

House of Representatives

FRIDAY, MARCH 29, 1946

The House met at 11 o'clock a. m.
The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Lord God of the ages, we pray that Thy blessing in all its fullness may descend upon us, that our thoughts may harmonize with Thy thoughts, that our judgments may be in consonance with Thy judgment, and that our acts may conform to Thy will. Bless all rich forms of the soul which are vouchsafed by the institutions of our Republic: one in language, one in morals, and one in the ideals of the future. Would to Thee that our generation would obey the standards it has erected, not charmed by the passing show, the tinsel, and the indulgences of life. As we hear the prayer of the parched fields and the cry of the needy, O give us a new vision that we may see a cloud rising out of the sea and hear the sound of abundance of rain. Do Thou set our souls in the enriched soil that we may bear fruit in every good work. In the blessed name of our Saviour. Amen.

THE JOURNAL

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

PROHIBITING CERTAIN COERCIVE PRACTICES AFFECTING RADIO BROADCASTS

Mr. LEA. Mr. Speaker, I call up the conference report on the bill (S. 63) to amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of March 27, 1946.)

CALL OF THE HOUSE

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

The SPEAKER. Evidently no quorum is present.

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

A call of the House was ordered.

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

[Roll No. 71]

Adams	Douglas, Calif.	Morrison
Allen, Ill.	Drewry	Murdock
Almond	Dworshak	Norton
Anderson, Calif.	Ellis	O'Brien, Ill.
Andresen	Engel, Mich.	O'Brien, Mich.
August H.	Fernandez	O'Hara
Andrews, Ala.	Fisher	Face
Baldwin, Md.	Fulton	Patman
Baldwin, N. Y.	Gamble	Patrick
Barden	Gardner	Patterson
Barrett, Pa.	Gerlach	Peterson, Fla.
Barry	Hall	Pfeifer
Bennet, N. Y.	Leonard W.	Quinn, N. Y.
Biemiller	Harness, Ind.	Rabaut
Bishop	Healy	Rains
Bland	Hedrick	Rayfel
Bradley, Pa.	Heffernan	Reece, Tenn.
Brumbaugh	Herter	Reed, Ill.
Buckley	Hoch	Rodgers, Pa.
Bunker	Hoffman	Roe, N. Y.
Burch	Hollfield	Rogers, Mass.
Butler	Holmes, Mass.	Sadowski
Byrne, N. Y.	Hook	Sasser
Byrnes, Wis.	Huber	Savage
Cannon, Fla.	Izac	Shafer
Carnahan	Jarman	Sharp
Celler	Kearney	Short
Chapman	Kefauver	Sikes
Chaperfield	Kelley, Pa.	Simpson, Pa.
Clason	Kelly, Ill.	Somers, N. Y.
Clements	Keogh	Spence
Coffee	Kirwan	Sumner, Ill.
Colmer	Klein	Taylor
Cooley	Kopplemann	Thom
Courtney	LaFollette	Thomas, N. J.
Crosser	Lane	Traynor
Crawford	Lemke	Wadsworth
Cravens	Lesinski	Welch
Curley	Ludlow	Whittington
Daughton, Va.	McCowen	Wilson
Davis	McDonough	Winter
Dawson	McGehee	Wolfenden, Pa.
De Lacy	Madden	Wolverton, N. J.
Delaney	Mankin	Wood
James J.	Mason	Woodhouse
D'Ewart	Merrrow	Worley
Dingell	Monroney	

The SPEAKER. On this roll call 293 Members have answered to their names, a quorum.

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

CORRECTION OF RECORD

Mr. NORRELL. Mr. Speaker, on page 2799 of the RECORD of yesterday it appears that the gentleman from West Virginia [Mr. HEDRICK] was appointed as a conferee on the War Department civil-functions bill, whereas in fact it was the gentleman from Florida [Mr. HENDRICKS] who was appointed. I ask unanimous consent that the RECORD and Journal be corrected accordingly.

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

There was no objection.

