley thrilled Tyler Page and filled him with patriot-

ism. He made the resolve that instead of celebrating the next day, the Fourth of July, in the usual way, he would shut himself up in his library and read the great and fundamental documents of the beginning of our country, such as the Constitution, Declaration of Independence, and the Farewell Address of Washington. That evening, after reflection on what he had read during the day, he made the further resolve that he would continue this practice of reading the great historical writings upon which our Nation was founded each Fourth of July thereafter, and he has kept that promise for forty-odd years.

In the war of 1917 a contest was held to write an American creed. Page submitted his manuscript and won the contest, and the Congress officially recognized it as the American's creed of our country. It would have been strange indeed if William Tyler Page had not eventually written this creed, for unconsciously, from the reading of these great works, he had been formulating in his mind such a creed for many years. It was the welling up from the soul of this man all of the devotion to liberty, all the ideals of his love of country.

Knowing the Apostles' Creed to have been a compilation expressing their doctrine and principles, which they practiced long before the creed was formulated, and the sources of its articles were the books of the Bible, he resolved that his American creed must also come from recognized authoritative and historical writings. He did not want to use his own words, and every word of the American Creed is taken from such documents as the Constitution of the United States, the Declaration of Independence, Lincoln's Gettysburg Address, Washington's Farewell Address, the National Anthem, and other similar references.

I could do no better in paying tribute to William Tyler Page than to quote the *American's Creed* of exactly 100 words:

I believe in the United States of America as a government of the people, by the people, for the people; whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign nation of many sovereign states; a perfect union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

Mr. Speaker, in these times of great emergency and war, if all of us would but devote ourselves to the carrying out—with our lives if necessary—these simple and elementary truths, these principles upon which our Government was founded and which have made it great, we would have the satisfaction of knowing we were doing our part in fulfilling the God-given destiny of our country.

#### SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6215) to amend the Selective Training and Service Act of 1940 by providing for the extension of

liability for military service and for the registration of the manpower of the Nation, and for other purposes, with a Senate amendment, disagree to the Senate amendment and agree to the conference asked by the Senate.

The clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. MAY, Mr. THOMASON, Mr. HARTER, Mr. ANDREWS, and Mr. SHORT.

#### COMMISSION TO INVESTIGATE ATTACK ON HAWAII

Mr. SUMNERS of Texas. Mr. Speaker, by direction of the Committee on the Judiciary, I ask unanimous consent for the immediate consideration of House Joint Resolution 259, to authorize the commission appointed by the President to conduct an investigation in connection with the attack on Hawaii, to compel the attendance of witnesses, and the production of books, papers, and documents.

The Clerk read the House joint resolution (H. J. Res. 259), as follows:

Whereas on December 18, 1941, the President by Executive order appointed Owen J. Roberts, William H. Standley, Joseph M. Reeves, Frank R. McCoy, and Joseph T. McNarney, a commission to ascertain and report the facts relating to the attack made by the Japanese armed forces upon the Territory of Hawaii on December 7, 1941: Therefore be it

Resolved, etc., That (a) the commission appointed by the President by Executive order, dated December 18, 1941, to ascertain and report the facts relating to the attack made by the Japanese armed forces upon the Territory of Hawaii on December 7, 1941 (in this act called the "commission"), may, or by one or more of its members or by such agents or agencies as it may designate may, prosecute any inquiry necessary to its functions at any place within the United States or any place subject to the civil or military jurisdiction of the United States. The commission or any member of the commission when so authorized by the commission shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation by the commission. The commission or any member of the commission or any agent or agency designated by the commission for such purpose may administer oaths and affirmations, examine witnesses, and receive evidence. Such attendance of witnesses and the production of such evidence may be required from any place within the United States or any place subject to the civil or military jurisdiction of the United States at any designated place of hearing.

(b) In case of contumacy or refusal to obey a subpoena issued to any person under subsection (a), any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the inquiry is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the commission shall have jurisdiction to issue to such person an order requiring such person to appear before the commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question; and any failure to obey such order of the court may be punished by said court as a contempt thereof.



(c) Process and papers of the commission, its members, agent, or agency, may be served either upon the witness in person or by registered mail or by telegraph or by leaving a copy thereof at the residence or principal office or place of business of the person required to be served. The verified return by the individual so serving the same, setting forth the manner of such service, shall be proof of the same, and the return post-office receipt or telegraph receipt therefor when registered and mailed or telegraphed as aforesaid shall be proof of service of the same. Witnesses summoned before the commission, its members, agent, or agency, shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

(d) No person shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence in obedience to a subpoena, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture (except demotion or removal from office) for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

(e) All process of any court to which application may be made under this act may be served in the judicial district wherein the person required to be served resides or may be found.

(f) The several departments and agencies of the Government, when directed by the President, shall furnish the commission, upon its request, all records, papers, and information in their possession relating to any matter before the commission.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I am not going to object, because personally I know what the request is, but I think the gentleman from Texas might tell the House if this is not simply to give this commission which he wanted to appoint to inquire into the attack on Hawaii, an opportunity to summon witnesses?

Mr. SUMNERS of Texas. Mr. Speaker, I appreciate the fact that the gentleman from Massachusetts [Mr. MARTIN] does understand the purpose of this House joint resolution. In a sentence, it is to implement the commission created by the President, headed by the distinguished member of the Supreme Court, Mr. Justice Owen J. Roberts. The commission's business is to investigate the attack of the Japanese on the Hawaiian Islands. Of course, it is necessary that that commission shall have power to summon witnesses, to administer oaths, and do the things ordinarily done by commissions which are charged with this character of responsibility.

Mr. MICHENER. Mr. Speaker, reserving the right to object, and I shall not object, I heartily favor the objective of this resolution. I do it only because this is an emergency measure. I appreciate that the conditions are not at all

applicable to ordinary investigating committees or commissions. There is an express understanding that the language used in this resolution is not to set a precedent for future guidance of the Congress in the establishment of investigating committees or investigating commissions authorized or created by the Congress. The language of the resolution is cumbersome. The provision dealing with subpoenaing of witnesses is far reaching. Indeed there are numerous innovations in the resolution. Only the necessities warrant such emergency legislation.

Mr. SABATH. Mr. Speaker, reserving the right to object, and I shall not object, may I inquire in what way this resolution increases the power or changes the power of the commission appointed by the President?

Mr. SUMNERS of Texas. Does the gentleman from Illinois mean increase the power of the commission beyond that which is ordinarily possessed by commissions discharging similar duties?

Mr. SABATH. Well, the gentleman stated it will implement the commission.

Mr. SUMNERS of Texas. The commission, when created by the President, would have no authority to summon witnesses or administer oaths or do any of the things ordinarily required of a commission charged with this character of responsibility. This proposed legislation is merely to give to the commission the power which the commission must have in order to operate.

Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]? There was no objection.

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

#### LEGISLATIVE PROGRAM FOR NEXT 2 WEEKS

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

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, the membership of the House is more or less interested in knowing what the program will be for the next 2 weeks, and I take this opportunity to inquire if the gentleman from Massachusetts [Mr. McCORMACK] can tell us what we may expect.

Mr. McCORMACK. I shall be pleased to give the gentleman all the information I can.

The Selective Service Act, of course, has just gone to conference, and it is hoped that the conference report will be in by tomorrow.

The second deficiency appropriation bill is the next order of business to come before the House, and it is hoped this bill will be disposed of by tomorrow. If not, of course, it would have to be disposed of next week if it should have to go to conference, and, expressing my own personal opinion, I believe the House will accept the conference report on that bill.

The sugar quota extension bill is now being considered by the Senate. I understand that the Senate amendments are of such nature that it is not unreasonable to expect the House will agree to them. The present sugar law expires very soon. It is hoped this bill can be acted on tomorrow, but certainly if not tomorrow it will have to be acted on next week.

The Committee on Interstate and Foreign Commerce may bring up a bill with reference to telegraph wires, but I believe there is not much objection to it, from what I have been able to ascertain.

Outside of the necessary legislation that I have referred to, and maybe one or two other bills I do not have in mind at the moment, there will be no legislation for the House to act upon for the next 2 weeks. The President has informed the Speaker and myself that he has no recommendations to make to the Congress. If an exigency should arise demanding action by the Congress on some unforeseen situation, the Speaker will give the membership as much notice as possible.

We hope to complete this necessary program I have outlined by tomorrow. My own personal opinion is that there are no irreconcilable differences of opinion in these matters.

I repeat that except for the program outlined I know of no legislation to come before the House for the next 2 weeks, and it is not anticipated that the Chief Executive will send any recommendations to us for that length of time; but should the necessity arise for action by the Congress to deal with some unexpected situation the Speaker will give as much notice as possible to the membership.

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

Mr. MARTIN of Massachusetts. I yield.

Mr. THOMASON. I do not see the chairman of the House Committee on Military Affairs present, but I take the liberty of expressing what I believe is at least the hope of all the House conferees, that there will be an agreement around perhaps 3 or 4 o'clock this afternoon on the Selective Service Act. Anticipating that we would be appointed conferees, we held an informal session this morning with the Senate conferees. Pending our official appointment, we recessed until 3 o'clock. I repeat, I think the prospect is very good for an agreement within an hour or two. If this proves to be true, we expect to bring in the report this afternoon.

Mr. McCORMACK. The Committee on the Judiciary will probably call up a bill after we dispose of the appropriation bill—a bill to amend the act which I had the honor of introducing—the registration of alien propagandists in this country. So far as I can ascertain from inquiry, there seems to be no division of opinion on the bill. It is accompanied by a unanimous report, and I doubt if there will be much controversy about it.

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

Mr. MARTIN of Massachusetts. I yield.

Mr. WALTER. Will the gentleman from Massachusetts [Mr. McCORMACK]

tell us what appropriation bill is coming up?

Mr. McCORMACK. The second deficiency bill. The distinguished gentleman from Missouri [Mr. CANNON] is in his seat waiting to be recognized. The quicker we allow him to call up the bill the sooner we shall be able to get the bill to the Senate.

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

**ADDITIONAL APPROPRIATIONS INCIDENT TO THE NATIONAL DEFENSE, FISCAL YEARS 1942 AND 1943**

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

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 258, to provide additional appropriations incident to the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

Mr. WIGGLESWORTH. Mr. Speaker, I reserve all points of order against the bill.

Mr. CANNON of Missouri. And pending that, Mr. Speaker, if it is agreeable to the gentleman from Massachusetts [Mr. WIGGLESWORTH] I should like to secure consent to limit general debate to half an hour, one-half to be controlled by the gentleman from Massachusetts, and one-half by myself.

Mr. WIGGLESWORTH. Does the gentleman mean half an hour to a side?

Mr. CANNON of Missouri. If the gentleman prefers it that way. I thought perhaps we could conclude this in half an hour altogether. I have no requests for time on my side.

Mr. WIGGLESWORTH. It was my understanding that the gentleman would ask for an hour, to be equally divided, but that we would try to get through in less time if possible.

Mr. CANNON of Missouri. Then I modify my request, Mr. Speaker, and ask unanimous consent that general debate on the resolution be limited to 1 hour, to be equally divided and controlled by the gentleman from Massachusetts [Mr. WIGGLESWORTH] and myself.

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

There was no objection.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 253, to provide additional appropriations incident to the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 253, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. CANNON of Missouri. Mr. Chairman, I ask that I be notified when I have consumed 10 minutes.

Mr. Chairman, this bill provides legislation and appropriations urgently needed in the prosecution of the defense program. The resolution as presented carries definite appropriations amounting to \$512,000,000 and in addition to that appropriates an indefinite amount equal to certain taxes on sugar from the Philippine Islands, which raises the total amount actually carried by the bill to approximately \$550,000,000.

There are eight items in the bill, the first of which is for defense housing. Three hundred million dollars is provided for this purpose and that amount is supplemented by \$150,000,000 for community facilities.

The rapid acceleration of our industrial program requires at once a vast amount of housing for the accommodation of families, especially in the vicinity of the larger industrial plants. Wherever practical, they are increasing the working day to 3 shifts and increasing the working week from 5 days to 6 days and in some instances to 7 days. The result is a demand for vast accretions in the labor supply. The present housing is not adequate for the present distribution of labor, and with these increases in factory schedules it becomes necessary to provide a large amount of additional housing. As a matter of fact, there is now definite need for something like 69,000 housing units, of which we here propose to supply 65,000 units.

Mr. LANHAM. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas, chairman of the Committee on Public Buildings and Grounds, who sat with our committee in the consideration of this item of the bill.

Mr. LANHAM. With reference to the two provisions for the Federal Works Agency, defense housing and community facilities in congested defense areas, legislation authorizing these sums is now in the process of enactment. The bill before us stipulates with reference to each of those appropriations to be made herein that these amounts shall become available when the authorization in H. R. 6128 is finally enacted into law. Of course, with that understanding, there will be no disposition on the part of the Committee on Public Buildings and Grounds, whose representatives through the courtesy of the chairman of the Appropriations Committee sat with his committee when this matter was considered, to seek to interpose a point of order, but in order to make clear the legislative intent I think we should have a statement at this time not only that the money shall not be available for obligations until enactment of the bill H. R. 6128, which recently passed the House, but that it should also be administered in accordance with the law as that law may be modified by final enactment of H. R. 6128. Is that the intent?

Mr. CANNON of Missouri. Mr. Chairman, as stated by the gentleman from

Texas, whose committee formulated the legislation under which it is proposed to administer this fund, we, in effect, collaborated with that committee in the consideration of this item and provided for the appropriation of this money with the understanding and upon the contingency that it became effective only if and when H. R. 6128, the Lanham bill, should be enacted into law; and with the further understanding that administration of the funds shall be under this bill as finally amended and approved by the Congress.

The facilities for which \$150,000,000 is appropriated and which are as necessary as the housing itself, such as water, sewerage, hospitals, and schools are provided on an even smaller ratio as compared with the need. As represented to the committee, they had applications for a billion dollars worth of these facilities of which \$400,000,000 were of top priority and class A needs.

Mr. MCGREGOR. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. MCGREGOR. With this allocation of \$300,000,000, that makes \$1,200,000,000 that we have provided for housing facilities.

Mr. CANNON of Missouri. We have appropriated \$300,000,000 under the first Lanham Act; in the bill which the President signed yesterday but for temporary emergency housing \$300,000,000 more; and the \$300,000,000 included here.

The next item in the bill is the item for the Office of Government Reports. A little over a million dollars was provided in the Second Deficiency Act which became law July 1 last and coupled with the appropriation was the limitation that further funds should not be secured for this agency from any other source. It now develops that due to the war and other circumstances it is necessary to expand its activities.

Is it, therefore, proposed to supplement the amount already provided from the President's emergency fund. This provision is included merely in order to permit that increase in funds needed by this agency and does not carry additional appropriations.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. BENDER. Will the gentleman enumerate the specific activities in addition to those already being carried on by this bureau that this money is needed for?

Mr. CANNON of Missouri. There are no additional items. It is merely an expansion of the present program.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Is the Office of Government Reports using some of the funds carried here for the construction of a bomb-proof shelter?

Mr. CANNON of Missouri. None of these funds can be used for such purposes. The funds are provided for the purposes enumerated in the present law.

which makes appropriation of \$1,093,730 for that purpose. This item merely expands the present activities of the agency.

The enrollment for the Civilian Conservation Corps has greatly decreased in the last few months. Of course, with the decrease in unemployment and the decreased need for relief, there is a decrease in the number of those who are eligible and available to fill the ranks in the C. C. C. camps. With the reduction of camps from approximately 1,500 or 1,600 to the present number of 900, and with the prospect of a further decrease in the number of camps, the equipment which has been used in this activity becomes surplus equipment. There is no one to use it. It is idle.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I will take 5 additional minutes.

This legislation makes it possible to allot this surplus machinery, which is now idle, unused, and deteriorating, to agencies of the Government which can make adequate use of it. The plan has the added advantage of reducing expenditures which otherwise might be required to supply these agencies with new machinery, and at the same time it relieves the demand upon the manufacturing facilities which are producing this machinery.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. BENDER. In connection with the Office of Government Reports, when the item came up in the early part of the year I objected quite strenuously to the inclusion of this item in the Budget. I have studied this department and watched it very carefully. I am pleased to testify that it is one of the most efficient departments in the Government.

Mr. CANNON of Missouri. By a coincidence, I had exactly the same experience as the gentleman from Ohio. In the beginning I did not see the need for it, but time has demonstrated that it is one of the most valuable agencies to which a Member of Congress can apply for information. My office has frequent occasion to consult it.

Mr. CANFIELD. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Will the gentleman be good enough to revert to defense-housing facilities again? Does that category include fire apparatus and ambulances?

Mr. CANNON of Missouri. There is no provision here for equipment of that nature. We provide housing and facilities of the character indicated.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from South Carolina.

Mr. HARE. Before proceeding further, would the gentleman mind explaining the benefits, if any, to be derived by giving the Bureau of the Budget the power to dispose of the surplus property of the Civilian Conservation Corps rather than having it done by the Procurement Division?

Mr. CANNON of Missouri. There is a decided advantage. The Procurement Division has no means of investigation; it has no means of judging which agency most needs the machinery, or of judging as between two agencies applying for the same machinery which should be entitled to priority. All they can do under the law is advertise and dispose of it to whoever applies. The Bureau of the Budget, however, which has jurisdiction over the estimates for supplying the needs of the various Government agencies, knows which agencies need such equipment and which should be given priority. It is also in a position to subtract from requisitions by any department the amount which it asks for machinery which can be supplied in this manner by the C. C. C.

Under the item for reserve supplies in territories and possessions we ask \$50,000,000, of which \$35,000,000 is to go to Hawaii and \$15,000,000 to Alaska, the Virgin Islands, and Puerto Rico. As can be readily understood, there is great need under present war conditions, and there is a possibility of still greater need in the future for food, medicines, and hospital supplies.

The appropriation is to be used as a revolving fund. These supplies will be sold in the normal trade channels upon the payment of the actual cost to the Government. I believe there are a few instances in which in cases of destitution direct relief can be given, but the principal purpose is to provide a fund under which stock piles can be accumulated to be available in time of acute need.

An appropriation of \$2,000,000 is requested to supplement the working capital of the Procurement Division, the general supply fund. As you are aware, it operates under a working capital of \$3,000,000, but due to increased needs in the last few weeks its capital has been depleted. It now has only \$750,000, which is inadequate for its immediate needs. We add to its funds the \$2,000,000 necessary, which will, as business declines again, be returned to the Treasury.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I will take 3 additional minutes.

The last item is for relief in the Philippine Islands. The situation there is somewhat similar insofar as needs are concerned to that in the Territories just referred to, but the funds in this instance are derived from a different source.

Under the Sugar Act of 1937 we have been taxing the sugar industry of the Philippine Islands under a plan which permits us to return to them for economic readjustment such amounts as are derived from this form of taxation. Up to the present time we have never made an appropriation from these funds, but upon the urgent request of President Quezon, recommended and approved by General MacArthur, who is familiar with the situation there, we are providing the entire amount which will be derived from the sugar tax in the Philippine Islands by the time this bill is enacted, amounting on September 30 to \$38,800,000 and probably by the time it becomes law, \$2,000,000 more or a total

of \$38,000,000. In addition to this and out of appreciation of the loyal and gallant cooperation of the Filipino people in the emergency, the committee of its own accord, added \$10,000,000 above the Budget estimate, which brings the total amount up to approximately \$48,000,000 or \$49,000,000 for this purpose.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. I would like to know what agency will have jurisdiction of this \$150,000,000.

Mr. CANNON of Missouri. This amounts in all to about \$38,000,000. To what item of \$150,000,000 does the gentleman refer?

Mr. SMITH of Ohio. The item on page 3, line 17.

Mr. WOODRUM of Virginia. It will be under the administration of the Federal Works Agency.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 10 minutes and ask unanimous consent to revise and extend my own remarks in the Record.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman from Massachusetts yield?

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

Mr. ROBSION of Kentucky. Mr. Chairman, I ask unanimous consent to revise and extend my own remarks in the Record.

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

There was no objection.

Mr. WIGGLESWORTH. Mr. Chairman, including the Philippine sugar-tax collections as of September 30, including the maximum amount that the bill in its present form would make available to the Office for Government Reports, this bill carries a total of \$549,400,000.

It includes eight items. In respect of seven of those items I have no objection. I am opposed to the eighth item, which is the first in the bill, the item requested by the Office for Government Reports.

The major item, as has been pointed out, is an item of \$300,000,000 under the so-called Lanham Act, as amended, the bill recently passed by the House and now under consideration by the Senate. The record indicates something over 98,000 defense housing units assigned as of December 12, something over 81,000 of these under contract, and something over 45,000 actually completed. This item of \$300,000,000 contemplates the construction of 65,000 additional units, all of which have been programmed in defense centers, total allotment being contemplated within 90 days, total construction being hoped for by summer. The item is contingent on approval by the Senate of the amended Lanham Act.

The second major item is an item of \$150,000,000 for so-called community facilities, also in defense areas, practically all of the original \$150,000,000 for this purpose having been allotted, the \$150,000,000 requested here being desired to

meet, in part, projects already approved and classified as class A, or of urgent priority, amounting to something like \$500,000,000. It is estimated that all of this money, if made available, will be allotted within 30 days. This item also is contingent on approval by the Senate of the amended Lanham Act.

The third item in size is an item in respect of the Philippine Islands under which all sums collected under the sugar tax prior to the enactment of this bill will be made available under the direction of the commanding general, General MacArthur, for public relief and civilian defense in the Philippines. As of September 30, the sum which would be made available in this way amounts to \$36,600,000. To this sum has been added an additional \$10,000,000 for the reasons given by the chairman of your committee and appearing in the final paragraph of the report.

