

words "buildings and", to strike out "accessories" and insert "accessories,"; in line 25, after the word "land", insert "at a cost not to exceed \$36,000"; and on page 3, to strike out lines 9 to 13, inclusive, in the following words:

Naval Supply Depot, Oakland, Calif.: Fleet supply facilities, including buildings and accessories, waterfront structures, dredging, and purchase of land in substantial accord with Bureau of Yards and Docks Drawing Au-2, approved April 27, 1937.

And to insert:

Marine Barracks, Parris Island, S. C.: Four barracks buildings at main station, in substantial accord with Bureau of Yards and Docks Drawing Au-11, approved April 27, 1937; barracks building and accessories, rifle range, in substantial accord with Bureau of Yards and Docks Drawing Au-12, approved April 27, 1937; barracks building and accessories, receiving station, in substantial accord with Bureau of Yards and Docks Drawing Au-13, approved April 27, 1937.

Navy Yard, Puget Sound, Wash.: Acquisition of private rights in building no. 138, \$6,057.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to proceed with the construction of the following-named public works projects:

Navy Yard, Pearl Harbor, Hawaii: Purchase of land, at a cost not to exceed \$165,000.

Submarine Base, New London, Conn.: Submarine training school building and accessories, in substantial accord with Bureau of Yards and Docks Drawing Au-7, approved April 27, 1937; barracks building and accessories, in substantial accord with Bureau of Yards and Docks Drawing Au-8, approved April 27, 1937.

Fleet Air Base, Coco Solo, Canal Zone: Quarters and accessories for officers, in substantial accord with Bureau of Yards and Docks Drawing Au-10, approved April 27, 1937.

Fleet Air Base, Pearl Harbor, Hawaii: Final assembly shop building and accessories, in substantial accord with Bureau of Yards and Docks Drawing Au-9, approved April 27, 1937.

Naval radio and direction-finder stations: Annapolis, Md., additional facilities, including buildings and accessories, and purchase of land at a cost not to exceed \$125,000, in substantial accord with Bureau of Yards and Docks Drawing Au-1, approved April 27, 1937; Mare Island, Calif., master receiving and control station, including buildings and accessories, and purchase of land at a cost not to exceed \$264,000, in substantial accord with Bureau of Yards and Docks Drawing Au-4, approved April 27, 1937; high-frequency transmitting station, including buildings and accessories, in substantial accord with Bureau of Yards and Docks Drawing Au-5, approved April 27, 1937; Oahu, Hawaii, radio receiving station, including buildings and accessories, and purchase of land at a cost not to exceed \$36,000, in substantial accord with Bureau of Yards and Docks Drawing Au-3, approved April 27, 1937; general improvement of radio facilities, including buildings and accessories, at a cost not to exceed \$85,000.

Naval Supply Depot, San Diego, Calif.: Storage buildings and accessories, in substantial accord with Bureau of Yards and Docks Drawings Au-6a, and Au-6b, approved April 27, 1937.

Marine Barracks, Parris Island, S. C.: Four barracks buildings at main station, in substantial accord with Bureau of Yards and Docks Drawing Au-11, approved April 27, 1937; barracks building and accessories, rifle range, in substantial accord with Bureau of Yards and Docks Drawing Au-12, approved April 27, 1937; barracks building and accessories, receiving station, in substantial accord with Bureau of Yards and Docks Drawing Au-13, approved April 27, 1937.

Navy Yard, Puget Sound, Wash.: Acquisition of private rights in building no. 138, \$6,057.

Sec. 2. There is authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act.

The amendments were agreed to.

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

REGULATION OF AIR TRANSPORTATION

Mr. McCARRAN. Mr. President—

Mr. BARKLEY. I yield to the Senator from Nevada.

Mr. McCARRAN. I move that the Senate proceed to the consideration of Calendar No. 702, being Senate bill 2.

Mr. LA FOLLETTE. Let the bill be read by title.

Mr. McKELLAR. Mr. President, is that motion debatable?

Mr. LA FOLLETTE. I am only asking that the bill be read by title before we vote on the motion.

The VICE PRESIDENT. We are going to have a little order in the Senate. The Chair recognized the Senator

from Kentucky because he is the leader of the Democrats in the Senate. Does the Senator from Kentucky yield; and if so, to whom?

Mr. BARKLEY. Mr. President, I yielded to the Senator from Nevada to make a motion, which he has made.

The VICE PRESIDENT. The Senator from Nevada has moved that the Senate proceed to consider Calendar No. 702, Senate bill 2.