PROHIBITING CERTAIN COERCIVE PRACTICES AFFECTING RADIO BROADCASTING

Mr. LEA. Mr. Speaker, we have before us the conference report on the bill (S. 63) to amend the Communications Act of 1934, as amended, so as to prohibit

interference with the broadcasting of noncommercial cultural or educational programs. The conferees unanimously agreed to this report. The agreement makes only two changes in the bill as it passed the House, neither one of which is of substantial importance. The bill in substance is as it passed the House. The first of these changes strikes out the word "tribute" and substitutes the word "exaction" in two subparagraphs of the bill. This change is only a choice of words.

The other change relates to subsection (c) in reference to the contracts and legal obligations of the broadcaster. You will recall that the bill as it passed the House recognized the right of the broadcaster and persons dealing with him to make any contract mutually agreeable. Any contract or legal obligation of the broadcaster is to be enforceable by any means lawfully employed.

This provision, as agreed on in conference, provides that the bill, if enacted, shall not be held to make unlawful the enforcement or attempted enforcement, by means lawfully employed, of any contract right heretofore or hereafter existing, or of any legal obligation heretofore or hereafter incurred or assumed.

The only change made is the concluding language which makes contracts and legal obligations equally binding whether created heretofore or hereafter. This is not any change in substance as we interpret the bill as it passed the House.

The bill is not intended to prevent bargaining or the entering into contracts between the broadcaster and any other person, even for the purposes which are prohibited from being accomplished by coercion under terms of this bill. Any obligation created by contract thus made, or any obligation that exists as a matter of law against the broadcaster is subject to enforcement by legal procedures in court. A strike for failure to comply with such a contract would not be in violation of the provision of this bill. Therefore, there is nothing in controversy in this report. It carries out the purposes of the bill as it passed the House.

Mr. Speaker, I reserve the balance of my time and now yield 5 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, it is most unfortunate that the intent and purposes and the scope of this bill are not well known to the American people. As a matter of fact, they are not well known to even the Members of Congress. The American people have been subjected to an expenditure of \$1,500,000 on the part of the National Association of Broadcasters to popularize Mr.

Petrillo's middle name. Members of Congress have been treated to speech after speech carrying out the popularization of Mr. Petrillo's middle name. Under the guise—rather, should I say behind a smokescreen of an attack on Mr. Petrillo, there is now before the Congress what in my opinion is the most vicious antilabor measure ever presented to it. An examination of this bill will show just what it does to the American musicians. It does nothing to Mr. Petrillo but it helps impoverish American musicians. Let me give you just one instance in the bill of depriving musicians of earnings for the benefit of the broadcasting companies. The bill illegalizes payment for the use of transcription records. Let us see what is involved there. When the average American musician makes a record, he is really helping to put himself out of business. He is paid perhaps \$20 or \$30 for the making of that record. That record is used by the broadcasting companies, not for the cultural edification of anyone, but it is used to make money, more money, and more profit. It is played on programs advertising this or that item. The broadcasting companies are being paid for those programs. What does the American musician get for the playing of that record? Under this bill, what do you do? You say to the American musician that if he asks for a quarter of a cent royalty, and if he says "Unless you give me a quarter of a cent royalty on that record, I am going to refuse to work," under the language of this bill that means he is violating the law. Further, his refusal to work under those conditions constitutes a criminal offense under this bill. If there ever was a racket, this bill is a racket. If there ever was anything immoral, this bill is immoral. This bill takes money out of the pocket of the American musician and puts it in the pockets of the broadcasters. You cannot get away from that. You can stand up here and talk about burying Petrillo all you want, but, as a matter of fact, you are burying the American musician. That is what you are doing.

A great deal has been said about Interloken and about Legion bands and Shriners bands. Let us look at this thing realistically. I wonder how any Member of Congress would feel if somebody tried to invade his field of activity. The American musician wants to protect himself against amateur competition, because playing music is the livelihood of the American musician, and when amateurs try to invade that field and the American musician asserts his rights by refusing to work, going out on strike if necessary, under this bill you provide incarceration for him.