Two other items are included, one for \$35,000,000 for the Territory of Hawaii, and one for \$15,000,000 for Alaska, Puerto Rico, and the Virgin Islands, the first fund to be administered by the Surplus Marketing Administration, the second by the Interior Department. Both sums are for the purpose of public relief and civilian defense, and may be characterized, perhaps, as stock piles of food, medicines, and other commodities which might be required in an emergency by these outlying possessions.

A further item of \$2,000,000 is in respect to the general supply fund of the Procurement Division of the Treasury. The current fund amounts to about \$3,000,000. Against that sum there is normally carried an inventory of about \$1,000,000. Under existing conditions, however, it is necessary to carry an inventory of something like \$2,300,000, leaving a balance for expenditure of only about \$700,000. The increase requested, therefore, is due to increased inventory, and to increased prices all along the line, the general average increase during the past 12 months being about 19 percent.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. LEWIS. What is that fund? I don't happen to be familiar with it.

Mr. WIGGLESWORTH. It is the normal fund for the purchasing of commodities desired by the various departments and agencies of the Government, centralized in the Procurement Division of the Treasury.

Mr. LEWIS. I recall now.

Mr. WIGGLESWORTH. It may be noted in respect to this bill that the hope, at least, exists that the \$300,000,000 under the Lanham Act and the \$50,000,000 under the two items for Hawaii and other outlying possessions will, in the long run, be in a large measure recouped.

The seventh item is the item requested by the C. C. C. No appropriation is involved. The record indicates that the C. C. C. camps have been reduced in number since April from about 1,500 to about 900. The result is that there are some 7,300 pieces of surplus heavy equipment on hand. All that is asked here is authority to transfer this equipment to

any department or agency under authorization of the Director of the Budget.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. HARE. There is no provision by which the Bureau of the Budget would be able to dispose of any of this property by sale or otherwise. It can be disposed of only by transfer to some other agency?

Mr. WIGGLESWORTH. I understand that such a provision exists in respect to surplus property, under existing law, without the necessity of any language here.

Mr. HARE. The Procurement Division has that authority, but if you transfer equipment to the Bureau of the Budget, I doubt whether the Bureau of the Budget would have the authority to make disposition by sale, and in view of the limitation placed here I doubt whether it would undertake to exercise that right, because within 2 years, if the war should close, we will probably need this machinery for constructing highways, and if it does not close the surplus will be needed in construction of highways in the meantime. I question the wisdom of disposing of this machinery by sale. I can see the value of transferring it to some other agency and utilizing it by some other agency, but I do not see the wisdom of giving authority to sell it promiscuously and limiting that authority to a period of 2 years.

Mr. WIGGLESWORTH. The gentleman may be correct. I raised the same question in the committee, and understood that the authority is present under existing law. No additional authority is included in the present bill in this respect.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 5 additional minutes.

Now, Mr. Chairman, I want to say a word about the final item, because personally I am opposed to the item, and regret very much that the committee has included it in the bill. I refer to the first item in the bill requested by the Office for Government Reports.

It has been said by one who has listened to the testimony of this agency before the Committee on Appropriations half a dozen times, that he has yet to hear one convincing reason for the existence of the agency. I share these sentiments, to a very considerable extent. Certainly, if it has justified, its existence, it has not in my judgment justified its continuance on a basis of \$1,800,000 a year, and that is what you are in effect authorizing if this item stays in the bill, as far as this year is concerned, and I assume it means considerably more insofar as the next fiscal year is concerned.

This agency had about \$330,000 in 1940. In 1941 they moved up to \$1,004,000. In 1941 we gave them \$1,075,000, the largest appropriation ever made by Congress in this connection, and we coupled with it a provision that the agency should not receive additional funds from any other governmental source. It is this limitation which it is

sought to repeal in this act, in the light of the statement that the agency, if it is repealed, hopes and expects to obtain \$300,000 additional from the President's emergency funds.

The agency now has a force of 438. It wants to go to 898. It now has funds for other obligations amounting to \$275,000. It wants to go to \$460,000. In other words, it is, in effect, asking for authority to double its force and its funds under this item in the bill.

Just what this agency does has always been somewhat of a mystery. Some of us have tried conscientiously to ascertain in various hearings. We are told that it acts as a clearing house for inquiries. We are told that it is supposed to assist the President in clearing information with State and local governments. We are told that it is to distribute information regarding departmental activities. We are told that it is also supposed to keep the President informed as to public opinion.

As a practical matter, we know that it runs a division of press intelligence, largely devoted to press clippings. We know that it runs a so-called information service, in addition to all of the other information services that we have. We know that it maintains a considerable force in the field, the exact purpose or justification for which I personally have never been able to find out.

Mr. MICHENER. Mr. Chairman, will the gentleman yield right there?

Mr. WIGGLESWORTH. I yield.

Mr. MICHENER. You say they maintain a considerable group in the field. Just what are these persons doing in the field?

Mr. WIGGLESWORTH. I have endeavored to find out on several occasions, I will say to the gentleman, without very much success. They are supposed to be "coordinating," they are supposed to be finding out public opinion, they are supposed to be reporting that public opinion to the President, as nearly as I can ascertain.

Mr. MICHENER. Do you mean that they have an agency going about the country—quite similar to the Gallup poll—to keep the White House advised as to the political reactions to acts performed by the administration?

Mr. WIGGLESWORTH. I understand they are supposed, among other things, to act as a barometer to watch public reaction with respect to this, that, or the other Federal activity.

Mr. MICHENER. And they have over 400 on the pay roll now?

Mr. WIGGLESWORTH. They have 438 persons and \$275,000 in addition for other obligations.

Mr. MICHENER. And you are going to increase that number by 400 more?

Mr. WIGGLESWORTH. They ask for 460 additional persons and about \$200,000 additional for other obligations.

Mr. MICHENER. And we are drafting men for the military service all the way from 19 to 65 years of age. I certainly criticize your committee for bringing a bill of that type in here. Every dollar of this money must be borrowed.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 2 additional minutes.

Mr. MICHENER. Every dollar of this money must be borrowed. We are authorizing the expending of money that is not in the Treasury. If we want to set up a public-sentiment sampling agency to compete with Gallup—if I understand correctly, Gallup says he only has an average of seven persons in each congressional district to do the sampling. He has only about 1,100 regular field paid employees. He only samples around 3,000 folks on most questions. Why should we have three or four hundred people—on borrowed money—running about the country sampling public sentiment?

Mr. WIGGLESWORTH. I am opposed to the requested increase. It has not been justified, in my opinion.

I want to point out, in conclusion, that this request is made in spite of the fact, as we all know, that there is an information set-up in almost every department and agency in the Government; in spite of the Army and Navy intelligence set-up; in spite of the F. B. I. set-up; in spite of the set-up in O. P. M., which I suppose is larger than any newspaper set-up in the world; in spite of the Coordinator of Information set-up, under Colonel Donovan; in spite of the so-called Office for Facts and Figures set-up, under Mr. MacLeish. It seems to me the suggested expenditure is largely, if not entirely, a nondefense expenditure. I do not think the Congress ought to put its stamp of approval on an increase of this kind at this time.

Mr. POWERS. Mr. Chairman, will gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from New Jersey.

Mr. POWERS. I am fully in accord with everything the gentleman has said. In my 10 years of experience as a member of the Committee on Appropriations I have never heard a more ridiculous presentation than these folks have made. The thing is screwy. It is anything you want to call it and I hope the gentleman moves to strike the \$800,000 from the bill. This amount will purchase two four-motored bombers, which are far more important than additional personnel in this agency.

[Here the gavel fell.]

Mr. WIGGLESWORTH. Mr. Chairman, I yield myself 1 additional minute.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Colorado.

Mr. LEWIS. Will the gentleman return for a moment to the Civilian Conservation Corps item? Do I understand correctly that this property cannot be sold?

The reason I speak of it is that we all know machinery is frequently more valuable than money in these days and I should like to be reassured, if the gentleman can reassure me, that this machinery will not be sold, but will be held for the use of other Government departments.

Mr. WIGGLESWORTH. I am not absolutely clear on that point, Mr. Chairman. As I stated to the gentleman from South Carolina, it was my understanding

that the authority is present in respect to surplus property under existing law wholly apart from the bill we are now considering.

Mr. LEWIS. I assume it is the intention of the committee in presenting this bill, and I am confident it would be of the House, that this machinery should not be sold, but should be held during this crisis for the use of other departments of the Government.

Mr. WIGGLESWORTH. There is nothing in the bill which alters existing law in that respect.

[Here the gavel fell.]

Mr. POWERS. Mr. Chairman, I yield the gentleman such additional time as he may require.

Mr. WIGGLESWORTH. Mr. Chairman, I will take 1 additional minute.

The CHAIRMAN. The gentleman is recognized for 1 additional minute.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. LANHAM. I want to make it very clear that the appropriations for defense housing and community facilities in congested areas provided for in this bill will be administered in accordance with the terms of H. R. 6128 when it is finally enacted into law. I want to ask the gentleman if that is not only his own understanding and the understanding of the committee; that the money is to become available when H. R. 6128 is enacted and is to be disbursed in accordance with the terms of that act as enacted.

Mr. WIGGLESWORTH. That is my understanding. I believe I can say it is the unanimous understanding of the committee. It is the desire of the committee that we may benefit by the improved methods of administration, by the improved cooperation with local authorities, by the opportunity to take advantage of the services of architects in private life and by all the other amendments which that bill carries with it.

[Here the gavel fell.]

Mr. POWERS. Mr. Chairman, I yield 5 minutes to the Delegate from Hawaii [Mr. KING].

Mr. KING. Mr. Chairman, I am gratified at the inclusion in House Joint Resolution 258 of an item on page 4, under the heading "Department of Agriculture, Surplus Marketing Division," of \$38,000,000 to be appropriated as a revolving fund for the maintenance of an adequate supply of necessary food commodities in the Territory of Hawaii.

The problem of keeping on hand a sufficient supply of food for the needs of the civilian population of Hawaii, more particularly of the city of Honolulu, was first brought to my attention nearly a year ago, and in the interval I have been cooperating with the Governor of the Territory and other territorial and Federal officials in working out a program that would provide a revolving stock pile of food supplies for this purpose.

Our final program was submitted to the Bureau of the Budget this spring and summer. Unfortunately at that time, the urgency of our needs was not recognized, and the Bureau of the Budget disapproved of the proposed allocation of Federal funds for such a purpose. Since

then the Bureau of the Budget and the Department of Agriculture have cooperated in submitting to Congress its recommendations for the necessary funds to carry out our original program, expanded to meet present conditions.

I want to emphasize that this appropriation is not in the form of a grant, but the funds provided will constitute a revolving fund from which the cost of the purchase and shipping of the food needed for the civilian population of Hawaii will be defrayed, to be reimbursed through the sale of such foods through the usual channels of trade in the islands. There should be no loss to the Federal Government in the operation of this program, and in the meantime the assurance that food supplies will be continued will add to the feeling of security of the people of Hawaii and indirectly supplement the military defenses of that outpost of our national defense.

As originally proposed, it was not anticipated that any interruption of our food supplies would occur through direct enemy action, but more probably through the temporary diversion of shipping to more urgent military purposes. In normal times Hawaii maintains ample stocks of all food commodities on hand for the needs of its people for approximately 6 weeks. It is now generally apparent, as it was earlier to those of us more directly concerned, that this is not a sufficient margin of security, and that it will be necessary to keep on hand at all times approximately 6 months' stocks of food. I believe the military forces have on hand a quantity that will serve their needs for at least that length of time or a longer period. Dependent as we are upon water transportation, it is today apparent that the same provision must be made for civilian needs.

The question is often raised as to why Hawaii is not more self-sufficient in foodstuffs. Of course, this is purely a matter of economics. We produce and sell to other parts of the United States the commodities we can most efficiently grow, and we in turn buy from all over the country the products most efficiently raised there. This exchange of goods and commodities between the Territory and other parts of the Nation supports as a part of the interstate commerce of the United States a trade of approximately \$250,000,000 annually. We buy the products of the farms and factories of the mainland in excess of \$100,000,000 worth of goods every year.

Among these purchases are food crops that cannot be produced in Hawaii as efficiently as they are elsewhere. It is in these particular crops that we need to maintain surplus stocks.

Normally Hawaii is approximately 40 percent self-sufficient in food stocks. Due to the tremendous increase in population during the past 2 years, this proportion has shrunk until now we are probably not 30 percent self-sufficient. The crops we raise consist of vegetables and green foods, but do not include the staples which comprise so large a part of anyone's diet.

As a part of our emergency program Hawaii is prepared to increase its degree of self-sufficiency by an emergency plant-

ing of 12,000 acres in crops that will help to replace those we normally purchase from mainland communities. But even this emergency planting will not relieve us completely of the necessity of buying many commodities that could only be produced in small quantities and under great difficulties, such as wheat, corn, rice, and some dairy products.

Among the essential commodities we must continue to buy from mainland

sources are the feed crops for our livestock, dairy, and poultry industry. Very little feed is grown in the islands, and it would be difficult for us to supply our own needs in these cereal crops.

The tables listed below indicate the type of food and feed products we must continue to purchase from the mainland, and show the increased consumption of recent years due to the additions to our population over the same period:

TABLE I.—Shipments of certain foodstuffs from the mainland to Hawaii  
(In pounds)

Commodity	1939	1940	Actual, January-June 1941	Estimated, 1941
<b>Animal oils and fats, edible:</b>				
Lard.....	169,873	263,853	227,063	455,526
Oleomargarine.....	232,107	248,820	171,286	342,572
Total.....	401,980	512,673	398,349	797,898
<b>Dairy products:</b>				
Evaporated milk.....	14,727,955	14,511,249	10,470,805	20,941,610
Dried milk.....	845,702	1,291,022	1,182,990	2,365,980
Butter.....	4,100,622	4,773,300	2,600,443	5,320,886
Cheese.....	925,017	1,138,932	701,272	1,522,644
Total.....	20,705,896	21,683,603	15,075,510	30,151,020
<b>Vegetable oils and fats, edible:</b>				
Cottonseed oil, refined.....	2,012,423	2,673,952	1,600,165	3,380,330
Cooking fats other than lard.....	3,119,478	3,548,337	2,206,989	4,413,978
Total.....	5,131,901	6,222,289	3,807,154	7,794,308
<b>Grain and preparations:</b>				
Rice.....	83,940,809	82,870,689	52,482,200	104,964,000
Wheat.....	6,685,320	6,661,020	3,166,500	6,880,000
Macaroni and noodles.....	1,167,863	1,489,510	1,046,432	2,092,664
Biscuits and crackers.....	719,480	860,370	569,061	1,139,022
Oatmeal.....	605,238	608,720	417,493	834,980
Prepared wheat cereals.....	403,012	596,027	437,319	874,838
Wheat flour.....	34,772,164	31,272,780	22,828,316	45,656,632
Uncooked wheat cereals.....	438,027	438,331	405,812	966,624
Prepared corn cereals.....	571,653	418,903	278,498	556,639
Total.....	129,002,076	125,216,050	81,770,601	163,459,202
<b>Grand total.....</b>	<b>1155,142,453</b>	<b>1163,625,516</b>	<b>101,101,214</b>	<b>1202,302,428</b>

<sup>1</sup> Plus 6 percent.      <sup>2</sup> Plus 5 percent.      <sup>3</sup> Plus 38 percent.

TABLE II.—Shipments of certain feeds from the mainland to Hawaii  
(In pounds)

Commodity	1938	1939	1940	Actual, January-June 1941	Estimated total, 1941
Barley.....	2,192,872	3,400,896	3,889,968	10,038,432	20,076,864
Corn.....	9,900,016	13,293,888	11,624,368	4,454,352	8,908,704
Oats.....	963,888	693,120	532,032	282,912	565,824
Hay.....	1,462,720	1,209,700	1,365,400	490,560	981,120
Oil cake and oil-cake meal.....	2,293,740	2,591,680	9,495,360	10,301,700	20,703,620
Fish meal for feed.....	959,480	1,173,760	996,800	203,440	406,880
Mixed dairy and poultry feed.....	53,892,160	51,067,520	50,021,440	33,216,900	66,433,820
Other prepared and mixed feed.....	1,099,840	1,565,760	1,060,880	1,305,920	2,711,840
Rollod barley for feed.....	21,844,480	22,237,520	21,359,840	10,908,800	21,817,600
Other feeds, bran middlings.....	33,113,920	35,128,440	33,020,480	12,579,840	25,159,680
<b>Total.....</b>	<b>127,674,816</b>	<b>132,415,184</b>	<b>123,507,568</b>	<b>83,872,976</b>	<b>167,745,952</b>

TABLE III.—Population estimates as of July 1, 1939 to 1941, inclusive  
(From Board of Health, Territory of Hawaii)

Area	July 1, 1939	July 1, 1940	July 1, 1941
City of Honolulu.....	154,476	180,686	300,168
City and county of Honolulu (exclusive of Honolulu City).....	74,110	79,899	110,345
<b>Total.....</b>	<b>228,586</b>	<b>260,585</b>	<b>310,503</b>
City of Hilo.....	16,700	24,341	22,667
County of Hawaii (exclusive of Hilo City).....	66,263	49,222	46,731
County of Kalawao, Molokai.....	504	465	461
County of Kauai.....	40,354	35,956	33,479
County of Maui.....	63,894	55,785	52,495
<b>Territory.....</b>	<b>414,991</b>	<b>426,654</b>	<b>406,339</b>

Population of Oahu increased 30 percent, 1938-41.

Hawaii has a definite program for making itself more self-sufficient in its food requirements, and Federal and local agencies are cooperating to this end, but our work needs the help of Congress in some specific legislation. I have tried for years to have the appropriation for the Hawaii Agricultural Experiment Station increased to the amount authorized by law, that is, \$90,000. But heretofore the Appropriations Committee has cut this small amount down and has granted us less than the amount appropriated for every State in the Union.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. KING. Yes.

Mr. POWERS. I realize that the item for the Hawaii Agricultural Experiment

Station is rather close to the gentleman's heart. Would the gentleman tell the committee what the present appropriation is for this experiment station?

Mr. KING. Surely. It is \$67,500 in the current Agricultural Appropriation Act. I may say to the gentleman from New Jersey that the authorized appropriation is \$90,000 but we have never been able to get the full amount appropriated. We have been consistently cut down to less than the authorized amount. Now that the needs of our population have been so emphatically shown I hope that the next appropriation bill will carry the full amount of \$90,000 for the Hawaii Agricultural Experiment Station.

Mr. POWERS. May I suggest to the gentleman first that there was considerable discussion before the committee about Hawaii becoming self-sustaining so far as the diversification of crops is concerned. The gentleman realizes, I know, that it is impossible to offer an amendment to this bill to increase that agricultural experimental station fund because it would be subject to a point of order, but I hope the gentleman will appear before the Agricultural Appropriation Committee and ask for this increase. I sincerely trust he gets it. I hope the other members of the committee feel as I do about it.

Mr. KING. I join in that hope. Another way in which Congress could assist in making Hawaii more self-sufficient in foodstuffs is to approve pending legislation to authorize a major irrigation project on the island of Molokai. I have worked on this plan for several years and now have come to a point where the executive departments concerned have given their tentative approval of the project and need only to have Congress authorize the financing of the proposed irrigation project along the lines followed in the Western States for similar projects. Here, again, the necessary appropriation would be in the form of a loan, to be repaid from the area irrigated, with half of the total cost guaranteed by the Territory of Hawaii and the remainder to be collected in water rates from the water users.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, all of us are especially concerned today with the welfare of our fellow citizens living on American islands in the Atlantic as well as in the Pacific, for these islands are our military outposts. I therefore take this opportunity to present some important, but little known, information about Puerto Rico and the difficulties faced by the people of Puerto Rico as a result of war conditions.

Our fellow Americans, the people of Puerto Rico, are energetically and enthusiastically doing their part in our war against the Axis. They are serving in the armed forces; they are manning defense industries; they are building naval and air bases.

In everything they are doing, however, they are handicapped by the difficult conditions under which they live. At this time I do not think that it would

be appropriate to precipitate a full discussion of these conditions, but I do wish to comment on two matters which could be and should be given immediate attention.

The first matter is the food supply on the island of Puerto Rico. Because of the failure to enforce the law which limits corporate property holdings to 500 acres and because of pressure to maintain exclusive dependence on sugar, little food is produced in Puerto Rico. The island is almost entirely dependent on the mainland of the United States for food supplies. Food in Puerto Rico is actually sold at a higher price than in the United States as a result of added transportation cost and scarcity. The income of the Puerto Rican people is lower than the average for the United States. The standard of living has been and still is much lower than the average for the United States; in fact, lower than the most depressed areas in the United States.

At present these conditions are seriously aggravated by war conditions. There is an actual shortage of food in Puerto Rico at the present time. Prices for available food are skyrocketing way out of reach of the average Puerto Rican.

Curtailment of shipping between Puerto Rico and continental United States is one factor in this situation. Another is the operation of our coastwise shipping laws, prohibiting any but United States registered ships to carry supplies to Puerto Rico, despite the fact that there are small boats in nearby Haiti and the Dominican Republic which could carry available supplies from these countries to Puerto Rico and, at least partially, relieve the shortage there.

Emergency communications can be and should be established between Puerto Rico and both Haiti and the Dominican Republic. During this emergency the operation of the coastwise shipping law could be and should be adjusted so that reserve supplies of food may be transported to Puerto Rico. Emergency communications should also be established between Puerto Rico and continental United States, with Federal subsidization of an adequate reserve food supply on the island.

These are necessary steps which can be taken without hardship.

