CIRCUIT JUDGE, THIRD CIRCUIT, TERRITORY OF HAWAII

James Wesley Thompson, of Hawaii, to be circuit judge, third circuit, Territory of Hawaii. (He is now serving in this office under an appointment which expired February 23, 1930.)

CIRCUIT JUDGE, FOURTH CIRCUIT, TERRITORY OF HAWAII

Homer L. Ross, of Hawaii, to be circuit judge, fourth circuit, Territory of Hawaii. (He is now serving in this office under an appointment which expired February 18, 1930.)

UNITED STATES DISTRICT JUDGE

Robert P. Patterson, of New York, to be United States district judge, southern district of New York, to succeed Thomas D. Thacher, resigned.

UNITED STATES MARSHAL

William Lee Brand, of Virginia, to be United States marshal, western district of Virginia, to succeed S. Green Proffitt, whose term expired December 18, 1929.

PROMOTION IN THE NAVY

Capt. William D. Leahy to be a rear admiral in the Navy from the 6th day of April, 1930.

HOUSE OF REPRESENTATIVES

THURSDAY, *April 24, 1930*

The House met at 11 o'clock a. m.

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

Almighty God, not unto us, not unto us, but unto Thy name give glory and honor, for Thy mercy and for Thy truth's sake. O Lord, awaken us to a full realization of the blessedness of our inheritance, walking humbly with God and patiently among men, making known Thy power, even the power of the still, small voice. Uphold and animate Thy servants and give them strength and wisdom for this day. Deliver us from the unrest of life and from its recurring anxiety. Direct us to that which is higher than happiness, and then it will steal into our breasts and join us on the way. O let us forget it in the passion of higher things and then it comes. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had agreed to the amendments of the House to the bill (S. 3477) entitled "An act validating certain applications for and entries of public lands, and for other purposes."

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 10081. An act to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California.

The message also announced that Mr. KEYES and Mr. KENDRICK had been appointed additional conferees on the part of the Senate on the bill (H. R. 7491) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes."

THE GREAT LAKES-ST. LAWRENCE WATERWAY PROJECT AND THE NEW YORK BARGE CANAL

Mr. BURTNESS. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. BURTNESS. Mr. Speaker and Members of the House, in view of the fact that time had been allotted to me for to-day in the event consideration of the pending bill had been completed, and inasmuch as the matter I wanted to discuss comes up for consideration to-morrow, I now ask that I may extend my remarks and insert in the RECORD at this point the speech which I had intended to make.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURTNESS. Mr. Speaker and Members of the House, my remarks to-day are made from the standpoint of one who believes thoroughly in a sane and constructive development of water transportation and as one who places at the head of all proposed developments the early and final consummation of the Great Lakes-St. Lawrence waterway project.

It is in that light that I will later attempt to show the necessity of striking out of the pending rivers and harbors bill the paragraph which provides for the Government taking over the New York Barge Canal. By way of comment at the beginning I may say I expect to show by abundant proof that the canal is not worth taking over, that such action is purely an attempt on the part of some people in New York to unload a financial burden and pass it on to Uncle Sam, that we would not know what to do with it if we do obtain it, that it would involve us in tremendous expense without corresponding benefits, that the proposal is a departure from businesslike methods in dealing with navigation improvements and seems to be the result of political trading, and that above all other considerations it is a stab in the back and might result in a death blow to the Great Lakes-St. Lawrence project.

President Hoover received a tremendous vote in the Northwest and the Great Lakes States in the last campaign, due in large part to his many years of earnest advocacy of the Great Lakes-St. Lawrence project. We knew he was sincere in his espousal thereof. We felt he was peculiarly fitted to carry it through to a successful conclusion.

I have no right to speak for the President, but I do entertain the belief that the outstanding accomplishment which he would like to leave to generations of future Americans as a monument to his administration is the completion of this project. We in Congress should help and not hinder him in such desire.

And what an accomplishment it would be! It would probably mean more substantial farm relief than can be given in any one act, for it would mean not temporary but permanent relief. It would give 14 or 15 land-locked States free access to tidewater. It would mean from 6 to 10 cents additional for the wheat and rye we produce. It would mean substantial savings in transporting many commodities we buy. It would help to do away with the economic disadvantages from which we have suffered due to the building of the Panama Canal.

Let me first review some of the official steps taken in the project up to this time and the conclusions reached by the various official bodies.

