

and for other purposes,' approved June 3, 1916, be amended to read as follows:

"Sec. 126. That an enlisted man honorably discharged from the Army, Navy, or Marine Corps since November 11, 1918, or who may hereafter be honorably discharged, shall receive 5 cents per mile from the place of his discharge to his actual bona fide home or residence, or original muster into the service, at his option: *Provided*, That for sea travel on discharge, transportation and subsistence only shall be furnished to enlisted men: *Provided*, That naval reservists duly enrolled who have been honorably released from active service since November 11, 1918, or who may hereafter be honorably released from active service, shall be entitled likewise to receive mileage as aforesaid."

And the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed by the Senate amendment insert the figure "4"; and the Senate agree to the same.

S. H. DENT, JR.,  
W. J. FIELDS,  
JULIUS KAHN,

*Managers on the part of the House of Representatives.*

GEO. E. CHAMBERLAIN,  
G. M. HITCHCOCK,  
F. E. WARREN,

*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 to (H. R. 13366) an act entitled, "An act permitting any person who has served in the United States Army, Navy, or Marine Corps in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions," submit the following written statement explaining the effect of the action agreed upon:

The House receded upon Senate amendment No. 1 with an amendment giving to enlisted men in the Naval Reserve who have been on active duty the same privileges allowed to the enlisted men in the Army, Navy, and Marine Corps upon muster out. The Senate receded from amendment No. 2, providing for extra pay to officers and enlisted men in the Army, Navy, and Marine Corps, this matter having already been adjusted by both Houses in the revenue bill. The only other change, of course, is in the numbering of the sections.

S. H. DENT, JR.,  
W. J. FIELDS,  
JULIUS KAHN,

*Managers on the part of the House.*

Mr. DENT. Now, Mr. Speaker, unless some Member desires to ask a question, I move the previous question.  
The previous question was ordered.  
The conference report was agreed to.

#### RELIEF OF INFORMAL CONTRACTS.

Mr. DENT. Mr. Speaker, I call up the conference report on the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. WALSH. Well, Mr. Speaker, if we are going to consider this conference report we ought to have a full attendance, and I make the point of no quorum.

Mr. KAHN. Let me suggest to the gentleman from Alabama that he call up the other conference report on the resumption of voluntary enlistments.

Mr. DENT. I think that ought to be disposed of, but I have not the consent of the Speaker to recognize me for three different propositions.

The SPEAKER. The Chair will recognize the gentleman.

Mr. WALSH. Mr. Speaker, I withdraw the point of order.

Mr. DENT. Then, Mr. Speaker, I call up the conference report on Senate bill 5279, to authorize the resumption of voluntary enlistment in the Regular Army, and for other purposes.

The Clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 5279) to authorize the resumption of voluntary enlistment in the Regular Army, 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 Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House No. 2, and agree to the same with an amendment, as follows: In lieu of the matter proposed by the amendment of the House insert the following: "*Provided*, That from and after the approval of this act, one third of the enlistments in the Regular Army of the United States shall be for a period of one year, and the remaining two-thirds thereof shall be for the period of three years. Any person enlisting under the provisions of this act shall not be required to serve with the reserves. The pay of the men enlisted hereunder shall be the same as that provided by the act entitled 'An act to authorize the President to increase temporarily the Military Establishment of the United States,' approved May 18, 1917: *Provided further*, That after the expiration of one year those enlisting for the period of three years may be discharged in the discretion of the Secretary of War under such rules and regulations as may be prescribed by him after one year of service"; and the House agree to the same.

S. H. DENT, JR.,  
W. J. FIELDS,  
JULIUS KAHN,

*Managers on the part of the House.*

GEO. E. CHAMBERLAIN,  
G. M. HITCHCOCK,  
F. E. WARREN,

*Managers on the part of the Senate.*

The statement is as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 5279) to authorize the resumption of voluntary enlistments in the Regular Army, and for other purposes, submit the following written statement explaining the effect of the action agreed upon, to wit: Instead of providing for a period of enlistments for one year only, as decided by the House, the conferees agreed that one-third of the enlistments should be for a period of one year and the remaining two-thirds for a period of three years. The conferees adopted the House provision exempting enlistments from service in the reserve. An agreement was reached as to the House provision making the pay of enlisted men the same as that of the act of May 18, 1917, the act providing for the temporary increase in the Army. The provision was also agreed upon to the effect that those enlisting for three years might be discharged at the discretion of the Secretary of War after the expiration of a period of one year.