The second immediate problem faced by the Puerto Rican people is one of defense. They recognize what we all know—that Puerto Rico is of strategic, military importance in our war against the Axis. Along with the other West Indies, Puerto Rico is subject to attack by the enemy before any other United States territory in the Atlantic.

Therefore, it is logical that Puerto Rico should be supplied with the essential defense weapons and the supplies essential to the protection of the civilian population. Antiaircraft equipment, fire-control aids, gas masks, and, above all, air-raid shelters are necessary for adequate protection against enemy attack. Sometime ago the insular legislature passed a joint resolution asking that the Federal Government construct air-raid shelters. Certainly this is a Federal responsibility and a most reasonable re-

quest. We should appropriate the funds necessary to build these needed air-raid shelters, and we should supply the Puerto Rican people with fire-fighting and other essential equipment.

Today, faced with serious difficulties, the Puerto Rican people are displaying their heroic spirit by pitching in with all of their energy and contributing in an all-out manner to victory over our Axis enemies. We should recognize their difficulties and give them the material aid they need and deserve.

Mr. CANNON of Missouri. Mr. Chairman, I yield such time as he may desire to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, I do not know whether I am justified in taking any time or not on what I am going to say. The lay public of this great country of ours has been amazed, the people have been alarmed about what happened at Honolulu a couple of weeks ago. We have been told that our naval forces were taken by surprise there, which is bad; but yet to the average layman there is a great deal of comfort to be gathered in the fact that since we were taken by surprise we realize that on an equal footing, where we would be forewarned, as we are now, the United States naval forces will be able to take care of themselves.

I think there is a great deal of comfort in that to the average American citizen who is not versed in military affairs and strategy. What calls this to my mind is the fact that I heard Secretary Knox this morning addressing the graduating class at Annapolis, and he made the statement that our Navy was taken by surprise at Honolulu. He also made the significant statement that had they had even 30 minutes' notice of the approach of these Japanese warplanes they would have been able to have taken care of themselves and there would have been an entirely different story. He further stated that on the third wave of Japanese planes that came over, after our forces were on the alert, even though crippled as they were, they were able to cope with the situation and drove off these planes; that not one projectile from those planes hit its mark.

I say that is very comforting to the lay public. The public in this great country of ours now realizes that the Japanese are not supermen and that, given an equal chance, we will meet them and take care of them on their own ground.

Mr. WIGGLESWORTH. Mr. Chairman, I yield 6 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, in spite of the fact that we have had a very determined cry from the taxpayers for reduction in nondefense items or appropriations, Congress still continues to make them. Even the loss the other day did not seem to bring home to us the necessity of doing first things first.

The gentleman who just preceded me seems to think that a few words reassuring us about our fighting men will be helpful. Maybe so, but I do not believe we need any reassuring on that point. What our fighting men may do on occasion does not bother me at all; we need not worry about them; but what this

Congress does or may do from day to day worries me not a little.

For instance, let us take the first item in the bill—Government reports. You will recall a few days ago the gentleman from Ohio [Mr. JONES] referred to the fact that after a firm in his district had secured a war contract, a defense contract, that firm was called upon right away to buy advertising space in the Democratic State Press, I think it was.

Mr. JONES. The Democratic National Press.

Mr. HOFFMAN. The Democratic National Press, which has no connection with the Democratic Party, at \$300. It occurred to me that maybe this news-collecting agency down here, to which we are to give \$800,000, that we are paying for, has some sort of connection—maybe it is with one of these defense brokers which enables what we used to call around the streams back home a leech or bloodsucker to fatten on defense contracts.

Mr. HOOK. Will the gentleman yield?  
Mr. HOFFMAN. I am terribly sorry; I cannot do it.

Mr. HOOK. I might give the gentleman some information.

Mr. HOFFMAN. The gentleman better peddle it in his own district.

Then there is the story brought out by the Senate committee with reference to Tommy Corcoran and Charlie West. Perhaps this news agency now tells organizations and defense brokers who gets contracts and that maybe there is a chance for them. We do not need this news agency more than the boys need munitions. Those clippings are not going to do the fellows on the vessels or in the trenches any good.

Another thing right along that line of needless spending: Take a look at the big ditch they are digging down here between the White House and the Treasury Building. There is little over in the Treasury Building anyway except IOU's.

There is ample room over there for the President, his wife when she comes home, for the executive staff, for LaGuardia when he calls, for Sidney Hillman when he goes over to the Executive Mansion, or any of these Communists the gentleman from Texas [Mr. DRES] referred to; and who last year were entertained at the White House. When any of those folks come over to the White House and we hear of any of the bombers coming over, all they have to do will be to run across the street and go down to the Treasury vaults. I repeat there is ample room down there. Why spend our money digging a dugout for the President and his executive staff, a place they can get into underground? Why frighten the people by constructing a bombproof shelter for the executive staff when the Army and Navy lacks equipment the money would help furnish?

We were told the other day when the conscription bill was up here that we did not have the housing for the soldier boys. We all know we do not have the equipment to train them. So why hire somebody to clip things out of newspapers and collect them and then tell someone else what is in them? Why spend money for bombproof shelters here in Washington

when it is needed for the Army for those on the fighting line?

Let us have our first things first. Let us get the tents for the boys, and the housing; the guns, the tanks, the bombers, whatever it may be, and all those other things that all know are necessary. Let us get those things, and then let us leave these newspaper clippings for some other time after the war is over. If you read the papers from day to day, each one of us gets these stories of the courage and heroism and sacrifice that are being displayed by our fighting men over on the other side, where the common man, the average fellow, is doing his part. And never while our Nation lives will their courage, their service be forgotten. So I suggest that we here in Congress save all this money by cutting out these non-defense expenditures and devote every dollar to helping our soldiers and sailors fight the battle which they are fighting for us by giving them the tools, the implements they must have to win, with which they can and will win.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 1 minute to the gentleman from Michigan [Mr. Hook].

Mr. HOOK. Mr. Chairman, so that there may be no misinformation given to the House, I call the attention of the gentleman from Michigan [Mr. Hoffman] to the fact that Charles Michelson, of the Democratic National Committee, informed not only the Democratic Members but practically everybody in this House, both Republican and Democratic, also the public generally some time ago, that the Democratic National Press has nothing to do with the Democratic Party. The innuendo of the gentleman from Michigan that the payment or any portion of it for any advertisement in that paper went toward the upkeep of the Democratic Party has no place on this floor. This publication is not connected in any way, shape, or form officially with the Democratic Party, this administration, or any of its agencies. It is no more connected with the Democratic administration than the philosophy of the Soviet Republics represents the Republican Party philosophy, and we know that there is no connection or comparison there. I resent such innuendo.

[Here the gavel fell.]

The Clerk read as follows:

The appropriations herein made for the Office of Government Reports shall not be supplemented by funds from any source aggregating in excess of \$800,000 during the fiscal year ending June 30, 1942.

Mr. WIGGLESWORTH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIGGLESWORTH: On page 2, strike out lines 1 to 4, inclusive.

Mr. WIGGLESWORTH. Mr. Chairman, I do not care to consume 5 minutes. I have already presented my views fully on this item. I think, as far as the record goes, there has been no justification whatever for the increase of \$800,000, which is in effect authorized by the language carried in the bill. I think the increase requested is largely nondefense expenditure. If we are ever going to

make any attempt to hold down this character of expenditure, I think this is a good place to begin. I hope the amendment will be adopted.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 3 minutes, the time to be allotted to the gentleman from Virginia [Mr. Woodrum].

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, there may be some difference of opinion as to the real service being rendered by the Office of Government Reports. It has always been more or less of a bone of contention ever since it was established as the National Emergency Council. Later the Congress authorized it by passing a bill authorizing the Office of Government Reports as an adjunct of the Presidential office. We gave them this year in the regular bill \$1,075,000. We cut the Budget estimate from \$1,500,000 and gave them \$1,075,000.

The agency not only has a vast press clipping bureau which supplies all the Government agencies with press information over the country, but it has in most of the States a coordinating agency which undertakes to keep in touch with the various Government programs and coordinate them, getting statistical information and so forth, and furnishing this information not only to the President but to many Members of Congress and to the press. With the far-flung Government activities we are having and which we have had, some such agency is necessary. But aside from all of that, this agency is an adjunct of the Presidential office. We have given the President several hundred million dollars which he may allocate at will. He would not have to come to the Congress about this matter at all if he wished not to do so. He feels that he needs that expansion of this agency in view of the war. He could allocate to the Army, the Navy, the Department of Commerce, the Federal Trade Commission, or any agency he might choose any amount of money he might set aside to do any of this work he wants done, but our committee felt that it would be much more logical and much more orderly to have it all done by the one agency which we have set up to do it. Therefore, we have relaxed the limitation to the extent of \$800,000, which was the amount the Budget recommended the appropriation be increased for this fiscal year.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Ohio.

Mr. JONES. I understand a report has been made to the chairman of the committee that \$27,000,000 has been spent for the publicity departments of the various agencies of the Government outside of the Army and the Navy.

Would it be possible or could the gentleman say whether we are going to cut out the work of these other agencies if the work is to be done by a central bureau and not have it duplicated by the two agencies?

Mr. WOODRUM of Virginia. I will say to the gentleman that I join anyone who says there is vastly too much money being spent in these information agencies and we are trying to curtail that work or curb it, but the press clipping service in the Office of Government Reports is not duplicated in other agencies. I believe there is an opportunity to do this press-clipping work by one central agency and furnish it to the Army and the Navy and the other departments and agencies and do it much more economically than allocating it to these other agencies.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. JONES) there were—ayes 52, noes 70.

So the amendment was rejected.

The Clerk read as follows:

Defense public works (community facilities): For an additional amount for defense public works (community facilities), including the objects specified under this heading in the Second Deficiency Appropriation Act, 1941, and including the exchange, hire, repair, maintenance, and operation of passenger-carrying automobiles and the purchase and exchange of lawbooks and books of reference, \$150,000,000, of which amount not to exceed \$8,753,000 shall be available for administrative expenses, to remain available during the continuance of the unlimited national emergency declared by the President on May 27, 1941: *Provided*, That the amount appropriated in this paragraph shall not be available for obligation until the date of enactment into law of the bill (H. R. 6128 of the 77th Cong.) entitled "An act to amend an act entitled 'An act to expedite the provision of housing in connection with national defense, and for other purposes,' approved October 14, 1940, as amended."

Mr. CANNON of Missouri. Mr. Chairman, by direction of the committee, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. CANNON of Missouri: Page 4, after line 2, insert a new paragraph, as follows:

"PUBLIC BUILDINGS ADMINISTRATION

"The limit of \$3,900,000 upon the cost of the site and building, West Central Heating Plant, Washington, D. C., specified under this head in the First Supplemental Civil Functions Appropriation Act, 1941, is hereby increased to \$7,000,000."

Mr. CANNON of Missouri. Mr. Chairman, we have only one central heating plant supplying heat for all departmental buildings in the District of Columbia. For a long time we have realized the importance of supplementing it with another plant, which might be available in case of disaster or overload. As long ago as October 9, 1940, an appropriation was made providing for this plant, but due to uncertainty as to site, the matter has been delayed until now when it becomes imperative that it be erected at the earliest date possible. The original appropriation for this purpose was \$3,900,000, but due to the increased cost of the new site and the increased cost of equipment, materials, and labor since the last estimate was made, it now requires an additional



\$3,100,000 or a total of \$7,000,000. I have discussed the matter with the gentleman from Massachusetts and I would like to have his approval before it is submitted to the Committee.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. I understand the Chairman has now received a Budget estimate for the required increase and also has a detailed itemization of the increase which can be furnished for the Record.

Mr. CANNON of Missouri. Yes, Mr. Chairman. The reason the item was not included in the pending bill was due to the fact that at the time the measure was reported we did not have an estimate from the Bureau of the Budget. We have received the estimate in the meantime, with a detailed break-down of the cost, and with the permission of the Committee I will supplement my remarks by including the break-down to which the gentleman referred.

Mr. WIGGLESWORTH. I have no objection.

Mr. CANNON of Missouri. The break-down is as follows:

Original site on Potomac waterfront just south of new K Street Bridge.

Proposed site on K Street, in Georgetown, east of Twenty-ninth Street and across Rock Creek.

No increase in power—

Additional cost factors:

Site (original estimate \$42,000).....	\$108,000
New site requires expensive and extensive piling; erection of retaining walls; erection of building over a large sewer, adding to cost of construction and extension of building by 12 feet.....	674,000
Tunneling Rock Creek and increased length.....	330,000
Increased cost of equipment:	
Boilers.....	500,000
Other mechanical equipment.....	1,496,000
Total.....	3,098,000
Appropriation Oct. 9, 1940.....	3,000,000
Supplemental appropriation.....	9,100,000
Total cost.....	7,000,000

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The Clerk concluded the reading of the joint resolution.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that the Committee, having had under consideration House Joint Resolution 258, had directed him to report the same back to the House with an amendment, with the recom-

mendation that the amendment be agreed to, and that the bill, as amended, do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The amendment was agreed to.

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

#### CONTROL OF COMMUNICATIONS SYSTEMS

Mr. LEA. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6263) to amend section 606 of the Communications Act of 1934, for the purpose of granting to the President, in time of war or threatened war, certain powers with respect to communications by wire.

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

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Will the gentleman from California please explain the legislation?

Mr. LEA. Mr. Speaker, I shall be glad to do that. The essential parts of this bill very closely follow the act passed for the same purposes during the World War in July 1918. The bill as reported, however, makes some changes in the provisions of the old act. The three powers given to the President are here taken from the act of 1918. The effect of the act would be that the President, when there is a state of war or threatened war, involving the United States, if he deems it necessary in the interest of national security and defense, may, during a period not later than 6 months after the termination of such state or threat of war, and not later than such earlier date as Congress by concurrent resolution may designate; first, suspend or amend the rules and regulations applicable to any and all facilities or stations for wire communication within the jurisdiction of the United States, as prescribed by the Commission; and, second, cause the closing of any facility or station for wire communication and the removal therefrom of its apparatus and equipment, and, third, authorize the use or control of any such facility or station and its apparatus and equipment by any department of the Government under such regulations as he may prescribe, provision being made for just compensation to be paid the owner. The provisions requiring just compensation are taken from the present law, which applies to radio. It is provided that the Government can make its offer, and if the owner refuses to accept it, the Government can pay the owner 75 percent of the amount offered, and the owner then has the right to go into court to recover whatever value he may be able to establish.

Mr. MARTIN of Massachusetts. Has the bill the unanimous report of the committee?

Mr. LEA. It has. I call attention to the provisions for terminating the powers conferred upon the President by this bill. The powers given the President will terminate in 6 months after the treaty of

peace, or at such earlier period as the Congress may by concurrent resolution provide.

Mr. MARTIN of Massachusetts. In other words, peace might not be declared for 5 years after the end of the war.

Mr. LEA. That is correct.

Mr. MARTIN of Massachusetts. By concurrent resolution Congress may fix the date of termination.

Mr. LEA. Yes; even if the President should refuse to act. The war will probably actually end with an armistice; legally it does not terminate until a treaty of peace is made which might be 1 or 2 years later.

I have an amendment I feel I should offer. I am not authorized to offer this amendment as chairman of the committee. I do so in order to clarify two provisions of the bill. One relates to the period in which the orders or regulations of the President may be operative. The bill clearly indicates the period in which the President may make the order, but I think it is subject to doubt as to when those orders shall terminate. In order to remove any doubt, I propose an amendment that will confine the operation of these orders or regulations to the period in which the President has power to exercise such authority. One effect of this amendment would be to prohibit any exercise of censorship over domestic communications by wire, so far as the provisions of this bill are concerned. The amendment I propose reads as follows:

(g) Nothing in subsection (c) or (d) shall be construed to authorize the President to make any amendment to the rules and regulations of the Commission which the Commission would not be authorized by law to make; and nothing in subsection (d) shall be construed to authorize the President to take any action the force and effect of which shall continue beyond the date after which taking of such action would not have been authorized.

I desired to confer with the gentleman from New Jersey [Mr. WOLVERTON], the ranking minority member, before taking this up, but I did not have an opportunity to do so before the House met today. However, I did confer with some members of the committee.

There is no authority of censorship over these wires in the present law and this amendment prohibits censorship in any regulation made by the President under authority of this bill because his power to suspend or amend regulations is limited to such as the Commission is authorized by law to make.

Mr. MARTIN of Massachusetts. This prohibits censorship of domestic messages?

Mr. LEA. Yes.

The second portion confines the operation of the order to the period in which the President has the right to make the order.

The present law is susceptible of that doubt. However, that is corrected by this amendment.

Mr. MARTIN of Massachusetts. I withdraw my reservation of objection.

Mr. PACE. Mr. Speaker, reserving the right to object, where is the provision that terminates this by concurrent resolution? That all seems to have been

stricken out in the committee amendment.

Mr. LEA. It is at the bottom of page 2, lines 22 to 25:

May during a period ending not later than 6 months after the termination of such state or threat of war and not later than such earlier date as the Congress by concurrent resolution may designate.

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I may say at the outset that I am not going to object to the consideration of this legislation and to its passage at this time. This is just another one of those measures that is presented by the administration and the Army and the Navy asking for an additional grant of authority in order that military emergencies that may arise in the future may be met. It authorizes the President to take over telephone and telegraph lines. That is a tremendous grant of power. But it is said it is needed, and I am therefore supporting it.

However, I would like particularly to call the attention of the House to the report, which on page 3 specifically indicates the position of the Committee on Interstate and Foreign Commerce against general, over-all ownership or operation of communication systems. I think it could also be said that that language indicates the attitude of the committee in respect to general governmental operation or taking over of transportation facilities. Those words were written into the report in order that there be no misapprehension at all as to the intentment of the committee.

The committee, in reporting this legislation, had in mind only the possible necessity for exercising, as a matter of military expediency, the broad grant of power vested in this bill. Chairman Fly specifically asked for the bill on that ground. It was emphatically stated by him that there is no present intention to take over these facilities.

There is one further thing that has come to my mind. I recall that when we had the ill-fated, so-called May bill from the Military Affairs Committee, that bill undertook to vest in the President the power to seize certain plants in defense industries in the event of stoppages of production arising out of labor disputes. There was included a specific provision that after the plants should be taken over, the employees would nonetheless remain employees of the company and would not become employees of the Government, thereby reserving to them their rights as employees in such operation. While there is no such specific provision in this bill, I trust that if any of these facilities are taken by the Government under this bill, the rights of employees will be protected.

Mr. WOLVERTON of New Jersey. Mr. Speaker, reserving the right to object, and, of course, I do not intend to object, I wish to emphasize the importance of enacting legislation of this character under the war conditions that now exist.

It is needless to say that the committee in reporting this legislation to the House does not intend that its section shall be taken as any indication of a willingness to support governmental ownership of our communications system. Our re-

port definitely and clearly sets forth our opposition to any such policy. The language of the report in this respect reads as follows:

The committee wishes to emphasize that its approval of the proposed legislation in no way indicates approval of the general policy of Government control or ownership of communication facilities. Moreover, it is clear that no Government agency plans to take over and operate communication systems in general. This legislation is necessary, however, to enable the President, in particular instances, immediately to control and use wire facilities when wartime needs demand such immediate action. There is no law which now gives the President such power.

The bill, as originally introduced, was given very careful consideration. The committee, while in accord with the objectives sought to be attained, were nevertheless of the opinion that it was too broad and required restrictive provisions. As a result of this consideration several fundamental changes were made. The present bill represents those changes. In an effort to promote clarity and a more ready understanding of the powers given, and, the restrictions provided, this bill H. R. 6263, was introduced in place of the original bill as representing the last thought of the committee on the subject. The amendments to be offered by the chairman when the bill is before the House for amendment are likewise intended to clarify and restrict the powers granted by the bill. I am in full accord with them.

A reading of the bill will show that the committee has restricted the use of the power to a time of war or threat of war. The original bill was far broader than this, although I do not assume that the powers would have been used in any of the instances that the original bill provided for. However, it is not amiss to hold such extraordinary powers within clearly defined limits and to times of extraordinary necessity such as war or threat of war. This bill does that without in any manner handicapping the fullest use of our communication system whenever the President deems it necessary to take over such systems or parts thereof that may be necessary in the public interest. In this connection it should be noted that at no time was it made to appear that there was any lack of cooperation to the fullest extent by those operating our different communication systems.

This bill is offered solely on the basis of being prepared for any military exigency that may arise where it would seem from a military standpoint that operation and control could best be accomplished under Government direction. In the last World War 15 months elapsed before the Government, by proclamation of the President, took over the wire service of the Nation, and his proclamation continued the operation of each of the systems in the then operating officers and employees of the respective companies. It can be assumed, I think, that no different action would be taken if the occasion arises to take over the present systems or any part of them under this bill.

The attention of the House is also directed to the fact that the bill provides a definite method of providing compen-

sation for the use of such systems, if and when taken over by the Government. It also provides that the bill shall not be construed to have any effect upon the existing laws or powers of the States with respect to taxation or to the lawful police regulations of the States, except wherein such laws, powers, or regulations may affect the transmission of Government communications or be construed to affect the issue of stocks and bonds by corporations owning such facility or station.

In conclusion, the attention of the House is directed to the fact that this bill is a war measure. It has the approval of the representatives of the Army, Navy, and Federal Communications Commission, but, it is particularly pointed out, as a war measure it is provided that all powers granted thereunder automatically cease within 6 months after the conclusion of the war or sooner by concurrent resolution of Congress. Thus, it would seem that every precaution has been taken that the extraordinary powers granted by this bill shall be confined solely to a time when national safety, security and defense require the exercise of such. I commend the bill, together with the amendments to be offered by the chairman of the committee, to the favorable consideration of the membership of the House.