By section 9 of the rivers and harbors act, approved March 2, 1919, Congress expressed a desire that the International Joint Commission investigate what further improvement of the St. Lawrence River between Montreal and Lake Ontario was necessary to make the river navigable for ocean-going vessels, together with the estimated costs thereof. Under date of January 21, 1920, the Governments of the United States and Canada, by agreement, referred the matter to such joint commission, which, in turn, held very extensive hearings thereon at various points on both sides of the international boundary from Boston, New York, and Montreal in the East to Boise and Calgary in the West. This commission made a very comprehensive report under date of January 2, 1922, which can be found in Senate Document No. 114, Sixty-seventh Congress, second session. I quote the following from the summary of conclusions found at page 176 of such document:

To sum up as briefly as possible its conclusions in the matter of the proposed improvement of the St. Lawrence River between Lake Ontario and Montreal, the commission finds nothing in the evidence to warrant the belief that ocean-going vessels of suitable draft could not safely navigate the waters in question as well as the entire waterway from the Gulf of St. Lawrence to the head of the Great Lakes, or that such vessels would hesitate to do so if cargoes were available.

It finds that of the various alternative roads mentioned from the interior to the seaboard none offers advantages comparable with those of the natural route by way of the St. Lawrence.

As to the economic practicability of the waterway, the commission finds that, without considering the probability of new traffic created by the opening of the water route to the seaboard, there exists to-day, between the region economically tributary to the Great Lakes and overseas points, as well as between the same region and the Atlantic and Pacific seaboards, a volume of outbound and inbound trade that might reasonably be expected to seek this route sufficient to justify the expense involved in its improvement.

It finds that, as between the American and Canadian sides of the tributary area, the former contributes very much the larger share of this foreign and coastwise trade, and in all probability will continue to do so for many years to come. The benefits to be derived from the opening of a water route to the sea will therefore accrue in much larger measure to American than to Canadian interests, though it is reasonable to assume that eventually the advantages may be more evenly distributed.

It finds that the existing means of transportation between the tributary area in the United States and the seaboard are altogether inadequate; that the railroads have not kept pace with the needs of the country; but that this does not apply to the Canadian side of the area, where railway development is still in advance of population and production.

* * * * * * *

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

The conclusion is obvious that if countries that had for the most part to import their raw materials from abroad were able to build up a great foreign trade because of their ready access to the sea, the region economically tributary to the Great Lakes, with its limitless resources, its raw materials within easy reach, its facilities for industrial expansion, can hardly fail to become an even greater factor in the world's markets than it is to-day if given a practicable and efficient water route to the sea.

The foregoing conclusions were reached unanimously by the six members of the joint commission, each country being represented by three members thereon. They all joined in a recommendation, as follows, found on page 180 of the report:

That the Governments of the United States and Canada enter into an arrangement by way of treaty for a scheme of improvement of the St. Lawrence River between Montreal and Lake Ontario.

These conclusions were not reached by this commission upon lay evidence alone; it had the benefit of a splendid and thorough report made by the United States and Canadian Government engineers, under date of June 24, 1921. These engineers were Col. W. P. Wooten, Corps of Engineers, United States Army, and Mr. W. A. Bowden, Chief of Engineers, department of railways and canals, both of whom were appointed for the purpose by their respective Governments. Their report, often referred to as the Wooten-Bowden report, can be found by those interested in Senate Document No. 179, Sixty-seventh Congress, second session. Lack of time forbids quoting therefrom, and it will suffice to say that the report was very favorable to the project.

President Coolidge, like his predecessor, President Harding, was a firm believer in the economic advantages that would accrue to the United States with the completion of a deep-sea waterway from the Great Lakes to tidewater through the St. Lawrence River. On March 14, 1924, he appointed an advisory committee of nine members, headed by the then Secretary of Commerce, Mr. Hoover, which commission was known as the St. Lawrence Commission of the United States. A like body known as the National Advisory Committee of Canada, was appointed by the Canadian Government on May 7, 1924. By agreement between the two Governments a joint board consisting of six eminent engineers were also appointed in accordance with the recommendation made in the international joint commission's report of January 6, 1922, and the two governmental commissions had the benefit of the exhaustive investigation made by the joint engineering board into all of the engineering features involved in the proposed lake and river development.

On December 27, 1926, Secretary Hoover, as chairman of the United States St. Lawrence Commission, transmitted his report to President Coolidge, accompanied by the report of the Joint Board of Engineers. These reports are embodied in Senate Document No. 183, Sixty-ninth Congress, second session.