The SPEAKER. The time of the gentleman from New York [Mr. MARCANTONIO] has expired.

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

Mr. MARCANTONIO. So, examine item for item in this bill, and you find that it is a grab in favor of the broadcasting companies at the expense of the musician. It is a straight money proposition. You take money away from the American musician and put it in the pockets of the broadcasting companies.

I do hope that when the gentleman from Ohio [Mr. BROWN] or any other gentleman stands up here today, instead of devoting his time and energy to burying Caesar he will explain these propositions. I want to know just why you propose to make it illegal and unlawful for the American musician to insist that he be paid for the playing of these records. Explain that to the American people, instead of setting up a smoke screen about Julius Caesar Petrillo.

Explain why under this bill you are taking money away from the musicians and making it illegal for the American musician to insist that he get a share of the profits made by the companies out of records produced by him. The record which he has produced will drive him completely out of existence, unless he is given some form of royalty. We provide royalties for everyone, but we do not do it for the American musicians. Here you say it is illegal and unlawful if they go out on strike to get some of these well-earned pennies, and you want to send him to jail. Talk about the bill. Talk about this robbery of American musicians. Stick to the bill and do not set up smoke screens or boogies.

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

Mr. LEA. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. RABIN].

(Mr. RABIN asked and was given permission to revise and extend his remarks.)

Mr. RABIN. Mr. Speaker, I took the floor when this bill was originally considered by the House. At that time I stated, and I state it again, that I do not take the floor in defense of Petrillo. I take objection to this bill because of the way it is written. It transcends Petrillo; it transcends the musicians' union. It is written in a manner which will set a precedent that transcends any particular union. It affects labor generally.

What does this bill provide? It provides that "it shall be unlawful, by the use or express or implied threat of the use of force, violence, intimidation, or duress, or by the use or express or implied threat of the use of other means, to coerce, compel, or constrain" certain acts. Is the use of force, duress, violence, and intimidation legal now? Of course it is not. You do not have to write any law to make them illegal. What is left of the bill? What is new in this bill? What is left of the bill are the words "by any other means," which means the right to strike to accomplish certain ends. And this bill does not make those ends unlawful or illegal. If it did I might be inclined to vote for it. What this bill does is to make unlawful the right to strike for those ends which are otherwise lawful; and that is why I object to this bill. I believe it is a bill that affects labor generally, it impairs the right of labor to strike.

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

Mr. LEA. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. BROWN].

(Mr. BROWN of Ohio asked and was given permission to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, this conference report comes before you with the unanimous support of all the members of the conference committee. As explained by the gentleman from California it contains but two slight changes from the House bill as it passed this body. These amendments make no real change in the measure but simply clarify it.

I have listened with a great deal of interest to the argument made against this conference report, the same kind of argument that was made against the original bill, and against the rule under which that bill was first considered. These same questions raised here today have been passed upon by this body on two separate occasions; and by overwhelming majorities this measure has been approved by this body.

This bill of course affects James Caesar Petrillo, but it affects James Caesar Petrillo for just one reason, because he has taken a labor organization and used it for his own purposes against the welfare of labor and the welfare of the people of the United States. The Congress of the United States has by its action demonstrated its determination to put an end to these practices, and this bill does put an end to certain unfair practices of Mr. Petrillo, insofar as the Committee on Interstate and Foreign Commerce has jurisdiction over matter pertaining to radio.

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

Mr. BROWN of Ohio. I do not have time to yield at the moment.

You are told this legislation will reduce the compensation of musicians. It does nothing of the kind; for it does not reduce the compensation of any musician who actually plays any music. Those of us who have studied this measure know that better than two-thirds of the members of Mr. Petrillo's musicians organization are not working musicians. Only one-third do the playing; two-thirds derive other benefits; and, of course, this bill does not in any way reduce or limit the pay received by any man who actually plays music. It does prohibit collecting money for service which has not been rendered, or for music that has not been played. If compelling someone to pay you for something you have not done is not extortion, it is certainly a half-brother of extortion. That is the reason why the Congress of the United States has approved this legislation in both the House and the Senate.