Mr. BOREN. Mr. Speaker, reserving the right to object, I would like to point out that this bill definitely grants power to take over, to operate, to shut down, and to control any facility of communication by wire or radio, including such leased facilities as are utilized by the Associated Press, the International News Service, and the United Press.

Personally I found it possible only to agree to such sweeping grants of power to the Communications Commission after we had drawn up some safeguards which leaves the residual power with the Congress to withdraw from the Communications Commission this power at any given time, and then only out of consideration to the very important military aspects of the problem we are trying to deal with. But I do think that it is fair that the vast power in this grant should be made a part of the recognition of the membership here at this time, and only the extraordinary situation, plus the safeguards that we built around it would permit me even for an instant to agree to such a grant of power.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 606 of the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1104; U. S. C., 1934 ed., title 47, sec. 606), as amended, is hereby amended by inserting at the end thereof a new subsection as follows:

"(e) Upon proclamation by the President that there exists a state or threat of war involving the United States, the President, if he deems it necessary in the interest of the national security and defense, may suspend or amend, during a period ending not later than 6 months after the termination of such state or threat of war or not later than such earlier date as the Congress by concurrent resolution may designate, the rules and regulations applicable to any or all facilities or stations for

wire communication within the jurisdiction of the United States as prescribed by the Commission, and may cause the closing of any facility or station for wire communication and the removal therefrom of its apparatus and equipment, or he may authorize the use or control of any such facility or station and its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the owners."

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That section 606 of the Communications Act of 1934, as amended (U. S. C., 1940 ed., title 47, sec. 606), is hereby amended by striking out '(d)' in subsection (d) and inserting in lieu thereof '(e)', and by inserting after subsection (c) a new subsection as follows:

"(d) Upon proclamation by the President that there exists a state or threat of war involving the United States, the President, if he deems it necessary in the interest of the national security and defense, may, during a period ending not later than 6 months after the termination of such state or threat of war and not later than such earlier date as the Congress by concurrent resolution may designate, (1) suspend or amend the rules and regulations applicable to any or all facilities or stations for wire communication within the jurisdiction of the United States as prescribed by the Commission, (2) cause the closing of any facility or station for wire communication and the removal therefrom of its apparatus and equipment, or (3) authorize the use or control of any such facility or station and its apparatus and equipment by any department of the Government under such regulations as he may prescribe, upon just compensation to the others."

"Sec. 2. Such section 606 is further amended by inserting at the end thereof a new subsection as follows:

"(f) Nothing in subsection (c) or (d) shall be construed to amend, repeal, impair, or affect existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein such laws, powers, or regulations may affect the transmission of Government communications, or the issue of stocks and bonds by any communication system or systems."

Mr. LEA. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. LEA:

Page 3, line 11, strike out "a new subsection" and insert in lieu thereof "two new subsections."

Page 3, line 18, strike out the quotation marks.

Page 3, after line 18, insert the following:

"(g) Nothing in subsection (c) or (d) shall be construed to authorize the President to make any amendment to the rules and regulations of the Commission which the Commission would not be authorized by law to make and nothing in subsection (d) shall be construed to authorize this President to take any action the force and effect of which shall continue beyond the date after which taking of such action would not have been authorized."

The SPEAKER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the committee amendment was agreed to.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

#### AMENDMENT OF ACT REQUIRING REGISTRATION OF AGENTS OF FOREIGN GOVERNMENTS

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, I call up House Resolution 394, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6269) to amend the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938, as amended. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary, the bill shall be read for amendment under the 6-minute rule. At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to reconsider.

Mr. SABATH. Mr. Speaker, later on I shall yield the usual half hour to the gentleman from New York. At the present I shall use a portion of my time.

The SPEAKER. The gentleman from Illinois is recognized for 30 minutes.

Mr. SABATH. Mr. Speaker, this is an open rule on H. R. 6269, a bill which has the approval of the Department of State, the Post Office Department, and the Department of Justice. Many hearings have been held on the bill, and it was unanimously reported by the Committee on the Judiciary. I feel, consequently, that there will be no objection to the present draft of the bill.

The bill amends the act of 1938 known as the McCormack Act, recommended by the McCormack select committee, which act was amended and strengthened in 1939. This bill strengthens it in several additional particulars.

The bill also proposes to transfer the administration of the act from the Department of State to the Department of Justice, because the Department of Justice as the act is now administered has the legal jurisdiction and the obligation of carrying out prosecutions under the act.

It not only extends power to control propaganda activities emanating in the United States, but reaches out to Central and South American activities. You may recall that in the conference held in 1940 our Government, in conjunction with the

South American and Central American republics, agreed to this procedure. The bill, as I stated, clarifies the enforcement of the McCormack Act. I admit that I, myself, have not had time to study the effect of the changes, but I have the assurance of the chairman of the Committee on the Judiciary, and both the majority and minority members of that committee who appeared before the Rules Committee, that careful consideration has been given to all the provisions, that the amendment of the act is necessary, and that the passage of the bill is requested by the departments I have mentioned.

Mr. Speaker, recalling that the majority leader was the chairman of a former select committee authorized to investigate to bring about the elimination of subversive activities, I wish to compliment him and the members of the former select committee who, after a few months' investigation, made a report to the House that was the basis for the legislation which was enacted and which the bill before us now proposes to extend.

I regret that when the Dies committee was created to continue its investigation of subversive activities along the lines of the McCormack committee, it deviated somewhat from the investigation and obtained continuous publicity by charging certain Government employees as being "pinks" or being connected with alleged communistic activities in the United States. I cannot help but feel that the chairman of the committee in investigating and assailing labor leaders lost a golden opportunity to actually bring to light the Nazi and Fascist propaganda activities that were rampant in the country, thus allowing them to continue and increase their activities. It is now evident that the propagandists engineered by the Nazi Gestapo became so bold that they actually encouraged Hitler in making him believe that they were so strong and powerful as to be able to block any move of the President of the United States to properly prepare our national defense. Personally I feel that this bill should not only include foreign agents, but also those who are acting indirectly for the Nazi-Fascist-Japanese propagandists who are supplying large sums of money to many organizations to disseminate discordant propaganda to create religious hatred.

In view of the fact that the chairman of the committee, who has devoted a great deal of time to the study of the bill and its every provision, is here and will thoroughly explain in detail each and every section of the bill, I shall not take further time on the rule.

Mr. Speaker, I yield 30 minutes to the gentleman from New York and reserve the balance of my time.

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

The SPEAKER. The gentleman from New York is recognized for 5 minutes.

Mr. FISH. Mr. Speaker, this bill merely strengthens and broadens the original McCormack Act which requires the registration of enemy agents with the State Department. For the sake of the record I have to check up my good friend the chairman of the Rules Com-

mittee, Mr. SABATH. He said this bill had undergone numerous hearings. The bill was introduced only a few days ago and had probably one hearing. Is that correct?

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

Mr. FISH. I yield.

Mr. McLAUGHLIN. I may say to the gentleman from New York, that the original bill had a number of hearings. After the subcommittee and the full Committee on the Judiciary considered the original bill, a clean bill was introduced which is the one made in order by this rule. No hearings were held on the bill as it is presently numbered, but the original bill out of which this one grows did have a number of hearings.

Mr. FISH. Before a subcommittee, I am strongly for the bill but I do not think it goes far enough.

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

Mr. FISH. I yield.

Mr. HOBBS. Mr. Speaker, the gentleman from New York has a passion for accuracy and ought to be reminded that this bill provides for registration with the Department of Justice and not with the State Department.

Mr. FISH. It provides for registration with both the State Department and the Department of Justice, does it not?

Mr. SABATH. It transfers jurisdiction to the Department of Justice.

Mr. FISH. If it does not require registration with both Departments, it certainly should. The people affected are Americans who are agents of foreign governments.

Mr. SABATH. The gentleman is correct.

Mr. FISH. If it does not require their registration with both Departments, it certainly should.

Mr. McLAUGHLIN. Mr. Speaker, if the gentleman will yield, the bill requires that copy of the registration be filed with the State Department.

Mr. FISH. That is exactly what I am saying; it requires registration with both Departments. I know the original McCormack Act required registration with the State Department.

One of my complaints about this bill is that it does not go far enough. Americans who are agents of foreign nations whose registration is on file with the State Department or the Department of Justice should be made known all over this country so the people may know who the agents are. I think there ought to be a clause in this bill requiring the State Department to publish in the newspapers the names of all these agents. How is anyone to know that an American citizen is an agent of a foreign government? The people involved are all American citizens. Major General O'Ryan, who holds a high position in the Government at the present time, a distinguished citizen of my State, was an agent of some Japanese firm, or the Japanese Government, not many months ago at a large compensation. He, of course, was creating good will, spreading so-called propaganda for friendly relations. But how was anybody to know General O'Ryan was an agent of the Japanese Govern-

ment unless the State Department published that fact all over the country? I have a high regard for General O'Ryan, but I submit that the public should know the names of all agents of foreign governments. There should be in the bill a mandatory provision that these Americans who are agents of foreign governments whose names are on file with the State and Justice Departments should be publicized. The Department of Justice should be required to publish their names so the public would have knowledge of them, and I believe the Attorney General would approve of such a proposal as being in the interest of the public. Otherwise, how is the public to know?

Mr. McLAUGHLIN. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. The bill provides that all agents of foreign principals shall be required to register and their registration is a matter of record.

Mr. FISH. A matter of record at the Department. But how is anyone to know except by investigation. I would like to see that information broadcast. There cannot be any objection to it on the part of the Department of Justice.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 10 additional minutes.

Mr. CELLER. Will the gentleman yield?

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

Mr. CELLER. All propaganda which is subject to the act must be labeled as such. If it is in writing it must indicate that it emanates from the agent of a foreign principal who has been registered with the proper authority. If it is over the radio, he must preface his remarks by saying that this is in accordance with the statute, that the registration is in accordance with this statute and that it is propaganda.

Mr. FISH. Yes; and they file every 3 months a statement with the State Department.

Mr. VOORHIS of California. Will the gentleman yield?

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

Mr. VOORHIS of California. I just wanted to make a statement, and I will ask the members of the committee to correct me if I am wrong. If I understand it correctly, one of the main purposes of this bill is to accomplish what the gentleman is complaining about at the present time, namely, to transfer this administration to the Department of Justice with the thought that full publicity will be given conscientiously and deliberately to these registrations in order that they may be matters of common knowledge to the American people. I am under the impression that is one of the principal reasons for bringing the bill in.

Mr. FISH. That is not in the bill.

Mr. VOORHIS of California. I think it is.

Mr. FISH. There is nothing that makes it mandatory in the bill.

Mr. VOORHIS of California. I think it is in the bill. I submit to the gentleman this thought: In the case of the State Department it is obviously very difficult, in view of the kind of work the State Department has to do, for it to do as effective a job of publicizing these things as the Justice Department can.

Mr. FISH. I think both of them should do it. If both have it, they both ought to do it.

Mr. SABATH. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. SABATH. What the gentleman suggests is that the mere filing in the Department of Justice or in the Library does not give general notice to the American people.

Mr. FISH. That is it.

Mr. SABATH. The gentleman feels the public should know who these people are who are drawing money from foreign governments?

Mr. FISH. Yes.

Mr. SABATH. They say that it does provide in the bill for such publication, or that such pamphlets or publicity shall be given, but I have not been able to find where there is a provision in the bill that would compel this publicity.

Mr. FISH. That is what I want to have accepted. I am for the bill 100 percent. I do not think it is sufficient to say that a man before he speaks over the radio has to submit a certain kind of preface. I want it known who these agents are, that they are on the pay roll of a foreign government, and everybody should know that.

Mr. STEFAN. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Nebraska.

Mr. STEFAN. May I call the gentleman's attention to the fact that only recently the Department of State issued a news release in which it served notice on the American people who in any way had connection with these foreign free movements to either resign from them, and indicated that it wanted full publicity on these particular free-movement organizations. The State Department does not want the American people to belong to them, American citizens, and I think the gentleman is right. If this bill does not contain something whereby the general public can be protected, it should include that. Of course, I know we are all for the bill.

Mr. FISH. I think everyone is for the bill. It is simply a question of protecting the public.

Mr. THOMAS F. FORD. Will the gentleman yield?

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

Mr. THOMAS A. FORD. What the gentleman wants is the moment a man registers that that be broadcast over the country?

Mr. FISH. Yes.

Mr. THOMAS F. FORD. And it is forgotten in a week.

Mr. FISH. Have it rebroadcast every 6 months.

Mr. THOMAS F. FORD. This bill provides every time a man makes an address,

whether it be printed or spoken over the radio, he has to preface the utterance with the statement that he is the registered agent of a certain government and that this is propaganda. That is provided in the measure.

Mr. FISH. And that is a good part of the bill.

Mr. THOMAS F. FORD. I think that is a more effective proposal than the type the gentleman is asking for.

Mr. KEFAUVER. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. Does not the gentleman think that the provision in section 6 that this shall be a public record and open to public inspection and examination would insure that it would be pretty well published in the newspapers and disseminated throughout the country?

Mr. FISH. I do not see how anybody is going to know about it. The gentleman is not going to take the trouble—neither am I—to go down and see who is an agent of a foreign government.

Mr. KEFAUVER. During these times, when the public is interested in who might be an agent, that perhaps would make news that would ordinarily be disseminated throughout the country.

Mr. FISH. I do not believe so. I think there ought to be some way—and I hope we can find some way—to amend it to make the people aware of just exactly who these agents are. I hope there is some way to put it in the bill.

That is permanent law, too, is it not?

Mr. McLAUGHLIN. Certainly.

Mr. FISH. We are at war now. As I understand the bill, at the present time it will have very little effect on Americans who are either Nazi agents, Fascist agents, or Japanese agents, because if an American citizen today is an agent of any of the countries with which we are at war he is aiding and abetting the enemy, and that is treason. That is entirely different. It comes within the provision of the Constitution defining treason.

This is permanent law for the future. It does not go into effect until 60 days after it passes the Congress. It applies to all nations, the British, the French, Norwegian, and all the rest who have propaganda agents in this country. It has really and practically very little effect on those who are agents of enemy nations.

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

Mr. FISH. I yield to the gentleman from Nebraska.

Mr. McLAUGHLIN. We are all agreeable to the proposition which the gentleman advances, that propaganda agents of foreign principals operating in this country should have their activities disclosed, but this bill does that. It does it in the most effective manner possible, by requiring that each time an agent of a foreign principal makes an utterance or writes or disseminates anything in his capacity as an agent of a foreign principal, he must label at the top of the written matter or state in advance of his verbal statement over the radio, or privately, his status, his name, his capacity

as an agent of the foreign principal for whom he acts, and all the circumstances surrounding the transaction, so that the public is thoroughly advised. In addition, the names of all agents of foreign principals operating in this country are a matter of public record in the Department of Justice, and copies of their registration certificates are transmitted by the Justice Department to the State Department.

Mr. FISH. As far as it goes, it is fine. If a man is going to make a radio speech and prefaces it by saying, "I am an agent of X government," that is fine; but if a man comes to you and talks to you, he does not preface his remarks by saying, "I am an agent of a foreign government," does he? Certainly not, and you do not know that he is such an agent. Therefore the only way you can find it out is to have some publicity.

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

Mr. FISH. I yield to the gentleman from Virginia.

Mr. BLAND. Would not that object be accomplished by requiring that periodically, say twice a year, there be published in the Federal Register the names of all foreign agents?

Mr. FISH. That is exactly what I want.

Mr. BLAND. Say it would be published there the first Monday in July and the first Monday in January; then the gentleman and I and everybody else would know that we could find in the Register as of that date the names of all foreign agents.

Mr. FISH. That is the purpose of my remarks. I am for the bill. I do not believe it goes far enough, because it leaves out that feature. I will support it anyway, of course. I am just offering that as what I believe to be a sound precaution.

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

Mr. FISH. I yield to the gentleman from Colorado.

Mr. LEWIS. I have observed that the distinguished gentleman from Massachusetts [Mr. McCormack] is not on the floor at the moment. I should like to have it appear in the Record whether or not he approves of that.

Mr. FISH. The gentleman has already spoken to me today about it. The gentleman from Massachusetts is for this bill very strongly. He says that this just broadens his bill and puts some teeth in it.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself 5 additional minutes.

The penalty under the McCormack Act was 1 year of imprisonment and a fine of \$1,000. That is increased to 5 years imprisonment and a \$10,000 fine under this bill.

Mr. LEWIS. The gentleman is advised that the gentleman from Massachusetts has gone over these proposed amendments and approves of them?

Mr. FISH. Very much so; he spoke to me and asked me to speak for the bill and support it today.

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

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

Mr. HINSHAW. This act is very complicated. May I ask the gentleman, or through him some member of the committee, if it cannot be read in such a way as to include among those who are required to register and to make statements concerning their connection with a foreign government any member of the Communist Party or a fellow traveler with such party?

Mr. FISH. The gentleman will have to take that up with members of the committee. He knows how I feel on that.

Mr. HINSHAW. Does the bill cover that point?

Mr. FISH. I will go as far as anybody in the House to have inserted in the bill anything of that kind, if it is germane.

Mr. McLAUGHLIN. If the gentleman will yield, I should be glad to answer the inquiry of the gentleman from California.

Mr. FISH. I yield for that purpose.

Mr. McLAUGHLIN. This bill covers individuals in the United States who are agents of foreign countries or foreign principals.

Mr. HINSHAW. Or a foreign political party, as I read the bill.

Mr. McLAUGHLIN. That is right. If he is an agent of a foreign political party and speaks in his capacity as such agent, he is required to register.

Mr. HINSHAW. Does he have to be paid by that foreign political party to make a speech or go on the radio or write something, or can he just do it of his own volition?

Mr. McLAUGHLIN. It has to be by means of an authorization by a foreign political party. Of course, if you speak independently as a citizen, regardless of what you may say, this bill does not cover you. This bill covers those who as individuals in this country speak as agents of foreign principals.

Mr. FISH. I cannot yield any more; I am sorry, but I do not have time.

This bill includes a provision for deportation; therefore, the agent must be an alien and not an American, because if he were an American, we could not deport him. The bill provides for deportation of those who violate the law. That could apply only to aliens.

If I had my way, so far as these alien Nazis or alien Fascists or alien Communists are concerned, I would just put them on an American boat and send them to Russia, Germany, or Italy, and let them fight over there, provided they would guarantee they would not come back to America. I am sorry that cannot be put into this bill, but there is a provision which requires the deportation of aliens who violate this law.

Mr. McLAUGHLIN. The gentleman appreciates the fact that any alien who violates this law is subject to deportation and the gentleman also appreciates the fact that this is a publicity bill.

Mr. FISH. That is right.

I am now going to take 2 or 3 minutes to speak out of order in reply to a statement made here this morning in regard to our Navy. Whether we suffered very severe losses in Hawaii or not even in Congress do not know at the present

time. We know what we have been told by the Secretary of the Navy. We do not know the extent of the losses, neither do the American people, but a colonel in the Army said yesterday in a public speech that the Navy was a gone goose or a gone gosling. I want to go on record as stating my belief that we still have the greatest, the best, and the strongest navy in the world, that our Navy is greater and more powerful and more efficient than the British Navy or the Japanese Navy, that there is no reason why we should not have faith in our Navy, in our personnel, in our ships, and in our future on the seven seas.

The Commission that has been formed by the President to investigate and get the facts will, I suppose, in due course report back. Everybody knows that we were caught napping. We do not know who is responsible for that situation. We were in a state of preparedness instead of a state of alertness. We should have been on the alert, of course, and we were not. We were only in a state of preparedness. We were caught napping and our ships were sunk, but, after all, let us be fair to our own Navy. Let us have faith in our own. Two of the British battleships—one of them far greater than any one we had out in Hawaii, two of them together, ready to go into battle—were destroyed by Japanese airplanes off the Malay Peninsula when they were all ready for battle. Yet when we were attacked in time of peace and Japanese airplanes came over the top of the hill to bomb on our ships we could not really defend ourselves. That is a different story. We have not anything to be ashamed of with respect to our Navy. Our Navy is not a gone gosling. Our Navy today is the greatest in the world, and that is why the Japanese Navy is not coming over to our coast or attacking our shores. They know our Navy is more powerful than theirs and can beat them in any naval action. We may have some difficulty if we go seven or ten thousand miles over there, but until the situation changes our Navy can protect this country both on the Atlantic and the Pacific, and we have nothing to fear whatever from any foreign nation.

I simply want to go on record as one who has always said that we have the greatest navy in the world. Every day British, German, Italian, and Japanese warships are going down to the bottom of the ocean and all the time we are building a two-ocean Navy.

[Here the gavel fell.]

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. McLAUGHLIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6269) to amend the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," approved June 8, 1938, as amended.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House

on the state of the Union for the consideration of the bill H. R. 6269, with Mr. ZIMMERMAN in the chair.

The Clerk read the title of the bill.

Mr. McLAUGHLIN. Mr. Chairman, I yield myself 5 minutes.

This bill would amend the present law regulating the activities of propaganda agents within the United States of foreign principals. It comes to the House with the unanimous report of the Committee on the Judiciary. Hearings have been held and are printed. It has the approval of the State Department, the Justice Department and the Post Office Department, which Departments are intimately concerned with the subject matter of the act. Representatives of the Departments appeared and testified in favor of the bill, and letters favoring it were received by the Committee on the Judiciary, and appear in the hearing record. Our distinguished colleague the gentleman from Massachusetts [Mr. McCormack] the author of the original bill of 1938, has expressed his full approval of this bill.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to my distinguished colleague on the Judiciary Committee and subcommittee.

Mr. O'HARA. There was some inference made here to the effect that there were very limited hearings on this bill. As a matter of fact we had a number of hearings on the bill, did we not?

Mr. McLAUGHLIN. The gentleman is entirely correct, and I thank him for his contribution.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield.