No stronger presentation on behalf of the St. Lawrence waterway project has ever been presented than that contained in Mr. Hoover's letter dated December 27, 1926, addressed to the President, and I commend the entire letter to your study and consideration. Permit me now to quote a few extracts therefrom:

The construction of a shipway of sufficient depth to admit ocean shipping from the Atlantic to the Great Lakes will lessen the economic handicaps of adverse transportation costs to a vast area in the interior of the continent. Within the United States it embraces all or large portions of the States of Ohio, Indiana, Kentucky, Illinois, Iowa, Missouri, Kansas, Nebraska, North and South Dakota, Montana, Wisconsin, Minnesota, Michigan, Pennsylvania, and New York. It includes a large part of Canada. Within this area there are more than 40,000,000 inhabitants who gain their livelihood from its basic industries. It produces a vast surplus both from agriculture and manufactures, much of which demands long transportation. There is a reciprocal inflow of commodities from its neighbors.

These sections have always been under natural transportation disadvantages in the exportation and importation of commodities. But the building of the Panama Canal artificially created a still further dislocation of its competitive relations and beyond this the necessary increase in railway rates following the war have shifted greatly the economic position of the midcontinent to the great detriment of that area.

The problem has thus become one of wide importance not only because of the fundamental advantages of elimination of great wastes in transportation costs but also because of the necessity for readjustment of adverse competitive relations of all the industries and agriculture throughout the mid-continent.

* * * * * * *

There can be no disagreement in the opinion that this section of the United States is entitled to an equalization in transportation advantages as far as possible, nor as to the benefits which would inevitably flow to it if ship access to the ocean is afforded.

Mr. Hoover in this report also refers to the fact that three different routes for such a shipway have been put forward, namely: (a) Reconstruction of the present canal from Lake Ontario to the Hudson, making use of the Welland Canal; (b) an "all-American" route which will include the Lake Ontario-Hudson project plus a new ship canal on the south side of Niagara, which would duplicate the new Welland Canal; and (c) utilizing the St. Lawrence River as a joint undertaking with Canada. He goes extensively into the engineering problems involved, including the development of power that would be possible in the St. Lawrence project. He advises that the reports of the United States engineers of December 6, 1926, estimate the cost of construction of the Lake Ontario-Hudson route at $506,000,000, the "all-American" route at $631,000,000—both estimates without interest during construction—and the St. Lawrence route at between $123,000,000 and $198,000,000, depending upon details of the plans; that the first two projects would develop no hydroelectric power, but a reduction in a sum of at least $50,000,000 can be made from the last estimate on account of the development of such power. Mr. Hoover very aptly converts maintenance costs, together with interest at 4½ per cent on construction costs, on the various routes into charges that would apply to the estimated annual medial tonnages and gives them as follows:

All American	$2.06
Lake Ontario-Hudson	1.64
St. Lawrence	.43

The following are the closing paragraphs of Mr. Hoover's report as chairman of the United States St. Lawrence Commission to the President:

In the wider view, the increased prosperity of the mid-continent, the relief of many of their present economic difficulties, and development of huge water power for stimulation of industry and commerce in New York and New England shall add to the prosperity of the country as a whole, and thereby benefit every citizen and every city.

The conclusions of this commission are, therefore—

First. The construction of the shipway from the Great Lakes to the sea is imperative both for the relief and for the future development of a vast area in the interior of the continent.

Second. The shipway should be constructed on the St. Lawrence route, provided suitable agreement can be made for its joint undertaking with the Dominion of Canada.

Third. That the development of the power resources of the St. Lawrence should be undertaken by appropriate agencies.

Fourth. That negotiations should be entered into with Canada in an endeavor to arrive at agreement upon all these subjects. In such negotiations the United States should recognize the proper relations of New York to the power development in the international section.

While the people of the United States have implicit confidence in his engineering ability and his comprehension of economic questions, so that they are willing to accept the conclusions reached by him, it is not, perhaps, amiss to emphasize again that in reaching these conclusions Mr. Hoover and his associates had the benefit of the report made by the Board of Joint Engineers, which consisted of such eminent men in the engineering profession as Gen. Edgar Jadwin, Col. William Kelly, and Col. George D. Pillsbury, of the Corps of Engineers, representing the United States, and Mr. Duncan W. McLachlan, of the Department of Railways and Canals, Ottawa; Mr. Oliver O. Lefebvre, chief engineer, Quebec, Streams Commission of Montreal; and Gen. Charles Hamilton Mitchell, C. B., C. M. G., of Toronto.

Since that report was made, diplomatic negotiations have been conducted between representatives of the American and Canadian Governments, and much progress has been made. On January 31, 1928, the Canadian minister in a note to the American Secretary of State proposed a tentative plan for construction, allocation of tasks, and division of costs. I know of no better summary available to the public at this time than that included in the annual report of Mr. Craig, the executive director of the Great Lakes-St. Lawrence Tidewater Association, for the period ending December 17, 1928, from which I quote as follows:

PROGRESS OF THE YEAR

Under this heading in our last annual report we printed the full text of the recent correspondence between the United States and Canada. On the eve of entering upon a new phase, namely, definitive negotiations, an analysis or succinct statement of the distance this correspondence has carried the Government toward an accord is timely.