Mr. McKELLAR. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McKELLAR. Is the motion debatable?

The VICE PRESIDENT. It is.

Mr. McKELLAR. Mr. President, I desire to be recognized to debate the motion.

Mr. LA FOLLETTE. Mr. President—

Mr. McCARRAN. I have the floor.

The VICE PRESIDENT. The Senator from Nevada has the floor. Does the Senator from Nevada yield?

Mr. McCARRAN. For what purpose?

Mr. LA FOLLETTE. I wish to inquire what the bill covers, and what is involved in it, before the motion to proceed to its consideration is disposed of. Of course, I have no objection to the Vice President recognizing the Senator from Kentucky [Mr. BARKLEY], but I do say that other Senators are entitled to know what business is being transacted in the Senate.

The VICE PRESIDENT. When the Chair recognized the Senator from Kentucky it was on the theory that the Senator from Kentucky would yield to whatever Senator desired him to yield, in order that a motion might be made to take up for consideration some piece of proposed legislation. The Senator from Kentucky was on his feet at the time. The Chair thinks it is his duty to recognize the Senator from Kentucky when he is on his feet, or to recognize the Senator from Vermont [Mr. AUSTIN], who is acting as leader of the minority at the present time, if he should be on his feet. The Senator from Kentucky yielded to the Senator from Nevada for the purpose of making a motion, as the Chair understood, to proceed to the consideration of a certain bill. After that motion was made, the Senator from Tennessee [Mr. McKELLAR] asked whether the motion was debatable. If so, he desired to debate it. That is the parliamentary situation at this moment.

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

Mr. McCARRAN. I yield.

Mr. BARKLEY. Mr. President, I yielded to the Senator from Nevada for the purpose of allowing him to make the motion to consider the bill, not with the view of considering it this afternoon, but to make it the unfinished business. It is the aviation bill which has been on the calendar for some time.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. LA FOLLETTE. Most respectfully I desire to say that under the rules of the Senate I think it is not permissible for one Senator to be recognized and then to yield to another Senator and thus permit him to obtain the floor to make a motion. The rules of the Senate are very specific, and, in my judgment, they are mandatory upon the Chair. They provide that he must recognize Senators in the order in which they address the Chair.

I have no objection to the Senator from Nevada making the motion to proceed to the consideration of the bill referred to by him, but in view of the rapidity with which the Senate has been proceeding during the past 5 minutes I was very apprehensive that the bill might be made the unfinished business before the Senator from Wisconsin could ascertain what the bill is. When I attempted to secure recognition to obtain information about it, the Chair kept informing the Senator from Wisconsin that he had recognized the Senator from Kentucky, and that the Senator from Kentucky in

turn had farmed out the floor to the Senator from Nevada. [Laughter.]

The VICE PRESIDENT. Let the Chair make a statement.

The Chair recognized the Senator from Kentucky because he is the leader on the Democratic side of the Chamber. He would recognize the Senator from Vermont [Mr. AUSTIN], acting Republican leader, in the same way. When the Senator from Kentucky yielded to the Senator from Nevada, the Senator from Nevada was on his feet. Had the Senator from Kentucky informed the Chair that he wanted the Senator from Nevada to be recognized, as he was on his feet, the Chair would have recognized him. So the procedure is the same. The Chair would have recognized the Senator from Nevada [Mr. McCARRAN] because the Senator from Kentucky had suggested to the Chair that he would like to have the Senator from Nevada recognized, and that Senator being on his feet and other Senators on their feet the Chair would have recognized the Senator from Nevada. So the result is about the same.

Mr. LA FOLLETTE. Mr. President, will the Senator from Nevada yield further?

Mr. McCARRAN. I yield.

Mr. LA FOLLETTE. I recognize that under the rule, where more than one Senator is addressing the Chair, obviously the Chair has a right to recognize the Senator who addresses him first; but it is perfectly clear that when the Chair recognizes one Senator and then permits that Senator, in turn, to yield to another, such procedure does not conform to the rule and the result is not the same, for all Senators are not given an equal opportunity to address the Chair and to seek recognition from the Chair.

The VICE PRESIDENT. The statement of the Senator from Wisconsin is absolutely correct. It is only a matter of mathematics. [Laughter.] If the Senator from Kentucky [Mr. BARKLEY] had suggested to the Chair that he desired to have the Senator from Nevada take up a certain bill at the conclusion of the consideration of the bill in charge of the Senator from Massachusetts [Mr. WALSH], the Chair would have recognized the Senator from Nevada [Mr. McCARRAN]. Ordinarily he recognizes the Senator from Kentucky at this hour. The Senator from Kentucky yielded to the Senator from Nevada.