Mr. DIES. I wonder if the gentleman would agree to an amendment that would define an agent as including the Communist Party of the United States, the German-American Bund, and the Kyffhäuserbund. Without such an amendment it will never be enforced against the Communist Party of the United States, and our committee has definitely shown that that party is an agent of the Soviet Union, and I propose to offer a specific amendment to that effect. I have tried for months to get the Department of Justice to prosecute the Communist Party and the members of the Communist Party for their failure to register under existing law and they have refused to do so. I propose to offer a specific amendment to that effect, and I make the prediction that if the House should agree to it, it will be taken out of the bill before the bill becomes a law.

Mr. McLAUGHLIN. I would say to the distinguished gentleman from Texas, for whom we all have the very highest regard because of his activity in connection with the activities of foreign agents, that this bill refers to persons in this country acting as agents of foreign principals. It does not refer to any particular or specific organization or party in the United States acting as an agent for a foreign principal. It refers to persons, and the persons included as the agents of foreign principals are specifically defined and spelled out. The definition of the term "person" in the bill is compre-

hensive and includes an individual, partnership, association, corporation, organization, or any other combination of individuals.

Mr. DIES rose.

Mr. McLAUGHLIN. I cannot yield further.

Propaganda has for many years been recognized as one of the most powerful weapons on earth. In very recent years its tremendous influence has come to be more and more clearly recognized. So manifest and well known is this fact that it is unnecessary to illuminate the point with illustrations which have abounded throughout the world. Our particular attention has been directed to the deadly effects of propaganda in the countries of Europe, and to the effects sought to be produced in the Latin and South Americas in our own hemisphere. In our own country propaganda in various forms flourished for years. In 1938 as a result of the disclosure of the special committee to investigate un-American activities our distinguished colleague, Mr. McCormack, introduced and sponsored a bill which became a law, by which American agents of foreign principals engaged in propaganda in this country were required to register with the State Department. That law has worked fairly well but amendments have been found to be desirable if, indeed, not essential, to the effective functioning of the law. The bill now before the House, H. R. 6269, is designed to amend the McCormack Act, requiring registration of propaganda agents of foreign principals to make the law more effective in the regulation of the far-reaching and important activities which it covers.

The bill is rather extensive in form, covering 26 pages, but much of it is devoted to the definition of terms and other more definite statements of what is already implicit in the existing law, so that it is in large part a clarification of the existing law rather than a modification of its substance. The amendments do not change the philosophy of the present law in its treatment of the subject matter. The fundam. of H. R. 6269 is identical with that of existing law.

The amendments in the bill under discussion in addition to clarification by means of more complete definitions are:

First. New provisions—section 4 b, pages 17-18—requiring labeling and filing of copies of political propaganda with the Department of Justice and Library of Congress.

Second. Amendment transferring administration of the act from the State Department to the Justice Department—section 14, page 24.

Third. Amendment—section 1-J-2, section 8 d—extending application of the statute to include use of the United States by foreign agents as base for propaganda activities in South or Central America.

Fourth. Amendment—section 4 d, page 19—authorizing Treasury Department and the Postmaster upon request of the Librarian of Congress to forward to the Library of Congress foreign prints, notwithstanding the law which makes such prints unmailable.

Fifth. Amendment strengthening the enforcement penalty by increasing fine

from \$1,000 to \$10,000, and term of imprisonment from 2 to 5 years.

It is to be borne in mind and should be emphasized that this bill is not a repression measure. It amends the present law, which deals with propaganda agents or foreign agents not by prohibitory means but by making certain that the sender—the propaganda agent—is officially known as such by means of public registration with the Attorney General, copy to be submitted to the Secretary of State (sec. 2-a, p. 10), and that the recipients of such publications are definitely advised by means of full disclosure that the sender is a foreign propaganda agent and for whom he is acting. Thus the citizen is not interfered with in his right to say what he wishes to say, but is required to state that he is saying it in his capacity as a foreign propaganda agent. This bill and the law which it amends approach this whole subject upon the fundamental basis that if told who is the author and whom he represents, the public to whom the propaganda is addressed can be depended upon to make their own appraisal and reach their own conclusions as to such propaganda and to the weight or lack of weight to be given thereto. The bill turns the searchlight of publicity onto the identity, background, and interest of propaganda agents. It turns this light on with greater force and clarity than does the present law which it would amend. As an illustration of the type of the strengthening and clarifying effect of the amendments, I direct attention to the definition of the "foreign principal" in section 1-b-2, page 2, of the bill. This subsection causes to be included as a "foreign principal" an individual associated with or controlled in whole or in part by a government of a foreign country and a foreign political party. Such an individual is not included as a "foreign principal" under the terms of the existing law.

The report accompanying the bill contains the amendments in detail. As stated, the bill does not change the philosophy of the existing law, nor does it change the approach to the subject which has been determined upon by the Congress. It sets up with greater effectiveness a plan and system under which agents of foreign principals are required to make known their identity by registration and in which the public is fully advised that propaganda which comes to them is in fact propaganda and that the transmitter thereof is a foreign propaganda agent. The bill transfers the administration of the law from the State Department to the Justice Department, but sets up a definite liaison between the State Department and the Justice Department so that both are advised of the situation at all times.

The Post Office Department is interested in the bill because it provides a means by which incoming mail from foreign countries, which is now non-mailable under the existing law, may be transmitted in the United States mail to the Library of Congress for public inspection.

The bill contains a new section—section 8 (d), page 23—which permits co-

ordination of efforts in the control of propaganda between the United States and Central and South America and other American republics in connection with propaganda attempted to be sent through the United States to any other American republic when the Postmaster General is informed by the Secretary of State that such American republic has indicated to the State Department that the admission of such propaganda in such American republic is prohibited and has requested that its transmittal there be stopped. This provision causes the law to carry out the commitment entered into by the signatories at the Habana Conference in 1940 under which each signatory undertook to attempt to protect the others against subversive activities originating within its borders.

The bill transfers the administration of the act, including the place of registration of statements of foreign propaganda agents from the State Department to the Justice Department.

This is in accord with the wishes of both departments and makes for simplification of enforcement, since the administration itself is placed in the Justice Department, which Department is charged with the responsibility of prosecuting offenders against the law.

It is to be hoped that the bill will be enacted in its present form, which has the approval of the State Department, the Justice Department, and the Post Office Department, who have expressed their desire that the amendments to the McCormack Act contained in the bill be adopted by the House in order that the law may be more effectively administered for the welfare and benefit of the people of the United States of America.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. STEFAN. Mr. Chairman, will the gentleman take a minute more?

Mr. McLAUGHLIN. Yes; I yield myself 1 minute.

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

Mr. McLAUGHLIN. Yes.

Mr. HINSHAW. On page 17 in subsection (e) the bill provides:

Any person engaging or agreeing to engage only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts.

That is one of the exemptions. Is not the exercise of the rights under that exemption the basis of a great deal of propaganda? Is it not true that through religious, scholastic, academic, or scientific pursuits that much of the propaganda is transmitted?

Mr. McLAUGHLIN. Not if taken in conjunction with the definitions which appear under section 1 of the bill. Those are reasonable exemptions which are necessary, in the opinion of the State Department, in order to maintain our proper relations with foreign countries, and also in the opinion of the Justice Department.

The CHAIRMAN. The time of the gentleman from Nebraska has again expired.

Mr. McLAUGHLIN. I yield myself 1 additional minute.

Mr. STEFAN. Will the gentleman yield to me?

Mr. McLAUGHLIN. I yield to my colleague from Nebraska.

Mr. STEFAN. Did I understand the gentleman to say that the registration of these foreign agents would be transferred from the Department of State to the Department of Justice?

Mr. McLAUGHLIN. That is correct.

Mr. STEFAN. I am asking about the mechanics of it, because it comes under our Subcommittee on Appropriations. Will another appropriation be required, or can the mechanics in the Department take care of the situation?

Mr. McLAUGHLIN. It will be a matter that will automatically be transferred.

Mr. RABAUT. That is the question I wanted to ask about the mechanics. The files and everything will be transferred from the State Department to the Justice Department?

Mr. McLAUGHLIN. That is correct.

Mr. RABAUT. Inasmuch as our committee has both Departments, we can easily take care of the proposition.

[Here the gavel fell.]

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, the chairman of the subcommittee, the gentleman from Nebraska [Mr. McLAUGHLIN] has made a very fine explanation of the bill. There are two things which it does. This bill is not repressive legislation. It does not prevent anybody from printing anything anywhere or anyhow. It does not prevent anyone from uttering or speaking anything anywhere, anyhow. But it does attempt to inform the public as to whether or not the person expressing himself by means of the printed or the spoken word is the representative of a foreign agent at the time.

There is another very important feature of the bill that is being overlooked. This bill takes from the State Department the administration of the McCormack Act and lodges it in the Justice Department. In my judgment that is the most important part in this bill. In my judgment those back of the bill are more interested in this phase of it than they are with the trimmings. Possibly that is a desirable thing to do, but do not pass this bill without appreciating that fact.

Mr. RABAUT. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. I yield.

Mr. RABAUT. I wanted to ask the gentleman if he could suggest some reason why he thought that would be done?

Mr. MICHENER. Undoubtedly the proponents of the change feel it would be better, or else they would not propose it. That would be my best answer. Further than that, I do not know.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. Not at this time, I only have a minute.

I do want to say that I hope the chairman of the subcommittee, the gentleman from Nebraska [Mr. McLAUGHLIN], who understands this bill better than any other Member, will clarify some of the things about the bill concerning which I

am not sure. For instance, the gentleman stated awhile ago that anyone engaged in any of these activities which might be propaganda endeavors, even if speaking over the radio, would have to announce his principal, and that he was in the employ of a foreign agency or government before he proceeded. The same would be true of a printed article. Now, if a person is broadcasting—call it a good-will broadcast—and is in the pay of a foreign country or agent, will that person have to so state, and state the amount received for the broadcast?

Second. If a person were selling coffee, for instance, over the radio, in behalf of a foreign principal, and paid by a foreign government, would the person have to announce the amount received for the broadcast, and that the broadcast was propaganda within the meaning of this law?

Third. If lecturers, for instance, come to this country from foreign countries representing those foreign countries who happen to be our allies at this time, and speak before luncheon clubs, patriotic meetings, and so forth, come under the provisions of this bill? I would like to have the gentleman answer those questions, and I yield back the balance of my time.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McLAUGHLIN. Mr. Chairman, was the gentleman from Michigan asking me a question?

Mr. MICHENER. Yes. My time has expired. The gentleman will have all the time he wants under the 5-minute rule. I ask him to explain those three things definitely.

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from Minnesota [Mr. O'HARA] 5 minutes.

Mr. O'HARA. Mr. Chairman, this bill is a strengthening of the so-called McCormack Act, and is a bill which is designed to plug some of the loopholes in existing law with reference to foreign propaganda and foreign agents.

The very conscientious and able chairman of our subcommittee, the gentleman from Nebraska [Mr. McLAUGHLIN] and the subcommittee spent a great deal of time conducting hearings in which representatives of the State Department, the office of the Attorney General, and the Post Office Department appeared and testified in dealing with the various phases concerned in this bill. Parts of this bill are of a strengthening character and are not repressive, and, as the gentleman from Nebraska has outlined in his very fine presentation of this bill, are intended to fill in the gaps and plug up some of the loopholes that have existed in the present law.

The gentleman from Michigan [Mr. MICHENER], has raised some question as to the propriety of the transfer of the enforcement of this act from the Department of State to the Department of Justice.

That is one of the important transfers made in this bill, and its purpose is perfectly obvious: The Department of State has neither the time nor the means of enforcing the provisions of the McCormack Act or this act. The Department

of Justice does. The purpose of this act is to transfer authority to the Department of Justice for the same purpose that all laws are enforced by them, because they are charged with the duty and are the law-enforcement body of our National Government—and very properly. I believe the transfer should be made.

I believe the gentleman from New York and the gentleman from Texas suggested that we should have more teeth in this law. As a member of the subcommittee it is my opinion that it was the sincere desire of the Attorney General's office, the Post Office Department, and the Department of State that we provide ourselves with all the enforcement teeth necessary. If this bill needs strengthening, let us strengthen it, but personally I believe the bill carries sufficient power to enforce the control of all types of propaganda. If it does not I shall support the gentleman from Texas in any proper amendment he thinks should be in the bill.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. DIES. Under the Registration Act, known as the McCormack Act, later amended by the Voorhis Act, there is ample authority justifying and requiring the Department of Justice to prosecute these organizations for failure to register. I say, and I say it deliberately as a firm conviction, that unless you specify the Communist Party of the United States it will never be included under the definitions in this bill.

Mr. O'HARA. I do not believe, under the definitions of this bill, the fact they are members of the Communist Party, the bund, or some other organization, necessarily requires that they be registered unless they act for the purpose of spreading propaganda.

Mr. DIES. What I intend to offer is an amendment that will include the Communist Party itself, the German-American Bund, and the Kyffhauserbund as organizations that must be registered.

Mr. O'HARA. Is it the gentleman's desire that every member of these organizations should register?

Mr. DIES. No.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

[Here the gavel fell.]

Mr. SPRINGER. Mr. Chairman, I yield two additional minutes to the gentleman from Minnesota.

Mr. McLAUGHLIN. Does not the gentleman from Minnesota agree that the amendment proposed by the gentleman from Texas does not come within the framework of this bill for the reason that this bill seeks to control by registration the activities of all persons as defined in the bill, and not of organizations which might be picked out and particularly specified?

Mr. O'HARA. I think that is the purpose of the bill.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. DIES. The definition of "person" in the bill also includes "association, cor-

poration, organization, or any other combination of individuals."

Mr. O'HARA. That is correct.

Mr. DIES. What possible objection could there be to the inclusion of an amendment that would specify certain organizations that our committee has unanimously found to be controlled by the Government?

Mr. FISH. And who take orders from foreign governments.

Mr. DIES. And who take orders from foreign governments. Unless you put that in there the bill will be of no real value to the country.

Mr. O'HARA. I may say to the gentleman from Texas that I want the bill to have every grant of power necessary to accomplish the purposes of the bill.

Mr. McLAUGHLIN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield.

Mr. McLAUGHLIN. The gentleman has referred to definitions. The definition the gentleman refers to is a definition of the term "foreign principal" as the government of a foreign country or a foreign political party. The agent of a foreign principal under section 1 (c) is a person, a person throughout. The term person is broadly defined in section 1 (a). There is not any provision in the bill naming as the agent of a foreign principal any particular organization as suggested by the gentleman from Texas.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I may say to the gentleman from Michigan, our esteemed colleague [Mr. MICHENER], that if the agent is a representative of any foreign power, whether it is an Axis power or an Allied power, he comes within the provisions of the statute.

The gentleman from Michigan also asks whether or not a radio broadcaster would have to announce, if he were a foreign agent, the amount of money he received for the lecture or the broadcast. There is nothing in the bill which would require his indicating the amount of money he is to receive. There is a provision, however, for the Attorney General to make rules and regulations for the proper carrying out and enforcement of the statute; and I take it that it would not be unreasonable for the Attorney General subsequently to promulgate a regulation providing that anyone broadcasting over the radio or speaking on a lecture tour who comes within the restrictive provisions of this act shall preface his remarks by saying the amount he receives.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield.

Mr. FISH. Would not that also give the Attorney General power to publicize the names of these agents so the American people could know who they were?

Mr. CELLER. If that were practicable the Attorney General could do it, and it might be advisable to suggest to the Attorney General that that be done. I would leave that, however, in the final analysis to our able and distinguished Attorney General and his splendid staff.



With reference to the suggestion of the gentleman from Texas (Mr. Dies) concerning the German-American Bund, the Communist Party, and the Kyffhauserbund, and I presume also he would include the Spanish Falange, and others, I deem it to be inappropriate to add an amendment of that kind to this bill, for I believe it would subsequently be held to be a violation of the first amendment with reference to equal protection of the laws being accorded to all persons.

Furthermore, he mentions but a few of these obnoxious groups. There may be many more. Others may start to function subsequently. Would they be included? I doubt it. He would thus weaken, not strengthen, the bill.

I cannot conceive that you can demand under the purposes of this bill and have it consistent with the purposes of this bill, that all members, say of the Communist Party, thousands of them, shall register as foreign agents. I may say to the gentleman from Texas that if it can be shown that the Communist Party is a foreign-dominated aggregation, that it is financially supported by foreign entities, then its members become foreign agents under the bill, and if those members as such foreign agents of foreign governmental entities disseminate propaganda in accordance with the provisions of this bill, then each and every one of those members of that foreign-dominated party would have to register under this act. I think that should satisfy the gentleman from Texas.

Mr. DIES. Does the gentleman believe that the Communist Party will be required to comply with this bill?

Mr. CELLER. If the Communist Party comes within the provisions of the act, I may say to the gentleman that I think we should have sufficient confidence in the Attorney General to come to the conclusion that the Attorney General and his Department of Justice would enforce the act against it and will cover and embrace within its provisions the members of that party. I have implicit faith and confidence in the Honorable Frances Biddle, our Attorney General.

Mr. DIES. Does the gentleman himself believe that the Communist Party comes under the definition of this bill?

Mr. CELLER. As to that, I will bow to the superior knowledge of the gentleman from Texas. He knows more about that than I do. I detest that party, as I do the German-American Bund.

Mr. DIES. That is just the attitude we have confronted in the Department when undertaking to get some action and that makes it necessary that we specify these organizations.

Mr. CELLER. If the Department is negligent or inept or inefficient, then we have remedies aside from amending the bill in the way that the gentleman wishes. We can get after the Department in other ways. We can, if necessary, impeach those of the Department who are inefficient and those who are negligent. I repeat, I have the utmost confidence in that Department. It is doing a good job, especially in the emergency.

Mr. DIES. Can the gentleman find any possible objection to requiring an

organization such as the Communist Party and the German-American Bund that are controlled from abroad to register and give information about their organizations?

Mr. CELLER. The amendment of the gentleman, I think, would be unconstitutional. I think also it would be inappropriate as far as this bill is concerned, because this bill covers individuals, not organizations. The Voorhis and McCormack bills would, I think, be sufficient for the gentleman's purpose.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I yield the gentleman one-half additional minute, and will ask him if he will yield?

Mr. CELLER. I yield to the gentleman.

Mr. McLAUGHLIN. If the Communist Party is included within the definition of "persons" in this act so as to bring the Communist Party under the prohibitions of this act, then there would be no necessity for the amendment suggested by the gentleman from Texas?

Mr. CELLER. The gentleman is correct.

[Here the gavel fell.]

Mr. SPRINGER. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill which is now presented to the committee, H. R. 6269, was carefully considered by Subcommittee 4 of the Judiciary Committee before it came to the entire Judiciary Committee and before it came to the House. It was my privilege to have served on that subcommittee. May I say for the distinguished chairman of Subcommittee 4, of the Judiciary Committee, the gentleman from Nebraska [Mr. McLAUGHLIN], that he has given much time and has exerted much effort on this proposed legislation. I wish to compliment him for his tireless efforts on behalf of this needed measure.

This bill is merely to put teeth in the present law. We have the McCormack Act, which was supplemented to some extent by the Voorhis Act, and this bill puts more teeth or greater implementation in the present existing law.

Mr. GWYNNE. Will the gentleman yield?

Mr. SPRINGER. I yield to my good friend, the gentleman from Iowa.

Mr. GWYNNE. I am very much interested in the suggestion made by the gentleman from Texas [Mr. Dies]. I wish the gentleman from Indiana would tell us whether or not he believes this bill covers an agent of the Communist Party in America?

Mr. SPRINGER. I am very glad to answer the gentleman's question and I am mighty happy that he asked the question. Under section 2 of this bill, page 9, you will find this language:

No person shall act as an agent of a foreign principal unless he has filed with the Attorney General a true and complete registration statement and supplement thereto as required by section 2 (a) and section 2 (b) hereof.

May I say to the distinguished gentleman it is my opinion that that language under section 2 is broad enough to cover the various agencies which the distinguished gentleman from Texas has men-

tioned in the statement made before the committee.

Mr. DIES. Will the gentleman yield?

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

Mr. DIES. I may say to the gentleman that the original language in the McCormack and Voorhis bills was broad enough to cover these organizations, and clearly required action, but we got no action, although I requested the Department of Justice months ago to proceed against the organization. The point I am making is, The only way you can get action is to specify these organizations that a committee of Congress has unanimously found to be under foreign control.

Mr. SPRINGER. I thank the gentleman for his observation, but the one fact alone that any department has failed to do its duty, and has failed to comply with the requirements of the law, is not sufficient in itself to require setting forth in this act the specific organization or organizations to which this act might apply. May I say to the gentleman from Texas, in addition, that if we attempt to name individually each and every organization which is to be brought in under the terms of this law, it is then going to be essential that we carefully name every organization which it is contemplated must comply under the provisions of this act—otherwise they will be excluded and will not come within the provisions of it.

Mr. HOFFMAN. Will the gentleman yield?

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

Mr. HOFFMAN. It is practically admitted, is it not, that some of the departments will not go after the Communist Party?

Mr. SPRINGER. From what the gentleman from Texas has just stated, that is entirely true. The departments have failed to act. That is an omission of duty on the part of those so failing.

Mr. HOFFMAN. Then what is the objection to taking them up and naming them, name by name, if that is the only recourse we have? We cannot get after the Attorney General and get any results from him.

Mr. SPRINGER. The gentleman will recall the statement I just made, that if we start naming the organizations to which this bill shall apply it is essential that we name every organization, or those organizations which are omitted will be excluded from the bill. That is one of the elemental rules under statutory construction.

Mr. HOFFMAN. That does not necessarily follow, does it?