* * * * * * *

Canada offers to provide at her own cost for the wholly Canadian section of a through deep waterway from the head of the Lakes to the sea. Her tasks would, therefore, include—

(a) Completing the new Welland Ship Canal.

(b) Improving that section of the river from where it ceases to form the boundary line between the two countries to Montreal Harbor.

(c) From Montreal Harbor to the sea.

The note suggests that the United States provide and pay for all international stretches of the river, which involves—

(a) A new 30-foot lock at the "Soo."

(b) Deepening to 27 feet the connecting channels of the upper Great Lakes-St. Marys, St. Clair, and Detroit Rivers.

(c) The international St. Lawrence section from Lake Ontario to the boundary at Cornwall, Ontario, and St. Regis, N. Y.

The Canadian note nevertheless points out that "the question of its (the seaway's) advisability at the present time depends upon the successful solution of certain economic and financial difficulties," viz:

(a) No heavy public financial obligation can be assumed by Canada because of existing war and railway debts.

(b) No export of Canadian power can be permitted.

The Canadian advisory committee recommended to its Government certain priorities in construction as obviating these difficulties.

Secretary of State Kellogg, in his communication of March 12, 1928, replying to the foregoing Canadian note, accepted without qualification certain of the tentative proposals on the part of Canada. Others were accepted in principle and as forming a basis for negotiation.

So that the men responsible for Government in the two countries are in agreement upon the following:

(a) The technical or physical feasibility of the project.

(b) That it will be of great economic benefit to both countries.

(c) Upon the division of construction tasks.

(d) Upon the principles of the division of costs.

(e) Upon the depth of the waterway.

(f) Upon the course of procedure required to solve the details of engineering problems.

(g) Upon the principle of complete mutual respect for sovereign rights and prestige.

(h) Upon the inclusion in the discussions of the Chicago diversion and other relevant Great Lakes problems.

It is the view of the United States that certain questions should remain open for negotiations because:

First. All parts of the navigation system should be completed at substantially the same time.

Second. The United States portion of the power in the international St. Lawrence section should be available for use of the United States, irrespective of Canadian policy as to its half.

Third. To the balance sheet submitted our Government expresses "general accord with the principles," but the items subject to revision along certain lines set forth.

The foregoing correspondence is the culmination of eight years of careful international preparation under the responsibility of administrations representing the different political parties in each country and is an outstanding example of modern "open diplomacy." Over the years which it has been under discussion it is well within the truth to say that the solution of no international problem has ever in any region of the world received more careful or responsible preparation.

While some are disposed to scoff at the delay that has taken place, and to intimate that these two great neighboring nations can never reach an agreement with reference to this project, I feel entirely justified in saying to my colleagues on the floor of the House that from the information that has come to me from various sources there seem to be no insurmountable obstacles on the horizon. I believe the administration is up to the point where executive representatives of the two Governments can proceed to execute a treaty to provide for the performance which, in the words of President Hoover in a speech delivered at New Haven, Conn., on March 12, 1927, is—

Worthy of the strength and purpose of the two sister nations, who have in two centuries already overcome countless obstacles in implanting the most hopeful civilization of history.

That the President has not changed his views with reference thereto since he assumed his duties as Chief Executive of the Nation was well shown by the address which he delivered upon the celebration of the completion of the canalization of the Ohio River in Louisville, Ky., on October 23, 1929. At that time he gave this message to the country:

One of the most vital improvements to transportation on the North American Continent is the removal of the obstacles in the St. Lawrence River to ocean-going vessels inward to the Great Lakes. Our Nation should undertake to do its part whenever our Canadian friends have overcome those difficulties which lie in the path of their making similar undertakings. I may say that I have seen a statement published lately that this improvement would cost such a huge sum as to make it entirely uneconomical and prohibitive. To that I may answer that after we have disposed of the electrical power we could contract the entire construction for less than $200,000,000, divided between the two Governments and spread over a period of 10 years.

What is the provision in the pending rivers and harbors bill to which I object? It is lines 12 to 21, inclusive, on page 5 of the bill, and reads as follows:

Great Lakes-Hudson River Waterway: The Secretary of War is hereby authorized, empowered, and directed to accept from the State of New York the State-owned waterways known as the Erie Canal and the Oswego Canal and thereafter maintain and operate them as navigable waterways of the United States, at an estimated annual cost of $2,500,000: *Provided*, That such transfer shall be made without cost to the United States and shall include all lands, easements, and completed or uncompleted structures and appurtenances of the said waterways.