That is the reason why this conference committee, made up of men who are just as good friends of labor as any who have spoken in opposition to this measure can be, are urging adoption of this report. If this legislation is such a great danger to labor, if this bill was designed to destroy the right to strike for any legal purpose, or if it may injure the cause of labor, then representatives of the great labor organizations of this country would have been before this Congress protesting the passage of this bill. Your mail would have been flooded with messages in opposition to the bill. But, instead, outside of a few organizations connected with this particular Petrillo group, no

messages opposing this bill have been received. Not a single labor organization, or representative of labor, including Mr. Petrillo, has come before this Congress or any committee thereof to defend the practices that are being outlawed by the passage of this bill. Remember, all this measure does is to prohibit certain practices in the radio industry which per se—just in themselves—are morally wrong, as the membership of this House so well knows and has so well attested by their approval of this legislation by a vote of something like 10 to 1. So, Mr. Speaker, I am urging this committee report, which supports completely and fully the original position and action taken by the House, be adopted.

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

Mr. BROWN of Ohio. I yield to the gentleman from New York.

Mr. MARCANTONIO. The gentleman has passed over very lightly these practices which the bill makes unlawful. Will the gentleman justify the making unlawful of any demand on the part of musicians that they be paid when their recordings are played?

Mr. BROWN of Ohio. There is no provision in this bill that prohibits them from being paid for any recordings they may make.

Mr. MARCANTONIO. I say, when those recordings are played.

Mr. BROWN of Ohio. I will answer the gentleman. The musicians who make these recordings are paid huge sums for making them and they are entitled now, under the law, to receive royalties on the recordings they make. The only difference is that once such recordings are made and go out into the field of use, then union representatives cannot follow through and demand additional payment every time any particular recording is played.

Let me say further, for the gentleman's edification and education, that today, as he well knows, union musicians are receiving higher compensation than ever before in history; that today there are more musicians employed in the United States than at any time in our history; that these recordings and radio appearances have made the musicians of the United States, and their profession, the most prosperous in all of our history, as well as in all the history of any nation on the face of the earth.

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

Mr. BROWN of Ohio. I yield to the gentleman from Mississippi.

Mr. RANKIN. If the views of the gentleman from New York [Mr. MARCANTONIO] were carried out, then we might say to every man who copyrights a book that everybody who reads that book has to pay him tribute?

Mr. MARCANTONIO. Oh, no.

Mr. BROWN of Ohio. Yes. They could collect for every item any machine they might build might turn out.

This is a matter of principle on which the House has passed.

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

Mr. BROWN of Ohio. I yield to the gentleman from California.

Mr. HINSHAW. I note that an amendment has been adopted to subsection (c) providing that the contracts already made or hereafter existing shall not come under the terms of the act.

Mr. BROWN of Ohio. That is correct.

Mr. HINSHAW. Would it be illegal to make a contract pursuant to this act which would require that the musicians who make the recordings—and I am speaking of a particular name band—for example, shall receive compensation when their recordings are played over the air?

Mr. BROWN of Ohio. Not if the contract is made under the usual process of collective bargaining.

Mr. HINSHAW. That is what I mean.

Mr. BROWN of Ohio. Certainly not.

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

Mr. BROWN of Ohio. I yield to the gentleman from New York.

Mr. RABIN. But you cannot strike to enforce a collective bargaining contract under this bill?

Mr. BROWN of Ohio. Certainly not, if contrary to law and public interest. In other words, this bill does this, as the gentleman well knows, it simply outlaws a strike called to compel someone to do something that is declared illegal.

Mr. RABIN. But you did not declare that illegal.

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

Mr. ALLEN of Louisiana. Mr. Speaker. I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and twenty-three Members are present; a quorum.

Mr. LEA. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and on a division (demanded by Mr. MARCANTONIO) there were—ayes 186, noes 16.

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

The yeas and nays were refused.