Mr. SPRINGER. There is that very great danger involved in this proposed legislation.

[Here the gavel fell.]

Mr. SPRINGER. Mr. Chairman, I yield myself 3 additional minutes.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

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

Mr. HEALEY. Is not the language which the gentleman just read broad enough to include the very organizations

the gentleman from Texas has mentioned as being foreign-controlled and subversive organizations?

Mr. SPRINGER. That is the statement I have just made. It is my opinion that the language contained in section 2 of the pending bill is sufficient to embrace the organizations mentioned by the gentleman from Texas.

Mr. HEALEY. The word "person" as defined in the bill also includes any organization, does it not?

Mr. SPRINGER. That is my opinion; and the word "person" is broad enough in its construction to embrace every agent of a "foreign principal" regardless of who that foreign principal may be.

Mr. HEALEY. Any organization that is acting as a foreign agent, may I say, would come within the provisions of the proposed act.

Mr. SPRINGER. That is true. I cannot conceive of any broader language and it is my firm belief that the language employed in the bill is all-inclusive.

Mr. COFFEE of Washington. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. The gentleman is familiar with the well-known legal maxim that the inclusion of the one means the exclusion of the other. Therefore, if you name one group and do not name the others, it is assumed in the law that the others are excluded.

Mr. SPRINGER. That is true, and that is the statement I have just made; if we include a part we must include all, or those which are not included will not come under the provisions of the proposed legislation.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

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

Mr. HOFFMAN. If that is true, and if there are these other organizations, why not name them, too?

Mr. SPRINGER. If we could ascertain and name all of them, then we would have legislation which would be broad enough to include each and every one. However, if any group should be inadvertently omitted from the bill, it is very doubtful if this proposed law would apply to those omitted. Very great care should be used if such amendment is made.

Mr. HOFFMAN. You can name the bund and the Communist Party, anyway; there is a good start.

Mr. SPRINGER. I have just one other statement I wish to make. This bill applies to the registration of foreign agents. It applies to all agents of a foreign principal. I think it is imperative at this moment, when we are engaged in a war, that we learn who the agents of the foreign principals are. We want to know whom they represent. We want to find them out. We are in war, and we must prepare to defend ourselves not alone on the ocean but within our borders. This legislation is intended to meet that emergency at this particular moment. I hope this bill will pass and I hope it will not be amended so this legislation will be weakened. We need stringent laws upon this subject.

May I say further, Mr. Chairman, that under the provisions of section 4 all of

the propaganda which is sent out by these agents of foreign principals must be labeled. This bill does not relate to the matter of preventing such propaganda from being sent out, but it does apply to the labeling of it so the people of this Nation may know from whom it came, and that it came from an agent representing a foreign principal. This will put our people on guard. They will take due care to publish to the Nation all such efforts on the part of those agents who would seek to disseminate propaganda which would create dissension or unres' in our country. We are united today in our all-out effort to win this war. Our people will not tolerate any activities which are not wholly and truly American. All un-American activities must cease in our country and all sinister and secretive methods used by all agents of foreign principals must now end. Our thoughts are for our own Nation, and with that thought before us we will vote on this bill, and I hope it passes in this great legislative body without a single dissenting vote.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ZIMMERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 6269) to amend the act entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," pursuant to House Resolution 394, had come to no resolution thereon.

#### AMENDMENT OF SELECTIVE TRAINING AND SERVICE ACT

Mr. MAY submitted the following conference report and statement on the bill (H. R. 6215) to amend the Selective Training and Service Act of 1940 by providing for the extension of liability for military service and for the registration of the manpower of the Nation, and for other purposes:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6215) to amend the Selective Training and Service Act of 1940 by providing for the extension of liability for military service and for the registration of the manpower of the Nation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with amendments as follows:

On page 2, line 3, of the Senate engrossed amendment strike out "nineteen" and in lieu thereof insert "twenty."

On page 2, line 4, of such Senate amendment strike out "nineteen" and in lieu thereof insert "twenty."

On page 4, line 11, of such Senate amendment strike out "nineteen" and in lieu thereof insert "twenty."

On page 4, line 12, of such Senate amendment strike out "nineteenth" and in lieu thereof insert "twentieth."

On page 4, lines 17 and 18, of such Senate amendment strike out all of section 8.

On page 4, line 19, of such Senate amendment strike out "Sec. 9" and in lieu thereof insert "Sec. 8."

On page 5, line 7, of such Senate amendment strike out "Sec. 10" and in lieu thereof insert "Sec. 9."

On page 5, line 11, of such Senate amendment strike out "Sec. 11" and in lieu thereof insert "Sec. 10."

On page 5, line 22, of such Senate amendment strike out "them" and in lieu thereof insert "him."

And the Senate agree to the same.

A. J. MAY,  
R. EWING THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,  
DEWEY SHORT,

Managers on the part of the House.

ROBT. R. REYNOLDS,  
ELBERT D. THOMAS,  
EDWIN C. JOHNSON,  
WARREN R. AUSTIN,  
STYLES BRIDGES,

Managers on the part of the Senate.

#### STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6215) to amend the Selective Training and Service Act of 1940 by providing for the extension of liability for military service and for the registration of the manpower of the Nation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted in lieu thereof an amendment in the nature of a substitute. However, most of the provisions of the Senate amendment are identical with those of the House bill. The differences between the House bill and the Senate amendment, and the provisions of the conference agreement with respect thereto, are as follows:

1. The House bill provided that, within the prescribed age limits, the requirements as to registration and the liability for military service should extend to every male citizen and to every male alien and every noncitizen national of the United States residing in the United States. The corresponding provisions of the Senate amendment extended such requirements and liability, within the prescribed age limits, to every male citizen and every other male person residing within the United States. There is no substantial difference between the effect of the House language and the effect of the Senate language. The conference agreement adopts the Senate language.

2. The House bill provided that liability for training and service should extend to men between the ages of 21 and 45. The corresponding provisions of the Senate amendment extended such liability to men between the ages of 19 and 45. In other words, the House bill did not make men between the ages of 19 and 21 liable for such service, while the Senate amendment did make them liable. The conference agreement provides that such liability shall extend to men between the ages of 20 and 45.

3. The Senate amendment amended section 5 (c) of the Selective Training and Service Act of 1940, so as to provide for the automatic deferment of all State officials chosen by the voters of the entire State. There was no corresponding provision in the House bill. The conference agreement adopts the Senate provision.

4. The Senate amendment repeated section 15 (c) of the Selective Training and Service Act, which defines the term "dependent." The House bill contained no corresponding

provision. The conference agreement follows the House bill in this respect, and leaves the definition of dependent in existing law.

5. The House bill contained a section giving all personnel on active duty in the armed forces 120 additional days within which to secure, without medical examination, National Service Life Insurance; and also providing that such insurance could be obtained after the expiration of 120 days upon a showing of good health. The corresponding section of the Senate amendment (section 11) retained these provisions of the House bill; and it also provided that persons who, while in the active service between October 8, 1940, and the expiration of 120 days after the date of this act, shall have died or become totally disabled in line of duty shall be deemed to have applied for and been granted sufficient insurance to give them an aggregate of \$5,000 of Government insurance. This would provide insurance in the amount of \$5,000 for those persons, for example, who were killed or totally disabled when the *Reuben James* was sunk and when the Japanese attacked Pearl Harbor. The conference agreement adopts the Senate provisions, with one change which corrects a clerical error. The conferees express unanimous understanding that the customary rules for administration of veterans' insurance including deduction for premiums and other charges will be followed.

A. J. MAY,  
R. EWING THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,  
DEWEY SHORT,

*Managers on the part of the House.*

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report on the bill H. R. 6215, and I further ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

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

There was no objection.

The Clerk read the statement.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to. A motion to reconsider was laid on the table.

#### REGISTRATION OF FOREIGN AGENTS

Mr. McLAUGHLIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6269.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6269, with Mr. ZIMMERMAN in the chair.

The Clerk read the title of the bill.

Mr. McLAUGHLIN. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. DIES].

Mr. DIES. Mr. Chairman, in order to explain my purpose in offering the amendments to which I have referred heretofore, permit me to review the record briefly.

Our committee began its work nearly 4 years ago. We obtained a great deal of evidence conclusive in nature showing that the Communist Party of the United States, the German-American Bund, and the Kyffhauserbund are organizations that are completely controlled from

abroad. I sent that evidence to the Department of Justice more than 2 years ago. I stated to the Attorney General that under the terms of the McCormack Act it was his duty to proceed against these organizations. The Government did not proceed against them, and to this day, as far as I have been able to learn, there has been no disposition to prosecute these organizations under the terms of this act.

Therefore, in order to make this very clear, so that there will be no discretion on the part of the Department of Justice in interpreting this act, I propose clarifying amendments. I call your attention to page 2, where the term "person" is defined to include an individual, partnership, association, corporation, or organization, or any other combination of individuals.

Then over on page 9 it is provided that no person shall act as an agent of a foreign principal unless he has filed this information with the Attorney General.

I have proposed an amendment to read as follows:

Including but not limited to the Communist Party of the United States, the German-American Bund, and the Kyffhauserbund.

This is on page 4, line 2.

I also propose as another clarifying amendment:

The term "agent of a foreign principal" includes but is not limited to the Communist Party of the United States, the German-American Bund, and the Kyffhauserbund.

Then, on page 11, I propose an insertion reading as follows: "Members, officers, and directors," so that organizations such as the Communist Party which refuse to surrender their membership records and perjure themselves before committees, that they be compelled under the terms of this act to file with the Department of Justice not only the information required in the act but also the names of their members, their officers, and their directors.

Now let me show you the advantage of such a provision. In Philadelphia when we seized all of the records of the Communist Party and the International Workers' Organization, we discovered there were many citizens in that town, listed in the private records of the Communist Party as being fellow travelers, who could be depended upon to cooperate with the organization, and we discovered that every officer in the League of Women Shoppers was a secret member of the Communist Party.

Certainly there cannot be any objection to full publicity. The argument is used that these organizations are already included under the terms of this bill. If that be true, then what could be the objection to specifying the organization? Your committee has unanimously found that these organizations are under the control of a foreign political party. The evidence is abundant, clear, and conclusive on that issue, that in every detail these organizations have been controlled from abroad.

Now let me be perfectly frank with you, if you do not include this in the bill, the Communist Party will never be proceeded against.

We do not know how many members of the Communist Party there are in the United States. Earl Browder testified there are 2,000,000 people in the United States who go with their organization the full way, and from records that we have obtained, it is amazing the number of people in some cities in the United States who cooperate fully with the Communist Party; and if you have any doubt about it you should inspect the records our committee has seized.

[Here the gavel fell.]

Mr. SPRINGER. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. DIES. And if we can require these organizations to file the names of their members, their officers and directors, you will find an amazing situation in the United States. You will find how the members of this organization have been able to secure important positions in trade-union movements, in organizations, and in Government service. And, of course, I know that if these amendments are included in the bill here it will either destroy the bill—that is, all interest in the bill will be lost before it finally reaches passage by both bodies, or it will be taken out in conference, because I have confronted a remarkable situation since our committee began this work, and that is that it is almost impossible to get some people to regard all forms of totalitarian movements as un-American. We find people who are willing to proceed to the utmost limit against Nazi groups, and with that I am in full accord, but when it comes to the Communists in the United States there is an entirely different attitude, and we cannot be inconsistent on this question. All of these movements are under foreign control. All of them should be dealt with as foreign-controlled organizations, and the least we have the right to require is that they register information with some department of our Government.

Mr. SUMNERS of Texas. My Chairman, will the gentleman yield?

Mr. DIES. I yield to my colleague from Texas.

Mr. SUMNERS of Texas. Mr. Chairman, I would like to ask my distinguished colleague why the language defining "persons" is not all-comprehensive.

Mr. DIES. I will answer that in this way: The language in the original McCormack Act and in the Voorhis Act is also equally clear. Yet under that language, if you will read the original McCormack Act and read the evidence our committee has, under both acts it was perfectly clear, but the Government would not proceed against them.

Mr. KOPPLEMANN. Mr. Chairman, will the gentleman yield?

Mr. DIES. I yield to the gentleman.

Mr. KOPPLEMANN. Does not the distinguished gentleman, who has worked very hard, know that the real Communist, the fellow who is so harmful to this country, does not belong to any Communist organization? Those fellows do not give themselves away, and my question is, What are you doing or what can you do concerning that group?

Mr. DIES. We have a number of the membership cards of the Communist Party of the United States. The last membership card shows on its face ap-

proximately the number 165,000, indicating that 165,000 paid-up members are in the party. Now, what I propose is that we say to these organizations, as well as the German-American Bund and the Kyffhauserbund, that they must register. I mention them because there is not any doubt about their foreign control. There are many other organizations that have on their board of directors members of the Communist Party or of the German-American Bund, but these organizations which I have named, it has been clearly shown, are completely dominated from abroad. What I propose is that the organization be required to file a membership list with the Department of Justice.

Mr. KOPPLEMANN. But that does not answer my question. The fellows who are the most harmful never join the Communist organization in this country, and they are the fellows who are doing the directing and doing the real mischief, and the gentleman must know this. What is the gentleman going to do by way of trying to get at those people who are the real mischief makers in this country?

Mr. DIES. Of course, the gentleman is stating an assumption that I am not prepared to agree with, because I have no full information to that extent.

Mr. McLAUGHLIN. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. SUMNERS] of the committee.

Mr. SUMNERS of Texas. Mr. Chairman, I think the Committee on the Judiciary is entirely in sympathy with the purpose that the gentleman from Texas [Mr. DIES] has in mind, but I direct the attention of the committee to the fact that under the terms of this very bill, which has been thoroughly considered by members of the Committee on the Judiciary, the definition in the bill of the term "person" would include those whom the gentleman from Texas has in mind. These persons are the ones who are doing today the things because of which they should be required to register. I do not think there is any difference of opinion about that. "Person" includes any individual, partnership, association, corporation, organization, or any other combination of individuals." If anybody can draw language more comprehensive than that to be put in a bill, I do not know how they can do it. I am entirely sympathetic with the purposes of my distinguished friend, but there is no use of cluttering up a bill by amendments, when it is perfectly clear that this bill includes all of the persons that could possibly come within the complaint of my distinguished friend. The complaint with reference to what may or may not have been done by the Department of Justice is immaterial here. You cannot make that sort of thing different by writing the same thing over and over again in a bill.

Mr. GRAHAM. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. GRAHAM. Could the matter not be inserted in the bill in this way: The term "person" includes an individual, partnership, association, corporation, organization, or any other combination of individuals, including the three the gentleman from Texas [Mr. DIES] named,

Mr. SUMNERS of Texas. It is always dangerous to specify, when you have comprehensive, all-covering language in a bill.

Mr. EBERHARTER. If you named the Communist Party in this bill, then simply by changing the name of their party they would be without the terms of the bill. Insofar as that language is concerned, they could change the name of their organization.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. MARCANTONIO. I wonder what the gentleman's opinion is about this proposition, that by specifically naming any group of persons, are we not enacting a bill of attainder?

Mr. SUMNERS of Texas. I would like very much to hold this discussion to what I am talking about. It is always dangerous to begin to enumerate, when you are attempting to cover everybody under blanket terms of a bill. I think everyone realizes that. I hope that the gentleman will not insist upon his amendment to this very well considered bill.

Mr. DIES. Oh, I understand that the committee has done an excellent piece of work and I am not reflecting upon the committee in the least, but knowing as I do that under the terms of these other acts, they have refused to enforce them against the Communist Party and these organizations it has seemed to me that it becomes our duty to clearly specify.

Mr. SUMNERS of Texas. You cannot enforce one law by enacting another one.

Mr. SPRINGER. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I think the importance of measures such as this is best brought out by the relation of personal experiences and I am going to take this time to relate an experience which I had, and which I believe this bill, if enacted into law, will definitely remedy. Shortly before the last election there was a move on within my district among the shops of the Endicott-Johnson Shoe Corporation, to disseminate malicious, subversive propaganda, and the disseminators of this propaganda were those who were dedicated to my defeat for reelection. Those individuals were of a subversive element who were dedicated to not only my defeat from a personal angle, but to the very defeat of constitutional government within my district and throughout the country.

Mr. MARCANTONIO. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. I yield.

Mr. MARCANTONIO. Is not the gentleman's quarrel with that union in the Endicott-Johnson Co., that they sought to overthrow the gentleman rather than to overthrow the Government?

Mr. EDWIN ARTHUR HALL. In answer to that statement I will say this, that their relationship with the Endicott-Johnson Corporation had nothing to do with what they said about me, and I have nothing but contempt toward any opposition this group might give me because I

want no part of it. For that reason an accusation of that kind is out of order.

Mr. Chairman, only a few months ago this same group—and they are named in the revelations of the Dies committee, and I have talked with members of the Dies committee who have assured me that they are a definitely subversive group—attacked me maliciously and accused me of being against labor and also lukewarm to those elements which were interested in defending this country against totalitarianism. My answer to the people of my district was that they were simply using this accusation to weaken constitutional government, by which a Member of Congress is elected and upon which he depends for his reelection.

I submit at this time that the registration of the names of those individuals will bring about in the future a hesitancy on their part in attacking Members of Congress in their districts. They may go easy on what they have to say with relation to smearing and insulting the servants of constitutional form of government under the wing of protection they received from the magnanimity of the Constitution. For that reason I heartily endorse and expect to vote for the passage of this bill, and I hope it will be passed with the clarifying amendments.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I yield the balance of my time, 1 minute, to the distinguished gentleman from Alabama [Mr. HOBBS].

Mr. SPRINGER. Mr. Chairman, I yield the balance of my time, 4 minutes, to the gentleman from Alabama.

The CHAIRMAN. The gentleman from Alabama is recognized for 5 minutes.

Mr. HOBBS. Mr. Chairman, I thank both of you gentlemen and I desire the attention of the gentleman from Michigan [Mr. HOFFMAN], and the gentleman from Texas [Mr. DIES], especially.

Every one of us is strong for the Dies committee and for the work it has done, in the main. Practically all of us have voted to create that committee, and for every appropriation they have asked and for every extension of power. But I am saying to the gentleman here, its chairman, in the utmost candor and with the kindest feeling for him personally and for his committee officially, that he is rendering a disservice, in my judgment, to the cause he is seeking to further, and hurting the influence that he has with this body by this amendment, and I hope he will reconsider.

Mr. DIES. Will the gentleman yield?

Mr. HOBBS. I am delighted to yield to the distinguished gentleman from Texas.

Mr. DIES. The gentleman himself in the Hobbs bill, approved by the Judiciary Committee, did the same thing. You stated in that bill, "including the Communist Party, the German-American Bund, and the Kyffhauserbund." Why did you do it then and now object to the same method?

Mr. HOBBS. I recognized that the gentleman was quoting the language from my bill when his amendment was read, and I thought that he was going to

ask me this question in an attempt to embarrass me.

Mr. DIES. Not at all.

Mr. HOBBS. There is no embarrassment. There is a vast distinction, as great as the error of the gentleman in offering it, between function of those words in my bill and in his amendment to this bill. In the Hobbs bill I wrote that any alien who sought to enter the United States for the purpose of acting in behalf of any foreign government or group, or in conjunction with any party, group, or organization, itself acting in behalf of any foreign government or group, or, without limiting the foregoing, any alien who comes here to act in behalf of the Communist Party of the United States of America, the Kyffhauserbund, the German-American Bund, or any other organization, foreign or domestic, successor to, or acting for, or in place of, or in conjunction with, any one of them, should be excluded from admission; and that any alien who so acts after getting into the United States should be deported. These provisions of my bill were based on the bedrock principle that the law of our land is that any alien who is in favor of the overthrow of our Government by force may be kept out, or, if he gains admission, may be put out; and that the courts have held again and again and again that the Communist Party favors such overthrow—such decisions being based on abundant evidence, given in open court under cross-examination, and subject to rebuttal by evidence contra—and the manifest truth that the bunds seek the same end.

But this bill has nothing whatever to do with the exclusion or deportation of aliens. It deals almost entirely with citizens of the United States. It requires the registration of any person who acts as a propaganda agent of a foreign principal. Your amendment, without a trial, without evidence except that given in an ex parte hearing before a committee—not in open court—would convict these three organizations of acting as propaganda agents of foreign principals, which is not an offense against our law, and require them to register as such agents wholly without regard to whether or not any one of them had ever so acted. If any one of them is such an agent—and I firmly believe each of them is—it is unquestionably required to register as such by the provisions of this bill as the Judiciary Committee reported it, without your amendment. If they are not, then they should not be required to register, thereby committing perjury.

Your amendment would render this bill, almost, if not quite, a bill of attainder, which is prohibited by the Constitution. I want to answer you on each of your three arguments; these three specific propositions: In the first place, if you evade the Constitution, if you ignore the Constitution, which says that no bill of attainder is within the power of Congress to pass, then you put it in the power of the Communist Party, by simply changing its name to "Friends of Freedom Party of the United States," or any other, to kill your law. It is not the accepted, legal way to legislate. A mere

change of name would evade what you want to make binding law.

In the second place, I want to say to the distinguished gentleman that it opens wide the door and invites Congress to pass legislation which would base its conviction not upon sworn testimony in the courts of the land, but upon ex parte hearings before a legislative committee. That cannot be done and it is unworthy of the gentleman.

In the third place, the gentleman makes this rather startling argument: He says that unless we adopt his amendment the Department of Justice will not do its duty. I resent that, as everyone else should, and when he gets over the heat of debate, he himself, will regret having cast such an insinuation, or rather, having made such a charge.