As my first witness I will call a man whom all the people of New York, including the distinguished and able chairman of the committee [Mr. DEMPSEY], ought to be willing to accept as an expert, namely, Col. Frederick Stuart Greene, superintendent of public works of the State of New York.

On February 26, 1926, Colonel Greene made a special report to Hon. Alfred E. Smith, governor, on this very same New York Barge Canal. My case against it might well rest on his report alone, for I can not conceive of any criticism more condemnatory. I quote scattered paragraphs from his report:

PRESENT TRAFFIC CONDITIONS

That the traffic carried on the barge canal has fallen short of expectations can not be denied. The canal has a theoretical annual capacity of 20,000,000 tons. In 1919, the first year after the canal was opened throughout its length, 1,238,844 tons were floated; last season 2,344,013 tons were carried. This increase has not been sufficient to prove the canal an economic success.

The cost of the canal during 1925 was:

Maintenance and operation	$2,981,841.26
Capital charge	6,137,495.08
Permanent betterments	1,092,051.52
Claims paid	722,175.89
Gross cost	10,933,563.75
Less receipts	359,936.91
Net cost to the taxpayers	10,573,626.84

The greater part of the tonnage was bulk freight—grain, sulphur, salt, etc.—which is carried at low rates both by water and rail. A fair average rail rate on the commodities carried by canal from Buffalo to New York, the longest haul, is $3.70 per ton. In 1925 it cost the State $4.51 per ton for all freight floated on the canal, regardless of the length of haul. From these figures it is evident that it would have been cheaper for the State if all the freight carried on the canal had been put on railroad cars and the State had paid the freight bills.

* * * * * * *

The barge canal is maintained and operated free of tolls to all vessels, American and foreign. The State also (1) permits canal vessels to moor at piers and use all terminals free of cost; (2) rents loading and unloading equipment at less than the actual cost of operation; (3) allows canal vessels to tie up during the winter at terminals and basins free of cost; (4) maintains a traffic bureau which gives free service to both shipper and boat owner; (5) maintains, during the navigation season, a daily telegraph service by which operators are informed of the position and progress of their boats through the canal; (6) maintains special signal service on Lake Oneida to warn vessels of storms; (7) maintains three tugs to aid boats, two on Lake Oneida, one on the canalized Hudson River. In spite of all this, however, the canal is only floating about one-tenth of its tonnage capacity.

WHY THE CANAL IS NOT MORE USED

If 20 persons, knowing the canal, were asked why it is so little used, probably 20 different answers would be given, but the fundamental reason is ice—the canal is closed by ice for five months each year. Were the canal, even as now constructed, open throughout the year, it would be crowded with traffic.

And yet the Canadian-St. Lawrence canals, also ice bound, have increased their business until their theoretical capacity is almost reached. They are not ship canals in the strict sense; they have only 14 feet of water over the lock sills, as against our 12 feet; their locks are not as modern, not as long, nor any wider than ours. Nevertheless they carry not only a greater tonnage (6,206,988 as against our 2,344,013 in 1925) but they have had greater yearly increases, as is shown by the accompanying chart.

The answer is that the St. Lawrence canals are not hampered by fixed bridges. The immovable bridges over our canal permit a clearance of only 15 feet; this limits the freeboard of hulls and the superstructure of all vessels. Our fixed bridges block boats with normally high stacks and any kind of masts; they limit the height of pilot houses and the captain's bridge to such an extent as to seriously interfere with the proper handling of large crafts. Finally—and this is the vital point—they necessitate the building of a special type boat which can not be operated advantageously on any other body of water. The practical business man will not invest large sums in a boat of comparatively small tonnage which, because of its special design to fit our canal, lies idle 5 months out of the 12.

ATTEMPTED REMEDIES

In the past attempts to increase canal tonnage have been confined largely to building more or less expensive structures along the canal and at points off the canal proper. In 1911 the people approved a bond issue for this purpose amounting to $19,800,000. Immediately thereafter different communities began scrambling for wharves and terminal buildings. The record in this office of the freight predicted—all predictions solemnly affirmed by local chambers of commerce and other organizations—when compared with the actual business done at these terminals is enlightening and at the same time disheartening.

In connection with the barge canal system the State has 66 terminals (piers or bulkheads), at which there are 53 warehouses; these terminals range in cost from a few thousand to more than a million and one-half dollars. During the past two years no freight was handled at 49 of these terminals and only 5 warehouses were used for canal freight.