Mr. SMITH of Virginia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point or order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and thirty-four Members are present, a quorum.

So the conference report was agreed to. A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

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

Mr. WHITE asked and was given permission to extend his remarks in the RECORD in two instances and include certain extracts:

Mr. RIVERS asked and was given permission to extend his remarks in the RECORD and include a newspaper article by Rev. W. Montgomery Bennett, of Beaufort, S. C.

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

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. RYTER asked and was given permission to extend his remarks in the RECORD and include a report of William H. Davis and Arthur S. Meyer, the mediators designated by Secretary of Labor Schwelienbach on the Westinghouse labor dispute.

Mr. STEFAN asked and was given permission to revise and extend the remarks he expects to make on the Philippine bill and include a letter.

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

Mr. CLEVINGER asked and was given permission to extend his remarks in the RECORD and include a statement by Mr. George J. Buchy.

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

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter published in the Washington Post relative to General Mihailovich, who has been taken in Yugoslavia, and I ask that this be placed in the permanent RECORD with other similar material of March 27.

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

There was no objection.

[The matter referred to appears in the Appendix.]

SPECIAL ORDERS GRANTED

Mr. DOYLE. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 5 minutes, and to revise and extend my remarks and include a copy of House Resolution 575.

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

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

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

There was no objection.

EXTENSION OF REMARKS

Mr. GRANT of Indiana asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include a letter and in the other to include two editorials.

Mr. GILLIE asked and was given permission to extend his remarks in the Appendix of the RECORD and include a statement made by Mr. Farrington, of the National Livestock Exchange.

Mr. MUNDT asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial from the Republican magazine.

Mr. BRADLEY of Michigan asked and was given permission to extend his re-

marks in the Appendix of the RECORD and include a radio address delivered by him.

CORRECTION OF RECORD

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to make some corrections in a speech I made on March 14.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PHILIPPINE TRADE ACT OF 1946

Mr. DOUGHTON of North Carolina. 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. 5856) to provide for trade relations between the United States and the Philippines, 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 further consideration of the bill H. R. 5856, with Mr. ZIMMERMAN in the chair.

The Clerk read the title of the bill.

Mr. DOUGHTON of North Carolina. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Chairman, I asked for this time in order to inquire about the program for next week.

Mr. McCORMACK. On Monday the Consent Calendar will be called. Then the bill, S. 1907, authorizing permanent appointments in the Regular Navy and Marine Corps, will be considered. I understand that bill has been unanimously reported out of the Committee on Naval Affairs.

Mr. MARTIN of Massachusetts. I might add, and the gentleman from Massachusetts [Mr. McCORMACK] has probably had it called to his attention, that the Committee on Election of President and Vice President, headed by the gentleman from North Carolina [Mr. BONNER] has a bill relative to the Federal ballot law which was unanimously agreed on and which I understand is to be called up by unanimous consent.

Mr. McCORMACK. That is true. I understand a bill has been reported out of the committee of which the gentleman from North Carolina [Mr. BONNER] is chairman, and I understand that unanimous consent is going to be asked to consider the bill.

Mr. MARTIN of Massachusetts. I thought it might be well that the House have that information at this time.

Mr. McCORMACK. I am glad that the gentleman from Massachusetts has called it to the attention of the House.

To continue with the program further, on Tuesday, of course, the Private Calendar will be called. Then there is a conference report on the bill, S. 2, the airport Federal aid bill. Then there is the bill, H. R. 5059, the postal employees pay raise bill. There is also the Federal employees pay raise bill. Those three bills will be on for Tuesday and Wednesday.

On Thursday and Friday the District of Columbia appropriation bill will be up for consideration. Also, the bill, H. R.

5244, a bill authorizing the employment of additional foreign service officers in the classified grades.

If, by chance, the extension of the Selective Service Act bill is reported out of the Committee on Military Affairs during the week in time to be considered and in the event such consideration is agreeable to the committee, I would want to bring that up after the District of Columbia appropriation bill is disposed of. I have my doubts as to that, but if it can be considered I would like to bring that bill up.