S. H. DENT, JR.,  
W. J. FIELDS,  
JULIUS KAHN,

*Managers on the part of the House.*

Mr. DENT. Mr. Speaker, I may state briefly that the conferees on the part of the House and Senate made a compromise on the question as to the period of enlistment by providing that one-third of the enlistments would be for one year and two-thirds for a period of three years.

Mr. HASTINGS. But the number is not increased.

Mr. DENT. No.

Mr. WALSH. Neither one serves in the reserves.

Mr. DENT. Neither one serves in the reserves.

Mr. WALSH. Will the gentleman state how the proportions are fixed at one-third and two-thirds?

Mr. DENT. That is largely a matter of guesswork. It was first suggested in conference that a certain number of the Army enlist for a period of one year and the balance for a period of three years.

Mr. WALSH. As I understand it, the Army will have no enlistment for three years with four years in the reserves after this becomes a law?

Mr. DENT. That is true.

Mr. TILSON. What do I understand about the one-third; what does that mean? Suppose you can not get any men under the three-year enlistment, but all want to enlist in the one-third for one year; how many men can you enlist for one year?

Mr. DENT. You could only enlist one-third of the total.

Mr. TILSON. And not one-third of those who enlist?

Mr. DENT. No; one-third of the total.

Mr. TILSON. If the Army constitutes 175,000 men, that would authorize one-third of 175,000, even if no one enlisted for the three-year period?

Mr. DENT. That is undoubtedly the construction to be placed upon the agreement reached by the conferees. Mr.

Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

VALIDATION OF INFORMAL WAR CONTRACTS.

Mr. DENT. Mr. Speaker, I call up the conference report upon the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law.

Mr. WALSH. Mr. Speaker, this matter is one of the most important matters awaiting attention, and we ought to have a full attendance whenever it is considered. I make the point of order that there is no quorum present.

Mr. BYRNES of South Carolina. Mr. Chairman, will not the gentleman from Alabama [Mr. DENT] withdraw that motion and allow us to go on with the appropriation bill?

Mr. DENT. Mr. Speaker, this is a very pressing matter, and it is something that necessarily must go back to conference. It does not make any difference what action the House takes, this bill necessarily must go back to conference, because there is a complete disagreement. We are in exactly the same situation that we were when we started. I hope the gentleman from Massachusetts will not make the point of order that there is no quorum present, but will let us dispose of this matter in some shape. If the matter comes up, it is my intention to make a motion that the House do further insist upon its disagreement to the Senate amendment.

The SPEAKER. Does the gentleman from Massachusetts insist upon his point of order?

Mr. WALSH. I think I shall have to insist upon it.

The SPEAKER. The Chair will count.

Mr. WALSH (interrupting the count). Mr. Speaker, I withdraw the point temporarily.

The SPEAKER. The Chair thanks the gentleman, and the Clerk will report the conference report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13274) to provide relief where formal contracts have not been made in the manner required by law having met, after full and free conference have been unable to agree.

S. H. DENT, Jr.,

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*Managers on the part of the House.*

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C. S. THOMAS,

F. E. WARREN,

*Managers on the part of the Senate.*

Mr. DENT. Mr. Speaker, I move that the House do further insist upon its disagreement to the Senate amendment.

Mr. FOSTER. Mr. Speaker, I desire to offer a motion to instruct the conferees.

Mr. CANNON. They have already been instructed, have they not?

Mr. GORDON. Yes.

Mr. FOSTER. But I want to instruct them again.

Mr. GORDON. They have been twice instructed against this same thing.

Mr. FOSTER. It is not the same thing.

Mr. DENT. The gentleman has the right to make that motion.