Examples: At Oswego Harbor the river terminal cost $157,661; no freight handled in three years. At the lake terminal the State built a warehouse costing $75,818; it has been completed for more than a year and not one pound of freight has been in or out of it. At Rochester there are two terminal buildings, one frame, $24,039, the other masonry, $224,968; one shipment of sugar passed through the brick warehouse last season, nothing during 1924; the wooden shed has handled no freight in three years.

The following terminals have received no canal freight either in the warehouses or out of them during the past two years:

Location and cost	
Rouses Point	$55,069
Plattsburg	159,320
Port Henry	90,346
Whitehall	87,646
Schuylerville	78,312
Cohoes	95,438
Flushing	407,172
Mott Haven	1,039,038
Amsterdam	94,622
Little Falls	87,095
Herkimer	75,363
Ithaca	63,201
Lockport	76,402
Fonda	70,003
Halletts Cove	606,495
Greenpoint	1,608,999

Official records show that many of our terminals have never been used for canal tonnage since the day they were built. The terminal at so important a city as Albany, costing $312,914, has received but one small canal shipment (lumber) during the past two seasons, and in that time no canal freight at all has gone in or out of the freight house.

Need I submit more to show that the State of New York has a white elephant on its hands? Have we not a right to look this gift horse in the mouth? Is there now any doubt as to why New York wants to unload it on Uncle Sam?

But let me return to Colonel Greene and see what remedy he proposes. Again I quote from his report, this time from page 8, under the title "How Can the Canal Be Made to Better Serve the People?":

The New York State Barge Canal is such an important transportation factor in this country that, whether or not it is a failure, it should be continued. All maintenance work necessary to secure and hold proper channel depth, to protect the banks, to keep up the mechanical equipment, and to improve navigation conditions generally should be vigorously carried on. And the taxpayers of New York State should continue to bear these costs until this Nation is awakened to the fact that a condition exists which threatens American commerce; that a remedy is vitally urgent, and that the remedy lies in converting the barge canal into a ship canal.

That the Great Lakes, at no distant date, must be connected with the Atlantic by a ship canal is inevitable. The bickering, which began as far back as 1812 between New York and some of the Lake States as to whether the St. Lawrence or an American canal should be built, was and is a futile waste of energy. The ever-growing lake commerce and the increasing population of northwest Canada may eventually demand both canals. But it is hard to understand why the United States should not leave the Canadian canal to be constructed by that country and devote its own resources to building the better American waterway from Lake Ontario to the Hudson River.

Is it any wonder that some of us who are interested in the Great Lakes-St. Lawrence project pricked up our ears when we learned of this provision in the pending bill? But what other evidence is there justifying us to suspect that the real motive is not alone that of unloading a useless canal onto Uncle Sam?

Under date of March 8, 1926, Gov. Alfred E. Smith, of New York, transmitted the Greene report to the legislature of that State. I quote the following from his special message:

Recently I signed a bill extending the life of the Barge Canal survey commission in order that it might continue studies begun in 1925. You are aware of the reasons for the creation of this commission. Its main purpose was to study ways and means of making the canal more useful to the people of the State of New York. In order to aid your honorable bodies in the consideration of the entire subject I submit herewith a special report of the superintendent of public works regarding the canal. I am in full accord with the main points advocated in the report, namely:

That a ship canal connecting the Great Lakes with the Atlantic is inevitable.

That the best location for such a canal is the so-called American route from Lake Ontario at Oswego to the Hudson River at Albany by way of the Mohawk Valley.

That as the major part of the business on such canal will be interstate it should be built and operated by the Federal Government.

In order to accomplish this I recommend that your honorable bodies pass appropriate resolutions instructing the special commission to negotiate with the Federal Government to the end that this may be brought about. Its consummation will not only end the long and tiresome contention as to whether the St. Lawrence or the American ship canal should be built but it will be the Empire State's contribution to the benefit of the whole Nation.

Again, on January 4, 1928, Governor Smith included the following in his message to the legislature:

Canal users have testified to the improvement in canal management, but the canal is not now and there is no indication that it ever can be a paying proposition for the State of New York while it is isolated from the national system of waterways. I am convinced that this canal should be made part of an all-American deep-sea waterway connecting the Great Lakes with the Atlantic Ocean. The improvements contemplated at the port of Albany by the Albany Port Authority in conjunction with the deepening by the Federal Government of the channel of the Hudson River add force and point to the argument. I believe that every effort should be made to demonstrate to the people of the United States the value of this program.

Only on Tuesday of this week one of the very prominent members of this committee who favors taking over the New York Canal, assured me that there is no purpose on the part of the chairman of the committee by this proposal to affect in any way the Great Lakes-St. Lawrence project. All I can say in respect thereto is that if such is the case, Mr. DEMPSEY is about the only person in New York who does not entertain such a hope. Let me establish this by one or two illustrations.