The Department of Justice may not be perfect. It does not claim to be. No human institution is. The distinguished and honorable gentlemen who constitute its personnel are not inerrant, nor do they claim to be. But if the gentleman means to charge any one of them with dishonesty or willful refusal to perform his duty there is a perfectly legal way of proving his charge, if true, and it is his duty to submit the proof and let Congress act accordingly. However, there is no proof offered of a single dereliction.

The gentleman complains that the Department of Justice and the Attorney General have never on his reiterated demand prosecuted the Communist Party or the Kyffhauserbund, or any of these other bunds. I want to say to the gentleman just as straight as I can that he has no cause to complain because the Attorney General never instituted prosecutions against anybody. The gentleman has just as much right, and any other member of the Dies committee has just as much right, to institute a prosecution as has the Attorney General. Any American citizen has the right to institute prosecution if he has cause to believe that the law has been violated and so swears. The gentleman himself or any other American citizen has the right to go into court and swear out a warrant if he has reasonable cause to believe and does believe there has been a violation of the law, and initiate prosecution. Then if the Attorney General does not prosecute the gentleman can take other action. The gentleman is entitled to institute a prosecution in his own congressional district, or anywhere a violation of criminal law has occurred. The gentleman himself, or his committee, can appear in court as *amicus curiae*, or as private prosecutor. The gentleman has nothing to complain of. The courts are open to him or to any member of his committee to start a prosecution against the Kyffhauserbund, the German-American Bund, the Communist Party, or anyone else he feels is violating the law, and I wish he would do it and introduce in court the evidence his committee has unearthed, so that the law might pass upon the sufficiency and weight of the evidence and do justice.

But our committee has here presented a carefully drawn bill which will accomplish every desirable purpose within its scope without amendment. I urge the

defeat of the amendments to be offered by the gentleman from Texas.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Alabama has expired. All time has expired. The Clerk will read.

The Clerk read as follows:

*Be it enacted, etc.*, That the act of June 8, 1938 (52 Stat. 631, U. S. C., title 22, sec. 233 (a) to sec. 233 (g)), entitled "An act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States, and for other purposes," as amended, is hereby amended to read as follows:

#### "POLICY AND PURPOSE

"It is hereby declared to be the policy and purpose of this act to protect the national defense, internal security, and foreign relations of the United States by requiring public disclosure by persons engaging in propaganda activities and other activities for or on behalf of foreign governments, foreign political parties, and other foreign principals so that the Government and the people of the United States may be informed of the identity of such persons and may appraise their statements and actions in the light of their associations and activities.

#### "DEFINITIONS

"SECTION 1. As used in and for the purposes of this act—

"(a) The term 'person' includes an individual, partnership, association, corporation, organization, or any other combination of individuals;

"(b) The term 'foreign principal' includes—

"(1) a government of a foreign country and a foreign political party;

"(2) an individual affiliated or associated with, or supervised, directed, controlled, financed, or subsidized, in whole or in part, by any foreign principal defined in clause (1) of this section 1 (b);

"(3) a person outside of the United States, unless it is established that such person is an individual and is a citizen of and domiciled within the United States or that such person is not an individual, is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States, and has its principal place of business within the United States. Nothing in this clause (3) shall limit the operation of clause (5) of this section 1 (b);

"(4) a partnership, association, corporation, organization, or other combination of individuals organized under the laws of, or having its principal place of business in, a foreign country;

"(5) a domestic partnership, association, corporation, organization, or other combination of individuals, subsidized directly or indirectly, in whole or in part, by any foreign principal defined in clause (1), (3), or (4) of this section 1 (b);

"(c) Except as provided in section 1 (d) hereof, the term 'agent of a foreign principal' includes—

"(1) any person who acts or agrees to act, within the United States, as, or who is or holds himself out to be, whether or not pursuant to contractual relationship, a public-relations counsel, publicity agent, information-service employee, servant, agent, representative, or attorney for a foreign principal;

"(2) any person who within the United States collects information for or reports information to a foreign principal; who within the United States solicits, or accepts compensation, contributions, or loans, directly or indirectly, from a foreign principal; who within the United States solicits, disburses, dispenses, or collects compensation, contributions, loans, money, or anything of value, directly or indirectly, for a foreign prin-

principal; who within the United States acts at the order, request, or under the direction of a foreign principal;

"(3) any person who assumes or purports to act within the United States as an agent of a foreign principal in any of the respects set forth in clauses (1) and (2) of this section 1 (c); and

"(4) any person who is an officer or member of the active or reserve military, naval, or other armed forces of any foreign principal defined in clause (1) of section 1 (b) hereof, or who is an officer or employed by any such foreign principal; and proof of any affiliation or employment, specified in this clause (4), of any person within a period of 5 years previous to the effective date of this act shall create a rebuttable presumption that such person is an agent of a foreign principal;

"(d) The term 'agent of a foreign principal' does not include any news or press service or association organized under the laws of the United States or of any State or other place subject to the jurisdiction of the United States, or any newspaper, magazine, periodical, or other publication for which there is on file with the Postmaster General a sworn statement in compliance with section 2 of the act of August 24, 1912 (37 Stat. 553), as amended, published in the United States, solely by virtue of any bona fide news or journalistic activities, including the solicitation or acceptance of advertisements, subscriptions, or other compensation therefor, so long as it is at least 80 percent beneficially owned by, and its officers and directors, if any, are citizens of the United States, and such news or press service or association, newspaper, magazine, periodical, or other publication, is not owned, directed, supervised, controlled, subsidized, or financed, and none of its policies are determined by any foreign principal defined in clause (1), (2), or (4) of section 1 (b) hereof, or by any agent of a foreign principal required to register under this act;

"(e) The term 'government of a foreign country' includes any person or group of persons exercising sovereign de facto or de jure political jurisdiction over any country, other than the United States, or over any part of such country, and includes any subdivision of any such group and any group or agency to which such sovereign de facto or de jure authority or functions are directly or indirectly delegated. Such term shall include any faction or body of insurgents within a country assuming to exercise governmental authority whether such faction or body of insurgents has or has not been recognized by the United States;

"(f) The term 'foreign political party' includes any organization or any other combination of individuals in a country other than the United States, or any unit or branch thereof, having for an aim or purpose, or which is engaged in any activity devoted in whole or in part to, the establishment, administration, control, or acquisition of administration or control, of a government of a foreign country or a subdivision thereof, or the furtherance or influencing of the political or public interests, policies, or relations of a government of a foreign country or a subdivision thereof;

"(g) The term 'public-relations counsel' includes any person who engages directly or indirectly in informing, advising, or in any way representing a principal in any matter pertaining to political or public interests, policies, or relations;

"(h) The term 'publicity agent' includes any person who engages directly or indirectly in the publication or dissemination of oral, visual, graphic, written, or pictorial information or matter of any kind, including publication by means of advertising, books, periodicals, newspapers, lectures, broadcasts, motion pictures, or otherwise;

"(i) The term 'information-service employee' includes any person who is engaged

in furnishing, disseminating, or publishing accounts, descriptions, information, or data with respect to the political, industrial, employment, economic, social, cultural, or other benefits, advantages, facts, or conditions of any country other than the United States or of any government of a foreign country or of a foreign political party or of a partnership, association, corporation, organization, or other combination of individuals organized under the laws of, or having its principal place of business in, a foreign country;

"(j) The term 'political propaganda' includes any oral, visual, graphic, written, pictorial, or other communication or expression by any person (1) which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, or in any other way influence a recipient or any section of the public within the United States with reference to the political or public interests, policies, or relations of a government of a foreign country or a foreign political party or with reference to the foreign policies of the United States or promote in the United States racial, religious, or social dissensions, or (2) which advocates, advises, instigates, or promotes any racial, social, political, or religious disorder, civil riot, or other conflict involving the use of force or violence in any other American republic or the overthrow of any government or political subdivision of any other American republic by any means involving the use of force or violence. As used in this section 1 (j) the term 'disseminating' includes transmitting or causing to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce or offering or causing to be offered in the United States mails;

"(k) The term 'registration statement' means the registration statement required to be filed with the Attorney General under section 2 (a) hereof, and any supplements thereto required to be filed under section 2 (b) hereof, and includes all documents and papers required to be filed therewith or amendatory thereof or supplemental thereto, whether attached thereto or incorporated therein by reference;

"(l) The term 'American republic' includes any of the states which were signatory to the final act of the second meeting of the Ministers of Foreign Affairs of the American republics at Habana, Cuba, July 30, 1940;

"(m) The term 'United States,' when used in a geographical sense, includes the several States, the District of Columbia, the Territories, the Canal Zone, the insular possessions, including the Philippine Islands, and all other places now or hereafter subject to the civil or military jurisdiction of the United States;

"(n) The term 'prints' means newspapers and periodicals, books, pamphlets, sheet music, visiting cards, address cards, printing proofs, engravings, photographs, pictures, drawings, plans, maps, patterns to be cut out, catalogs, prospectuses, advertisements, and printed, engraved, lithographed, or autographed notices of various kinds, and, in general, all impressions or reproductions obtained on paper or other material assimilable to paper, on parchment or on cardboard, by means of printing, engraving, lithography, autography, or any other easily recognizable mechanical process, with the exception of the copying press, stamps with movable or immovable type, and the typewriter.

#### "REGISTRATION

"SEC. 2. (a) No person shall act as an agent of a foreign principal unless he has filed with the Attorney General a true and complete registration statement and supplements thereto as required by this section 2 (a) and section 2 (b) hereof or unless he is exempt from registration under the provisions of this act. Except as hereinafter provided, every person who is an agent of a foreign principal

on the effective date of this act shall, within 10 days thereafter, and every person who becomes an agent of a foreign principal after the effective date of this act shall, within 10 days thereafter, file with the Attorney General, in duplicate, a registration statement, under oath, on a form prescribed by the Attorney General of which one copy shall be transmitted promptly by the Attorney General to the Secretary of State for such comment, if any, as the Secretary of State may desire to make from the point of view of the foreign relations of the United States. Failure of the Attorney General so to transmit such copy shall not be a bar to prosecution under this act. The registration statement shall include the following, which shall be regarded as material for the purposes of this act:

"(1) Registrant's name, principal business address, and all other business addresses in the United States or elsewhere, and all residence addresses, if any;

"(2) Status of the registrant; if an individual, nationality; if a partnership, name, residence addresses, and nationality of each partner and a true and complete copy of its articles of copartnership; if an association, corporation, organization, or any other combination of individuals, the name, residence addresses, and nationality of each director and officer and of each person performing the functions of a director or officer, and a true and complete copy of its charter, articles of incorporation, association, constitution, and bylaws, and amendments thereto; a copy of every other instrument or document and a statement of the terms and conditions of every oral agreement relating to its organization, powers, and purposes; and a statement of its ownership and control;

"(3) A comprehensive statement of the nature of registrant's business; a complete list of registrant's employees and a statement of the nature of the work of each, unless, and to the extent, this requirement is waived in writing by the Attorney General; the name and address of every foreign principal for whom the registrant is acting, assuming or purporting to act or has agreed to act; the character of the business or other activities of every such foreign principal, and, if any such foreign principal be other than a natural person, a statement of the ownership and control of each; and the extent, if any, to which each such foreign principal is supervised, directed, owned, controlled, financed, or subsidized, in whole or in part, by any government of a foreign country or foreign political party;

"(4) Copies of each written agreement and the terms and conditions of each oral agreement, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is an agent of a foreign principal; a comprehensive statement of the nature and method of performance of each such contract, and of the existing and proposed activity or activities engaged in or to be engaged in by the registrant as agent of a foreign principal for each such foreign principal;

"(5) The nature and amount of contributions, income, money, or thing of value, if any, that the registrant has received within the preceding 60 days from each such foreign principal, either as compensation or for disbursement or otherwise, and the form and time of each such payment and from whom received;

"(6) A detailed statement of every activity which the registrant is performing or is assuming or purporting or has agreed to perform for himself or any other person other than a foreign principal and which requires his registration hereunder;

"(7) The name, business, and residence addresses, and, if an individual, the nationality, of any person who has within the preceding

60 days contributed or paid money or anything of value to the registrant in connection with any of the activities referred to in clause (6) of this section 2 (a) and the amount or value of the same;

"(8) A detailed statement of the money and other things of value spent or disposed of by the registrant during the preceding 60 days in furtherance of or in any way in connection with activities which require his registration hereunder and which have been undertaken by him either as an agent of a foreign principal or for himself or any other person;

"(9) Copies of each written agreement and the terms and conditions of each oral agreement, including all modifications of such agreements, or, where no contract exists, a full statement of all the circumstances, by reason of which the registrant is performing or assuming or purporting or has agreed to perform for himself or for a foreign principal or for any person other than a foreign principal any activities which require his registration hereunder;

"(10) Such other statements, information, or documents pertinent to the purposes of this act as the Attorney General, having due regard for the national security and the public interest, may from time to time require;

"(11) Such further statements and such further copies of documents as are necessary to make the statements made in the registration statements and supplements thereto, and the copies of documents furnished therewith, not misleading.

"(b) Every agent of a foreign principal who has filed a registration statement required by section 2 (a) hereof shall, within 30 days after the expiration of each period of 6 months succeeding such filing, file with the Attorney General a supplement thereto under oath, on a form prescribed by the Attorney General, which shall set forth with respect to such preceding 6 months' period such facts as the Attorney General, having due regard for the national security and the public interest, may deem necessary to make the information required under section 2 hereof accurate, complete, and current, with respect to such period. In connection with the information furnished under clauses (3), (4), (6), and (9) of section 2 (a) hereof, the registrant shall give notice to the Attorney General of any changes therein within 10 days after such changes occur. If the Attorney General, having due regard for the national security and the public interest, determines that it is necessary to carry out the purposes of this act, he may, in any particular case, require supplements to the registration statement to be filed at more frequent intervals in respect to all or particular items of information to be furnished.

"(c) The registration statement and supplements thereto shall be executed under oath as follows: If the registrant is an individual, by him; if the registrant is a partnership, by a majority of the members thereof; if the registrant is a person other than an individual of a partnership, by a majority of the officers thereof or persons performing the functions of officers or by a majority of the board of directors thereof or persons performing the functions of directors, if any.

"(d) The fact that a registration statement or supplement thereto has been filed shall not necessarily be deemed a full compliance with this act and the regulations thereunder on the part of the registrant; nor shall it indicate that the Attorney General has in any way passed upon the merits of such registration statement or supplement thereto; nor shall it preclude prosecution, as provided for in this act, for willful failure to file a registration statement or supplement thereto when due or for a willful false statement of a material fact therein or the willful omission of a material fact required to be stated therein or the willful

omission of a material fact or copy of a material document necessary to make the statements made in a registration statement and supplements thereto, and the copies of documents furnished therewith, not misleading.

"(e) If any agent of a foreign principal, required to register under the provisions of this act, has previously thereto registered with the Attorney General under the provisions of the act of October 17, 1940 (54 Stat. 1201), the Attorney General, in order to eliminate inappropriate duplication, may permit the incorporation by reference in the registration statement or supplements thereto filed hereunder of any information or documents previously filed by such agent of a foreign principal under the provisions of the act of October 17, 1940 (54 Stat. 1201).

#### "EXEMPTIONS

"Sec. 3. The requirements of section 2 (a) hereof shall not apply to the following agents of foreign principals:

"(a) A duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, while said officer is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such officer;

"(b) Any official of a foreign government, if such government is recognized by the United States, who is not a public-relations counsel, publicity agent, information-service employee, or a citizen of the United States, whose name and status and the character of whose duties as such official are of public record in the Department of State, while said official is engaged exclusively in activities which are recognized by the Department of State as being within the scope of the functions of such official;

"(c) Any member of the staff of, or any person employed by, a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State, other than a public-relations counsel, publicity agent, or information-service employee, whose name and status and the character of whose duties as such member or employee are of public record in the Department of State, while said member or employee is engaged exclusively in the performance of activities which are recognized by the Department of State as being within the scope of the functions of such member or employee;

"(d) Any person engaging or agreeing to engage only in private, nonpolitical, financial, mercantile, or other activities in furtherance of the bona fide trade or commerce of such foreign principal or in the soliciting or collecting of funds and contributions within the United States to be used only for medical aid and assistance, or for food and clothing to relieve human suffering, if such solicitation or collection of funds and contributions is in accordance with and subject to the provisions of the act of November 4, 1939, as amended (54 Stat. 49), and such rules and regulations as may be prescribed thereunder;

"(e) Any person engaging or agreeing to engage only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts.

#### "FILING AND LABELING OF POLITICAL PROPAGANDA

"Sec. 4. (a) Every person within the United States who is an agent of a foreign principal and required to register under the provisions of this act and who transmits or causes to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce any political propaganda (1) in the form of prints, or (2) in any other form which is reasonably adapted to being, or which he believes will be, or which he intends to be, disseminated or circulated among two or more persons shall, not later than 48 hours after the beginning of the transmittal

thereof, send to the Librarian of Congress two copies thereof and file with the Attorney General one copy thereof and a statement, duly signed by or on behalf of such agent, setting forth full information as to the places, times, and extent of such transmittal.

"(b) It shall be unlawful for any person within the United States who is an agent of a foreign principal and required to register under the provisions of this act to transmit or cause to be transmitted in the United States mails or by any means or instrumentality of interstate or foreign commerce any political propaganda (1) in the form of prints, or (2) in any other form which is reasonably adapted to being, or which he believes will be, or which he intends to be, disseminated or circulated among two or more persons, unless such political propaganda is conspicuously marked at its beginning with, or prefaced or accompanied by, a true and accurate statement, in the language or languages used in such political propaganda, setting forth that the person transmitting such political propaganda or causing it to be transmitted is registered under this act with the Department of Justice, Washington, D. C., as an agent of a foreign principal, together with the name and address of such agent of a foreign principal and of each of his foreign principals; that, as required by this act, his registration statement is available for inspection at and copies of such political propaganda are being filed with the Department of Justice; and that registration of agents of foreign principals required by the act does not indicate approval by the United States Government of the contents of their political propaganda. The Attorney General, having due regard for the national security and the public interest, may by regulation prescribe the language or languages and the manner and form in which such statement shall be made and require the inclusion of such other information contained in the registration statement identifying such agent of a foreign principal and such political propaganda and its sources as may be appropriate.

"(c) The copies of political propaganda required by this act to be sent to the Librarian of Congress shall be available for public inspection under such regulations as he may prescribe.

"(d) For purposes of the Library of Congress, other than for public distribution, the Secretary of the Treasury and the Postmaster General are authorized, upon the request of the Librarian of Congress, to forward to the Library of Congress 50 copies, or as many fewer thereof as are available, of all foreign prints determined to be prohibited entry under the provisions of section 305 of title III of the act of June 17, 1930 (46 Stat. 628), and of all foreign prints excluded from the mails under authority of section 1 of title XII of the act of June 15, 1917 (40 Stat. 230).

"Notwithstanding the provisions of section 305 of title III of the act of June 17, 1930 (46 Stat. 628), and of section 1 of title XII of the act of June 15, 1917 (40 Stat. 230), the Secretary of the Treasury is authorized to permit the entry and the Postmaster General is authorized to permit the transmittal in the mails of foreign prints imported for governmental purposes by authority or for the use of the United States or for the use of the Library of Congress.

#### "BOOKS AND RECORDS

"Sec. 5. Every agent of a foreign principal registered under this act shall keep and preserve while he is an agent of a foreign principal such books of account and other records with respect to all his activities, the disclosure of which is required under the provisions of this act, as the Attorney General, having due regard for the national security and the public interest, may by regulation prescribe as necessary or appropriate for the enforcement of the provisions of this act and

shall preserve the same for a period of 3 years following the termination of such status. Until regulations are in effect under this section every agent of a foreign principal shall keep books of account and shall preserve all written records with respect to his activities. Such books and records shall be open at all reasonable times to the inspection of any official charged with the enforcement of this act. It shall be unlawful for any person willfully to conceal, destroy, obliterate, mutilate, or falsify, or to attempt to conceal, destroy, obliterate, mutilate, or falsify, or to cause to be concealed, destroyed, obliterated, mutilated, or falsified, any books or records required to be kept under the provisions of this section.

#### "PUBLIC EXAMINATION OF OFFICIAL RECORDS

"Sec. 6. The Attorney General shall retain in permanent form one copy of all registration statements and all statements concerning the distribution of political propaganda furnished under this act, and the same shall be public records and open to public examination and inspection at such reasonable hours, under such regulations, as the Attorney General may prescribe, and copies of the same shall be furnished to every applicant at such reasonable fee as the Attorney General may prescribe. The Attorney General may withdraw from public examination the registration statement and other statements of any agent of a foreign principal whose activities have ceased to be of a character which requires registration under the provisions of this act.

#### "LIABILITY OF OFFICERS

"Sec. 7. Each officer, or person performing the functions of an officer, and each director, or person performing the functions of a director, of an agent of a foreign principal which is not an individual shall be under obligation to cause such agent to execute and file a registration statement and supplements thereto as and when such filing is required under sections 2 (a) and 2 (b) hereof and shall also be under obligation to cause such agent to comply with all the requirements of sections 4 (a), 4 (b), and 5 and all other requirements of this act. In case of failure of any such agent of a foreign principal to comply with any of the requirements of this act, each of its officers or persons performing the functions of officers, and each of its directors, or persons performing the functions of directors, shall be subject to prosecution therefor.

#### "ENFORCEMENT AND PENALTIES

"Sec. 8. (a) Any person who—

(1) willfully violates any provision of this act or any regulation thereunder, or

(2) in any registration statement or supplement thereto or in any statement under section 4 (a) hereof concerning the distribution of political propaganda or in any other document filed with or furnished to the Attorney General under the provisions of this act willfully makes a false statement of a material fact or willfully omits any material fact required to be stated therein or willfully omits a material fact or a copy of a material document necessary to make the statements therein and the copies of documents furnished therewith not misleading, shall, upon conviction thereof, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 5 years, or both.