Of course, any other conference reports may be called up at times agreeable to the House and, of course, such matters will be done after consultation with my friends, the gentleman from Massachusetts, or the acting leadership on the minority side at the time.

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

Mr. MARTIN of Massachusetts. I yield.

Mr. MICHENER. A resolution has been reported favorably out of the Committee on Rules providing for an investigation with reference to the disappearance of certain official papers. The resolution was introduced by the gentleman from Michigan [Mr. DONDERO]. I am sure the majority leader is familiar with the resolution.

The gentleman is also familiar with the fact that it may be called up within 7 days after it was reported.

Mr. McCORMACK. Any time after 7 days.

Mr. MICHENER. It has been reported more than 7 days. The gentleman from Michigan [Mr. DONDERO] told me he understood it was to be taken up next week. Can the gentleman not program the resolution?

Mr. McCORMACK. I am aware of the situation. I am sure if the gentleman from Michigan [Mr. DONDERO] were present, he would probably state that there was no distinct agreement on my part that I would put it down for next week. I am frank to state that I did not intend to program it unless some member of the Rules Committee forced my hand. Of course, I would expect that any member of the Rules Committee, as they always have in the past, would serve notice on me, and under such conditions I would program it. Now, I have not made any arrangements for it for next week. Is the gentleman serving notice on me?

Mr. MICHENER. The gentleman from Michigan is always cooperative in the best interests of orderly procedure. He feels that that resolution is in the best interests of Government. Feeling as he does, and feeling that the distinguished majority leader knows all about the resolution, he wonders why the gentleman from Massachusetts refuses to program it, unless a practice seldom invoked in the Congress is resorted to. The gentleman from Michigan reserves the right to make the motion to call up the resolution by virtue of the 7-day rule. That might inconvenience a program which the leader has outlined. I do not want to do that. Therefore, I am asking the gentleman, in the light of that statement, that he program this resolution.

Mr. McCORMACK. In the light of the program I have made—I waited until after 12 o'clock on Friday—and in the light of the fact that I have made the program, of course, the gentleman says he is amazed at my refusal. Of course, "refusal" was not the correct finding of fact to make. On the "amazement," the gentleman and I might disagree as to the question of fact. But here is the situation: Any member of the Rules Committee can call it up. I know that no member would do so without serving notice on me.

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

Mr. HOFFMAN. Mr. Chairman, I demand the regular order.

Mr. McCORMACK. I will program it for the week after next, in view of the gentleman's statement.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KNUTSON. Mr. Chairman, I yield 20 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Chairman, the debate on yesterday was very interesting, very elucidating, and altogether correct. All through the debates ran the fine sentiment of cordiality, best wishes flowing out from our Congress to the people of the Philippines, and reflected back to us by the distinguished representative in this Congress from the Philippines.

Mr. Chairman, the basis of this legislation is laid in that cordiality. The purpose of this legislation is to put into statute that cordial feeling, so that it might run on to benefit future generations.

It was said on this floor yesterday that probably never before in the history of the world was such legislation as this proposed. The reason for this is that at probably no time in the history of the world has one country shown such fine disposition toward another country which was one of its possessions. Most of the great countries of the world have acquired their possessions by force or by conquest, which is the same thing. But the United States took the Philippines for no other purpose than to free them from the tyranny of another country. It was always our purpose to give the Philippines independence when it seemed that they could maintain their independence. After the Spanish-American War our Nation spoke emphatically on this subject and promised to the Filipinos their freedom. This bill does not give the Filipinos freedom, because they have had that for some time. I should like to impress upon your minds if I can one fact, and that is that this bill has nothing to do with independence, which the Philippines will achieve on the 4th of July next. The independence of the Philippines has all been arranged for by legislation passed several years ago. This legislation is not necessary for that purpose. Also I should like to impress upon you the fact that this legislation is not intended to rehabilitate the Philippines by way of a gift or by way of a donation. No doubt within a few days after the passage of this bill another committee of this House will come forward with proper legisla-