The press reports showed that this general item was voted into the bill by the Rivers and Harbors Committee on April 5. On April 8 Governor Roosevelt, of New York, sent a special message to the legislature on this very subject, reading in part as follows:

Recent events, and especially the report of Army Engineers last week, have pointed to an awakened interest on the part of the Congress of the United States in a canal wholly within American territory and available for vessels of large size from the Great Lakes to the Hudson River.

While I believe that the people of this State have full appreciation of the fact that the barge canal has served and is serving a useful purpose, transporting as it does over 3,500,000 tons each year, I am also certain that they would not wish to block the development of a larger canal by the Federal Government and intended for the use of the commerce of all the States.

Any plan for a canal from the Great Lakes to the Hudson would, therefore, without question, involve the use of a large part of the present barge canal, and the constitution of this State would have to be amended before the Federal Government could undertake any work.

If it should become clear in the Congress of the United States that the Federal Government is seriously interested in providing a deep waterway from the Great Lakes to the sea by way of the Hudson River, I believe that a legislative committee should be appointed before adjournment of the legislature to cooperate with the governor of the State in whatever negotiations with the Federal Government become advisable.

For that reason I recommend to your honorable bodies the creation of a legislative committee for the purpose of conferring with the proper Federal authorities, in the event that any definite action is taken by Congress this year.

Have you noticed any press reports indicating that Mr. DEMPSEY has written or wired Governor Roosevelt to the effect that the latter has misconstrued his moves and the purpose of his work down here? In any event, I shall await with interest a full statement on the part of Mr. DEMPSEY that will set the governor of his State right in this important matter. And, by the way, what about the legislation now pending in the New York Legislature introduced by Senator Byrne along the lines of Governor Roosevelt's recommendation?

Not only are the governor and the legislators of New York misinformed as to the motive behind this item, if my informer on the committee is correct, but also some Members of Congress

from the chairman's own State. Surely he is familiar with the House joint resolution which his colleague [Mr. BOYLAN] hurried to introduce on April 9, just four days after the committee vote and the day following Governor Roosevelt's message. This resolution is as follows:

House Joint Resolution 295, Seventy-first Congress, second session

Joint resolution to provide for negotiations looking toward the acquisition of the New York State Barge Canal by the Federal Government

Whereas a new interest has developed throughout the country in the building of a canal to accommodate vessels of large tonnage moving between the Great Lakes and the Hudson River, and to be constructed wholly within United States territory; and

Whereas the State of New York, through a message of its governor, has suggested the turning over to the Federal Government of the New York State Barge Canal, which would form a most important link in the construction of such a canal; and

Whereas the construction of such a canal would be very advantageous to the manufacturing interests in the interior of the United States; and

Whereas the said proposed action of the State of New York in turning over the New York State Barge Canal, which has already cost the State $150,000,000, to the Federal Government would facilitate the building of this canal: Therefore be it

Resolved, etc., That a joint committee of three Members of the Senate, to be appointed by the President of the Senate, and three Members of the House, to be appointed by the Speaker, be appointed to confer with a committee of the Legislature of the State of New York, and recommend to Congress such action as may be necessary to bring about the transfer of the New York State Barge Canal to the Federal Government, such committee to report to Congress not later than March 1, 1931.

The expenses of the committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers to be approved by the chairman of the committee.

Is our Democratic colleague, Mr. BOYLAN, trying to outdo our Republican colleague, Mr. DEMPSEY? Is he attempting to steal some of the latter's thunder? I can not believe that our witty, able, but modest and retiring Mr. BOYLAN would attempt to do such a thing, so I am inclined to conclude that the shrewd and able delegation from New York are almost a unit on this proposal, and have adopted this method of working both sides of the aisle in this House.

I have shown you how official New York construes the item. What about those in civil life in that State? Because of his prominence I need call but one witness, Edward C. Carrington, chairman of a voluntary association known as the Great Lakes-Hudson Waterways Association, with offices at 27 William Street, New York. Probably all of you received copies of the abusive wire sent by Mr. Carrington to Senator VANDENBERG because the latter saw fit to announce his opposition to this item in the bill. I will quote only portions of it:

According to the press you have become quite hysterical as to the Federal Government taking over and maintaining the New York State Barge Canal * * *. What your constituents out in Michigan want is an all-water bill of lading to any port of the world, and they don't care whether this bill of lading is issued by way of the St. Lawrence Valley or by way of the Mohawk and Hudson Valleys * * *. Mr. Hoover and the Republican Party have promised an outlet from the Great Lakes ports and our interior cities to the ports of the seven seas. Canada has had an opportunity to make a convention with this Government utilizing the St. Lawrence Valley. Any further fatuous attempt in this direction should be abandoned, as every well-informed person knows. The American people will never submit to the demands already submitted by Canadians. Lake port cities, as well as interior towns and cities of New York State, demand this outlet, and geographically, economically, patriotically the Mohawk and Hudson Valleys furnish Mr. Hoover's alternative route to the sea.