The SPEAKER. The Chair will suggest that, under a long line of decisions in matters similar to this, there is nothing before the House. Speaker Reed held there was nothing before the House, and such a motion would not be in order at this time.

Mr. FOSTER. Is not this bill before the House?

The SPEAKER. There is nothing in this report that the House has to act on.

Mr. KAHN. The bill is before the House with a Senate amendment.

The SPEAKER. That is correct. We are exactly where we started.

Mr. FOSTER. Before the bill goes back to conference, I desire to move to instruct the conferees.

Mr. HARRISON of Virginia. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARRISON of Virginia. Is a motion now in order that the House concur in the Senate amendment in regard to min-

ing claims, with an amendment that the amount shall not exceed a certain amount?

Mr. MANN. Mr. Speaker, it is not in order to concur in a part of the Senate amendment with an amendment. The House must by its action in the end dispose of the Senate amendment. The House can concur in the Senate amendment with an amendment, or it can insist upon its disagreement to the Senate amendment, but it can not concur in a part of the Senate amendment with an amendment. It must act upon the whole amendment.

The SPEAKER. Is that the case the gentleman from Virginia presents?

Mr. MANN. That is the case, because the gentleman's suggestion was with reference to section 7 of the Senate amendment. The Senate made one amendment to the entire bill. The action taken by the House, whatever it may be, must be upon the entire amendment. Of course we can concur in the Senate amendment with an amendment striking out all of the Senate amendment and inserting what the House thinks should be inserted, but you can not concur in a part of the Senate amendment. You can instruct the conferees before they are appointed.

The SPEAKER. The gentleman from Illinois has answered the inquiry of the gentleman from Virginia, and the Chair concurs in his answer.

Mr. FIELDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FIELDS. When this matter was before the House a few days ago, the House instructed the conferees to disagree to section 5 of the conference report. Would a motion be in order to send the conferees back to conference uninstructed?

Mr. MANN. Of course a motion to send the conferees back uninstructed is not in order, because it is not necessary.

Mr. FIELDS. The conferees go back instructed unless the House instructs them.

Mr. GORDON. We have already instructed them.

Mr. MANN. I doubt very much whether they go back instructed. They have reported that they disagree on the instruction that was had. Of course, the conferees might feel obligated to retain the instructions of the House, but when you appoint new conferees my impression is that the old instructions go by the board.

The SPEAKER. The old instructions are played out. We have to start anew again. This matter is precisely where it was when the conferees were appointed.

Mr. WINGO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WINGO. The conferees having made a report, and the Speaker having laid the bill before the House, the only action that the House can take at this time is to send it back to conference, is it not?

The SPEAKER. Of course.

Mr. WINGO. Is a motion in order to send the bill back to conference and appoint new conferees?

The SPEAKER. Yes.

Mr. WINGO. I make that motion.

Mr. KAHN. It has already been made.

The SPEAKER. The gentleman from Alabama [Mr. DENT] has already made that motion.

Mr. KAHN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes in regard to this matter, which is a very important matter for the business interests of this country and the European nations.

Mr. FOSTER. Would not the gentleman wait until I offer my motion to instruct the conferees?

Mr. GORDON. Oh, well, we want to divide the time on this.

Mr. CANNON. Does the gentleman propose to discuss the merits of the proposition?

Mr. KAHN. No.

Mr. CANNON. On this bill?

The SPEAKER. If it gets in conference, then before the conferees are appointed the gentleman from Illinois [Mr. FOSTER] can make his motion. The gentleman from Alabama moves that the House insist on its disagreement and ask for a new conference.

Mr. KAHN. Mr. Speaker, will the gentleman from Alabama yield me 10 minutes.

Mr. DENT. I yield the gentleman from California 10 minutes.

Mr. KAHN. Mr. Speaker, the conferees on the part of the House, taking the instructions of the House, refused to accept the Senate amendment on the mineral section of the informal contract bill. The conferees on the part of the Senate are just as firm for the Senate proposition as the conferees on the part of the House. But they suggested that we call to the attention of the House a proposition that they had in mind, namely, that