The Senator from Wisconsin is absolutely correct that the Senator from Kentucky cannot farm out his time. However, the Chair would have recognized the Senator from Nevada upon the suggestion of the Senator from Kentucky.

Mr. LA FOLLETTE. Mr. President, will the Senator from Nevada yield further?

Mr. McCARRAN. I yield.

Mr. LA FOLLETTE. I do not desire to detain the Senate any further by a discussion of the parliamentary situation. However, it is very important from the point of view of precedence and from the point of view of the conduct of the business of the Senate, and that is why I want to make one further statement concerning the situation.

The Chair will obviously recognize that on day before yesterday a situation developed which gave an opportunity to the junior Senator from New York [Mr. WAGNER] to move to proceed to the consideration of a bill, which would not have been possible had the Chair been following the procedure which he has followed this evening, because the Senator from Kentucky [Mr. BARKLEY] could then have stated that he yielded to the Senator from Utah [Mr. KING]. However, so far as that is concerned, there would be no objection whatsoever to the Senator from Kentucky making all motions to proceed to the consideration of bills.

Let it be understood that I am not in favor of upsetting the procedure here, nor the program; but I believe that the question of recognition is very important from the point of view of preserving the rights of Senators. While I realize that no rights have been sacrificed in this instance, I want to call attention to the question, and I hope the present occupant of the Chair will understand.

The VICE PRESIDENT. Let the Chair make a further statement. The Senator from Wisconsin is absolutely cor-

rect. So long as the present occupant of the chair is presiding over the Senate there is going to be absolute compliance with the rule as to recognition. The illustration of the Senator from Wisconsin, however, is unfortunate in this respect, that when the present occupant of the chair recognized the junior Senator from New York [Mr. WAGNER], the Senator from Kentucky [Mr. BARKLEY] was not on his feet nor was any other Senator on his feet and, therefore, the Chair was compelled to recognize the Senator from New York [Mr. WAGNER]. If the Senator from Kentucky had been on his feet at the time or if any other Senator had been on his feet at the time, the Chair could have taken his choice, but at that time no Senator was on his feet except the junior Senator from New York, and the Chair recognized him, as he should have done.

Mr. BARKLEY. Mr. President, the Senator from Kentucky would have been on his feet at the time except that he expected another Senator to be on his feet, but he did not happen to be on his feet at the time. [Laughter.]

Mr. President, I have no desire to farm out the right to be recognized on the floor, but from time immemorial it has been the custom late in the afternoon for the Senator in charge of the program to obtain the floor and then yield to other Senators to call up bills which were not controversial. In attempting to arrange the program for today, I had understood that after the sugar bill was out of the way, the Senator from Utah [Mr. KING] would be recognized to move consideration of the District airport bill; that following the disposal of that bill the Senator from Texas [Mr. SHEPPARD] would move to proceed to the consideration of an Army housing bill; and following that the Senator from Massachusetts [Mr. WALSH] would ask the Senate to proceed to the consideration of a naval housing bill.

Of course that seemed to involve a pretty good day's work, and I had not anticipated those bills would be out of the way in time for the Senator from Nevada [Mr. McCARRAN], who for days has been seeking recognition to make his bill the unfinished business, to do that this afternoon. Having the floor, while it was not strictly in accordance with the rule, yet it was in accordance with the custom that I should yield to him and for that reason I did so. I have no desire to farm out the time of the Senate to any Senator.

Mr. McKELLAR. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. McKELLAR. When a Senator is recognized for the purpose of making a motion and he has made the motion, is he entitled to retain the floor?

The VICE PRESIDENT. If he desires to retain the floor he is entitled to it.

Mr. McKELLAR. I desire to say, if the Senator from Nevada will permit me, that the bill which is in charge of the Senator from Nevada is an exceedingly important bill—

Mr. McCARRAN. Mr. President, I do not yield for the purpose of a speech.

Mr. McKELLAR. If the Senator does not yield now, I want to be recognized before action is taken on the motion of the Senator from Nevada to proceed to the consideration of his bill.

The VICE PRESIDENT. The Senator from Tennessee will never be deprived of his right to address the Senate.

Mr. McKELLAR. I know that, particularly so long as the Vice President is in the chair.

Mr. BARKLEY. Mr. President, it is obvious the motion of the Senator from Nevada cannot be disposed of this afternoon.

The VICE PRESIDENT. What is the pleasure of the Senate?

EXECUTIVE SESSION

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

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