"(b) In any proceeding under this act in which it is charged that a person is an agent of a foreign principal with respect to a foreign principal outside of the United States, proof of the specific identity of the foreign principal shall be permissible but not necessary.

"(c) Any alien who shall be convicted of a violation of, or a conspiracy to violate, any provision of this act or any regulation thereunder shall be subject to deportation in the manner provided by sections 19 and 20 of

the Immigration Act of 1917 (39 Stat. 889, 890), as amended.

"(d) The Postmaster General may declare to be nonmailable any communication or expression falling within clause (2) of section 1 (j) hereof in the form of prints or in any other form reasonably adapted to, or reasonably appearing to be intended for, dissemination or circulation among two or more persons, which is offered or caused to be offered for transmittal in the United States mails to any person or persons in any other American republic by any agent of a foreign principal, if the Postmaster General is informed in writing by the Secretary of State that the duly accredited diplomatic representative of such American republic has made written representation to the Department of State that the admission or circulation of such communication or expression in such American republic is prohibited by the laws thereof and has requested in writing that its transmittal thereto be stopped.

#### "APPLICABILITY OF ACT

"Sec. 9. This act shall be applicable in the several States, the District of Columbia, the Territories, the Canal Zone, the insular possessions, including the Philippine Islands, and all other places now or hereafter subject to the civil or military jurisdiction of the United States.

#### "RULES AND REGULATIONS

"Sec. 10. The Attorney General may at any time make, prescribe, amend, and rescind such rules, regulations, and forms as he may deem necessary to carry out the provisions of this act.

#### "REPORTS TO THE CONGRESS

"Sec. 11. The Attorney General shall, from time to time, make a report to the Congress concerning the administration of this act, including the nature, sources, and content of political propaganda disseminated or distributed.

#### "SEPARABILITY OF PROVISIONS

"Sec. 12. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

"Sec. 13. This act is in addition to and not in substitution for any other existing statute.

#### "SHORT TITLE

"Sec. 14. This act may be cited as the 'Foreign Agents Registration Act of 1938, as amended.'

#### TRANSFER OF ADMINISTRATION

Mr. DIES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIES: Page 2, line 17, after the word "individuals", strike out the semicolon, insert a comma and the following: "including but not limited to the Communist Party of the United States, the German-American Bund, and the Kyffhauserbund."

Mr. MARCANTONIO. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state the point of order.

Mr. MARCANTONIO. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane. I submit that the section of the bill dealing with definitions is limited to persons who are to constitute the foreign principals.

The CHAIRMAN. The section deals with definitions. This being so, it would be appropriate and in order to add another definition.

The Chair overrules the point of order.

Mr. HOBBS. Mr. Chairman, I wish to interpose a point of order against the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. HOBBS. Mr. Chairman, I interpose the point of order that this amendment is not in order because it is unconstitutional, being in conflict with that portion of the Constitution forbidding bills of attainder, in that there is no proof submitted to any court or any other body other than in an ex parte hearing before a committee which tends to prove the guilt of any one of these organizations of the offense of being a propagandist of a foreign power.

The CHAIRMAN. The Chair cannot and is not in position to rule upon the constitutionality of the amendment.

Mr. HOBBS. If the Chair please, I should like to point out that under the adjudication of a Speaker of this House my point of order is well taken and apt. There are precedents to support my contention.

The CHAIRMAN. The Chair will say that it is not a matter that the Chair can rule on. It would be a matter for the House to pass upon, but not the Chair.

Mr. HOBBS. The precedents of the House, established by previous occupants of the chair, support my contention.

The CHAIRMAN. The Chair respectfully submits that the precedents are the other way. The Chair cannot rule upon the point of order submitted by the distinguished gentleman from Alabama.

Mr. McLAUGHLIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise to make a brief statement as a member of the Judiciary Committee and as chairman of the subcommittee which conducted the hearings on this bill. The Committee on the Judiciary of the House of Representatives has no desire other than to cause this bill to be made applicable to every agent of a foreign principal who comes within the broad definitions of a person, or of an agent of a foreign principal which are contained in the bill.

It is not necessary to discuss further the amendment offered by the gentleman from Texas, because it has already been fully discussed; but I reiterate that the term "person" already is so inclusive as to comprehend within its terms the very object sought by the gentleman from Texas. Should the gentleman's amendment be adopted, the effect might be to reduce the effectiveness of the bill by limiting its application to the specific organization or organizations to which his amendment refers.

I trust that the amendment will be defeated.

Mr. FISH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, almost every Member of Congress goes back to his own district and denounces the Communists and tells his constituents what he wants to do to the Communists, what the Congress wants to do to them, how the alien Communists ought to be deported, yet when an amendment comes before the House, a simple amendment to put some teeth



and strength into the bill in order to bring the Communist Party and the bundists directly under the provisions of the bill, then we begin to run to cover.

We pussyfoot and shadow-box to avoid the issue, which is very simple, to strengthen this bill to include the Communist Party and the bundists which almost 99 percent of the people back home want done; yet, for some technical reason or for some unknown reason we evade the issue, we pussyfoot, we run to cover, and do nothing about it. Let us stop giving lip service and get down to real action.

I ask the Members of Congress to stand up and vote their convictions by supporting the Dies amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Dies].

The question was taken; and on a division (demanded by Mr. Dies) there were—ayes 58, noes 24.

So the amendment was agreed to.

The Clerk read as follows:

Sec. 2. Upon the effective date of this act, all powers, duties, and functions of the Secretary of State under the act of June 8, 1938 (52 Stat. 631), as amended, shall be transferred to and become vested in the Attorney General, together with all property, books, records, and unexpended balances of appropriations used by or available to the Secretary of State for carrying out the functions devolving on him under the above-cited act. All rules, regulations, and forms which have been issued by the Secretary of State pursuant to the provisions of said act, and which are in effect, shall continue in effect until modified, superseded, revoked, or repealed.

Mr. DIES (interrupting the reading of sec. 2). Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DIES. I have an amendment to page 4, line 2. What is the Clerk reading now?

The CHAIRMAN. The Clerk will report the amendment.

Mr. HINSHAW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HINSHAW. Where is the Clerk reading?

The CHAIRMAN. The Clerk had begun to read section 2.

Mr. DIES. This just carries out the original amendment adopted by the House.

The Clerk read as follows:

Page 4, line 2, after "principal", insert paragraph 1A, as follows:

"The term 'agent of a foreign principal' includes but not limited to the Communist Party of the United States, the German-American Bund, and the Kyffhauserbund."

Mr. MARCANTONIO. Mr. Chairman, a point of order. Had not the Clerk proceeded to read another section of the bill?

The CHAIRMAN. The gentleman from Texas was on his feet seeking recognition, and it is proper at this time to consider the amendment.

Mr. MARCANTONIO. Mr. Chairman, I did not hear the Chair's decision.

The CHAIRMAN. The gentleman from Texas was on his feet at the time the Clerk started to read, and for that

reason he is entitled to submit his amendment.

Mr. MARCANTONIO. Mr. Chairman, may we have the amendment read?

The CHAIRMAN. The Clerk will reread the Dies amendment.

The Clerk reread the Dies amendment.

Mr. MARCANTONIO. Mr. Chairman, I make a point of order on the amendment on the ground that it is not germane.

The CHAIRMAN. The Chair overrules the point of order for the same reason stated in the previous ruling.

The question is on the amendment offered by the gentleman from Texas [Mr. Dies].

The amendment was agreed to.

Mr. DIES. Mr. Chairman, I have another amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. Dies: Page 11, line 7, after "employees", insert a comma and the following: "members, officers, and directors."

Mr. DIES. Mr. Chairman, this merely makes it necessary for the Communist Party, the German Bund, and the Kyffhauserbund to file the names of their members, officers, and directors in order to comply with the act.

Mr. McLAUGHLIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McLAUGHLIN. Mr. Chairman, is the gentleman from Texas recognized in connection with this amendment for the same reason he was recognized to offer his previous amendment; namely, he was on his feet, we having passed section 1?

The CHAIRMAN. The section is still open to amendment, and the gentleman would have that right.

Mr. McLAUGHLIN. May I inquire where the Clerk is reading?

The CHAIRMAN. Section 1 goes over to page 25, and section 1 is now open to amendment.

Mr. McLAUGHLIN. Had not the Clerk commenced the reading of section 2 under the caption "Transfer of Administration"?

The CHAIRMAN. The Chair ruled that the gentleman from Texas was on his feet at the time the Clerk started reading and therefore would be entitled to recognition. Section 1 is still open to amendment.

Mr. McKEOUGH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McKEOUGH. What is the amendment on which we are now asked to vote?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection.

The Clerk again reported the Dies amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Dies].

The question was taken; and on a division (demanded by Mr. McLAUGHLIN) there were—ayes 53, noes 13.

Mr. HOOK. Mr. Chairman, I object to the vote on the ground that a quorum

is not present and make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twelve Members are present, a quorum.

So the amendment was agreed to.

Mr. HINSHAW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by HINSHAW: On page 17, line 17, strike out all of subsection (e).

Mr. HINSHAW. Mr. Chairman, subsection (e) reads as follows:

Any person engaging or agreeing to engage only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts.

Subsection (e) is the subsection under section 3 which exempts persons who engage in these cultural pursuits from registration under this bill. I should like to read a few words from the section defining political propaganda:

The term "political propaganda" includes any oral, visual, graphic, written, pictorial, or other communication or expression by any person which is reasonably adapted to, or which the person disseminating the same believes will, or which he intends to, prevail upon, indoctrinate, convert, induce, or in any other way influence a recipient or any section of the public within the United States—

And so forth. Mr. Chairman, I have great respect for the wisdom and ability of the Committee on the Judiciary, but I call your attention to the fact that one of the best ways to put over propaganda in any country is through the so-called cultural activities.

I call your attention to House Report No. 1543, filed this morning by the Select Committee to Investigate Air Accidents, of which I am a member. You will find in there the information that a German monastery is located in a town called Boa Vista in the United States of Brazil. That isolated but strategically important place has a perfectly good radio station, and there is a Diesel-engine power plant available to operate the radio.

I do not believe we can afford to allow those who are engaged in cultural activities to come over here and have free reign in the United States without registering their business and giving information as to who employs them, and all the rest of the information desired by the Department of Justice or the State Department. It seems to me that when you merely take those who are willing to admit that they are employed by a foreign government as propaganda agents, and leave out all those others who are engaged in propaganda just as surely, then you are making a great mistake.

Mr. GWYNNE. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Iowa.

Mr. GWYNNE. Does not the gentleman think that if an organization were spreading propaganda of a kind prohibited by this act it would not be engaged in bona fide religious, and so on, activities?

Mr. HINSHAW. I have read the definitions of propaganda and those who

make it. I say to the gentleman it is very largely a matter of opinion whether it is propaganda or whether it is not, or whether a person has to register himself as such an agent or not. I cannot see that there is any way in this bill that you can force a person who claims to be engaged in the cultural pursuits, but actually is engaged in propaganda, to register with the State Department under the bill as it is now written. I say again that the cultural pursuits offer one of the finest media for the dissemination of propaganda that anyone can conceive of, and it is well used by the Axis Powers, particularly in this country and in all the other American republics as well.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. I am certain that my observation now will not be a hysterical one, but I do know that in the exchange of professors between universities in different countries so-called cultural propaganda has been carried forward in the educational system of the United States.

Mr. HINSHAW. That is absolutely true.

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

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

Mr. AUGUST H. ANDRESEN. Would the gentleman's amendment include American citizens who are putting out propaganda of such a nature that they are presuming to act as salesmen for other countries?

Mr. HINSHAW. If they are operating for and on behalf of a foreign government in any of these cultural pursuits, then this certainly would cover their activities.

Mr. KLEBERG. Mr. Chairman, will the gentleman yield?

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

Mr. KLEBERG. Does not the gentleman think that friends of this country those with amicable ideas back of their entry here, would not feel that any stigma attached to them as a result of their being called on to register?

Mr. HINSHAW. None whatever. If they are friends of this country they will be delighted to register and would be delighted to have that fact published in all the newspapers. I do not see why we have to be such a lot of sissies in this country when it comes to regulation of the acts of agents of foreign countries. I have been in a good many foreign countries in both recent and less recent times, and I want to say that in foreign countries they go over one's record with a fine-toothed comb before entry and then keep a very sharp eye out for one's activity while there. I think it is correct to say that the United States is the only place in the world today that an alien can go about taking photographs without serious consequences.

Those who are friendly to this country and are visitors among us are proud of their friendship, and so are we. If they are not friends of ours, then they want to keep it secret.

I hope the committee will adopt this amendment and just ask these people to register and let us know who they are.

[Here the gavel fell.]

Mr. McLAUGHLIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, in considering the bill which we have before us today, the Committee on the Judiciary conferred with the Department of State, the Justice Department, the Post Office Department, and those agencies of the Government which are concerned intimately with the administration and enforcement of this measure. Certainly there is no Member of this body who has the slightest desire to interfere with the State Department in the maintenance of friendly relations with foreign countries.

I call attention to the fact, Mr. Chairman, that the amendment under consideration seeks to strike out a section which merely exempts from registration as an agent of a foreign principal those who are engaged only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or the fine arts. Surely if the persons named step over the border or step over the line and engage in activities that do not come within the terms and provisions of this exemption, the Department of Justice, which, after all, is the Department which is seeking this bill and seeking to strengthen this law, will devote its attention to the matter and require registration on the part of such persons. This would only permit an exchange of professors or the carrying on of bona fide religious or scientific pursuits on a reasonable basis between countries abroad and our country. And, mind you, this is a reciprocal matter. If we require unreasonable conditions and terms to be complied with by bona fide persons coming to our country's shores, then, of course, the countries abroad will do likewise. Not a member of the Judiciary Committee is seeking in any way to shield anyone who is an agent of a foreign principal who should come within the terms of this bill, but certainly this is a reasonable exemption, and I submit that it should be retained in the bill.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. I yield to my colleague on the committee.

Mr. KEFAUVER. I was just going to ask the gentleman if it is not true that probably this country maintains more missions and churches in foreign countries that perform a very wonderful service than almost any other country and if we adopt a provision like this might it not subject these missions and churches to such restrictions in other countries?

Mr. McLAUGHLIN. I agree with the gentleman.

Mr. KEFAUVER. Also I would like to ask the gentleman if the definition of political propaganda is not so broad that it might include parts of regular establishments that have no such connection with propaganda.

Mr. McLAUGHLIN. I think there is no question but that we might be stepping into the very field to which the distinguished gentleman from Tennessee refers.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

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

Mr. O'HARA. The gentleman will agree with me that if a person engaged in any of the pursuits enumerated in section (e) and is engaged in propaganda, he still has to register under this measure.

Mr. McLAUGHLIN. Of course, and that is the thing to be kept in mind at all times while we are considering this bill. It requires all persons to register who are within the class which the gentleman from Minnesota has just so well described. I urge, Mr. Chairman, that the amendment of the gentleman from California [Mr. HINSHAW] be not adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. HINSHAW) there were—ayes 10, noes 47.

So the amendment was rejected.

Mr. FISH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FISH: On page 21, after line 23, insert "The Attorney General shall publish, as he deems advisable, the names of all agents of foreign nations as of January 1 and July 1 of each year."

Mr. FISH. Mr. Chairman, this is a very simple clarifying amendment. The agents of foreign nations have to register either with the State Department or the Attorney General's office, or both. The public does not know who these agents are. The public is entitled to know who they are for their own protection, including Members of Congress. This proposal calls for some publicity but leaves a great deal of latitude with the Attorney General. I believe the Department of Justice would favor it. I hope there will be no objection to the amendment, for without it nobody can possibly know anything about these foreign agents. I am for the bill as it is, but I believe my amendment will strengthen it and help make effective its main purpose against the spreading of foreign propaganda.

Mr. McLAUGHLIN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I direct the attention of the Committee to the fact that in section 6, page 21, line 16, of the bill the word "public" appears, so that the law will read, if passed in the form of the present bill, that copies of registration statements shall be public records. Mr. Chairman, that is a public disclosure, and I submit that is a sufficient disclosure of those who are required to register.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. McLAUGHLIN. Just a moment. I call attention to the fact that this is not a repressive measure. This is a measure which will merely cause those in this country who are acting as agents of foreign principals to register and to label material which they put out in the form of political propaganda so that those who read that material may know who the author is and whom he represents. I submit that the filing of the registration

in the office of the Attorney General, the Department of Justice, and sending a copy of it to the Secretary of State, in accordance with the terms and conditions of the bill, will constitute a public record. I submit the amendment should not be adopted. I yield to the gentleman from Georgia.

Mr. COX. If the gentleman is correct in quoting the section to which he referred, then his answer to the suggestion of the gentleman from New York is complete, but did he quote the entire section?

Mr. McLAUGHLIN. Which section?

Mr. COX. The section from which the gentleman quoted making these reports a public record. Are they not made available to the public in the discretion of the Attorney General?

Mr. McLAUGHLIN. They are open to the public in the ordinary way.

Mr. COX. What does the remainder of the section say?

Mr. McLAUGHLIN. I am speaking definitely with respect to the record, the section which provides that these reports shall be a public record, open to the public examination and inspection at such reasonable hours, under such regulations as the Attorney General may prescribe. Why should they not be open to the public under those conditions? Certainly a department has the right to prescribe regulations with respect to the inspection of its records. Otherwise, the work of the department might be disrupted. If that is the only objection which the gentleman from Georgia has, then I submit that his objection has a very thin foundation.

Mr. COX. Under the language of the bill is it within the discretion of the Attorney General to withhold these records from the public?

Mr. McLAUGHLIN. No; it is not.

Mr. COX. Then I agree with the gentleman.

Mr. COFFEE of Washington. And if these words were not actually in there as written by the committee, the courts would construe that the Attorney General had the right to impose reasonable hours for inspection.

Mr. McLAUGHLIN. I agree with the gentleman.

Mr. FISH. What harm is there putting the searchlight of publicity on these agents and letting the people know who these people are?

Mr. McLAUGHLIN. I do not yield any further.

Mr. FISH. How is the public to know?

Mr. McLAUGHLIN. The registration statements will be a matter of public record, open to public inspection. The Committee on the Judiciary is as anxious as is the distinguished gentleman from New York that the public be advised of the identity and activities of agents in this country of foreign principals.

I submit that through the filing of registration statements these agents will receive full publicity if the bill is enacted without the amendment proposed by the gentleman from New York.

The CHAIRMAN. The time of the gentleman from Nebraska has expired. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk concluded the reading of the bill.

The CHAIRMAN. There being no further debate, under the rule, the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ZIMMERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill H. R. 6269, that pursuant to House Resolution 394 he reported the bill back to the House with sundry amendments adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. MARCANTONIO. Mr. Speaker, I ask for a separate vote on the Dies amendment. There are three of them, and I ask unanimous consent that the vote on the three be taken at one time.

The SPEAKER. The Chair is informed that all the amendments adopted are Dies amendments, and the Chair will put the amendments en bloc. The question is on agreeing to the amendments.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 61, noes 9.

So the amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

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

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Baldrige, one of its clerks, announced that the Senate had passed without amendment a bill and a joint resolution of the House of the following titles:

H. R. 6251. An act to amend the Federal Food, Drug, and Cosmetic Act of June 25, 1938, as amended, by providing for the certification of batches of drugs composed wholly or partly of insulin, and for other purposes; and

H. J. Res. 259. Joint resolution to authorize the commission appointed by the President to conduct an investigation in connection with the attack on Hawaii, to compel the attendance of witnesses and the production of books, papers, and documents.

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

H. R. 5785. An act to fix the responsibilities of disbursing and certifying officers, and for other purposes; and

H. R. 5938. An act to amend the Sugar Act of 1937, as amended, and for other purposes.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 5558. An act increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1949; and

H. R. 6215. An act to amend the Selective Training and Service Act of 1940 by providing

for the extension of liability for military service and for the registration of the manpower of the Nation, and for other purposes.

#### NATIONAL CEMETERY, PORTLAND, OREG.

Mr. THOMASON. Mr. Speaker, I submit a conference report and statement on the bill (S. 793) to provide for a national cemetery in the vicinity of Portland, Oreg., for printing in the RECORD.

The Clerk read the title of the bill.

The SPEAKER. Referred to the House Calendar and ordered printed.

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 793) to provide for a national cemetery in the vicinity of Portland, Oreg., having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

A. J. MAY,  
R. E. THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,  
DEWEY SHORT,

Managers on the part of the House.

ELBERT D. THOMAS,  
LISTER HILL,  
RUFUS C. HOLMAN,

Managers on the part of the Senate.

#### STATEMENT

The following statement is in explanation of the differences between the bill (S. 793) as passed by the House and the bill as agreed to in conference:

The bill as passed by the Senate authorized the Secretary of War "by donation, purchase, condemnation, or otherwise" to acquire the land necessary for carrying out the purposes of the legislation.

The House amended the bill by striking out "purchase, condemnation, or otherwise" so that, as amended, the bill would have authorized acquisition of the land only by donation.

The action recommended by the conference committee is that the House recede from its amendment, thus permitting the land to be acquired by "donation, purchase, condemnation, or otherwise".

A. J. MAY,  
R. E. THOMASON,  
DOW W. HARTER,  
W. G. ANDREWS,  
DEWEY SHORT,

Managers on the part of the House.

Mr. THOMASON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill S. 793.

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMASON. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the statement as above set out.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

#### NATIONAL CEMETERY IN THE NORTHWEST

Mr. ANGELL. Mr. Speaker, I want to take this opportunity to extend my sincere thanks to my distinguished colleague the gentleman from Kentucky [Mr.