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FOREWORD

This issue constitutes the second and last part of the final symposium in a series of three symposiums, contained in four issues of LAW AND CONTEMPORARY PROBLEMS, dealing with matters closely related to war contracts. The first, on Excess Profits Taxation, appeared toward the end of 1943; the second, on War Contract Renegotiation, was published in January, 1944, though designated the Autumn 1943 number; the third, on War Contract Termination, came out in two parts of which Part I was published in the Winter, 1944, issue (appearing in March, 1944). Part I contained the following articles:

The War Adjustment Problem, by Cecil E. Frazer (Harvard Graduate School of Business Administration)

Policies and Procedures for the Termination of War Contracts, by Leon Malman (War Department)

Problems Arising Out of the Subcontractor Relationship, by John S. Carter (Radio Corporation of America)

Company Settlements, by Allen W. Maddren (Research Institute of America)

The Role of Congress in Contract Termination, by Bertram M. Gross (War Contracts Subcommittee, Senate)

The discussion in this issue opens with an historical examination of the World War I experience in the termination and settlement of war contracts. The authors, Messrs. Gromfine and Edwards, both now in the armed forces, have explored much original-source material which offers interesting comparison with World War II problems and techniques.

In the following article, Mr. Dundas Peacock, of the Elliott Company, discusses an aspect of termination frequently of the utmost importance to the war contractor, as well as the Government—the accounting problem. While this was written before the actual passage of the Contract Settlement Act of 1944, there is nothing in that Act which invalidates his discussion.

Labor's concern over the policies and procedures in termination of war contracts, as well as over general post-war job security, is set forth in the next article, by Mr. Boris Shishkin, economist of the American Federation of Labor. Many of the points he raises will probably be covered in future legislation necessary to supplement the relatively narrow scope of the Contract Settlement Act of 1944.

Two articles are devoted to the disposition of properties released from military requirements. This topic has so many ramifications and is at present so embryonic that any over-all discussion is necessarily exploratory at this time. "Disposition of Federally Owned Surpluses," by Clifton E. Mack, Director of Procurement, Treasury Department, is essentially of this exploratory nature. Further legislation can be expected. Major Christoffer's article, "Disposal of Contractor-owned Property on Termination," narrower in scope, is of practical interest to both war contractors and contracting officers in its discussion of detailed procedure.

Although the subsequently passed Contract Settlement Act of 1944 will result in certain changes in the machinery set up to handle the claims and settlements arising from contract terminations, the article on "Administrative and Judicial Machinery" by Mr. Maddren of the Research Institute of America indicates what is probably the basic structure of forthcoming, as well as of presently existing, mechanisms.

Senator James E. Murray, Chairman of the War Contract Subcommittee of the Senate Military Affairs Committee which conducted extensive hearings on bills concerning contract terminations, gives an enlightening commentary on the Contract Settlement Act of 1944 (approved July 1, 1944) in the concluding article of this symposium. His comments are particularly significant in view of the fact that this Act substantially reflects the contents of the bills which he had introduced.

It is regretted that circumstances have forced the periodical to abandon the hopes which it had entertained for including in this symposium articles on interim financing and on integration of termination policies with other governmental post-war objectives.

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