I do not know whether Mr. DEMPSEY and Mr. Carrington cooperate or not. In any event, they have both for years been among those most active in opposition to the Great Lakes-St. Lawrence proposal, and if the barge canal item in the pending bill is not intended to promote a ship canal across New York, then two men vitally interested in the same ultimate object should be able to do better teamwork.

Regardless of what the real motive behind this move may be, we should all be interested in ascertaining, before adopting it, whether it and a deep waterway across New York have had the careful study of our engineers and whether it has been approved by them. Kindly, therefore, bear with me while I summarize the situation with reference to that feature.

A survey by the War Department engineers for a waterway for vessels of a draft from 20 to 25 feet, was authorized by the river and harbor act of March 3, 1925. The Chief of Engineers, General Taylor, transmitted the report of the Board of Engineers, dated March 23, 1926, to the Secretary of War, who, on March 29, 1926, in turn transmitted it to the Speaker of the House and the entire report was printed as House Document No. 288, Sixty-ninth Congress, first session. On the whole, the report was so adverse as to cause consternation among proponents of such a proposal, but it did not end their efforts for lack of persistency has not been one of their failings.

Mr. DEMPSEY was not loafing on the job. On May 26, 1926, under his leadership the House Committee on Rivers and Harbors passed a resolution requesting the Board of Engineers to make a further study and to report not later than December 6, 1926. The board did report under date of October 23, 1926, and it was transmitted by Colonel Boggs to the committee on December 5, 1926.

There was, however, not much comfort in this report for it was still adverse. Let me quote the syllabus therefrom, reading as follows:

Having reviewed the report published in House Document No. 288, Sixty-ninth Congress, first session, and earlier reports on the same subject, the board is of the opinion that the construction of a deep waterway between the Great Lakes and the Hudson River should not be undertaken by the United States at the present time.

Colonel Boggs's letter of transmittal, found in Document 7 of Committee of Rivers and Harbors, Sixty-ninth Congress, second session, is full of information, and I commend its careful study in detail, but I will to-day quote only the last four paragraphs thereof:

It is therefore apparent that the cost of the navigation feature of the St. Lawrence route will be at greatest only about one-third of that of the Lake Ontario-Hudson River route, and may be considerably less, and moreover that under any plan that includes a division of costs for the northern route between the two countries concerned the amount contributed by the taxpayers of the United States will be still further reduced.

The two routes have other important differences. The number of locks proposed for the St. Lawrence River project is from 7 to 9, depending upon the plan finally adopted, and for the Great Lakes to the Hudson route 18 to 20. The former waterway is crossed by 8 bridges, while the latter is crossed by 54, probably not more than 17 of which could be fixed high level structures. About 25 miles of the St. Lawrence waterway would consist of restricted channels, as compared with approximately 128 miles of such channels on the waterway through the State of New York. The New York waterway has no appreciable advantage in the length of the navigation season. Fog and icebergs will interfere somewhat with navigation via the St. Lawrence route. In general, it may be stated that the St. Lawrence route has a distinct advantage in time for European and Mediterranean ports, while a similar advantage, though applicable to less tonnage, applies to the New York waterway to South American ports, Pacific coast ports, and the Atlantic seaboard south of Boston. The question of the value of a waterway crossing the State of New York as a measure of national defense was fully discussed in the board's report contained in House Document No. 288.

The economic benefits of the Great Lakes-Hudson River canal, as determined by the special board and concurred in by the Board of Engineers, are not commensurate with the cost of constructing this waterway. These benefits are based on a consideration of what is deemed a fair forecast of tonnage and savings which might accrue to the canal within a reasonable time after its completion if construction were to start in the near future. If no alternative route were practicable, the need for an outlet for deep-draft vessels from the Great Lakes to the sea, together with possible changes in centers of production and trade trends and such indirect benefits as development in manufacture and taxable property, might later justify the construction of this waterway across the State of New York. But this is not the only route which would give the desired outlet from the Great Lakes. While each route considered has certain local advantages, a large part of the economic benefits is common to all. On an economic basis no one route can be considered independently. The board is of the opinion that the expenditure of public funds on the St. Lawrence route would bring the greatest economic returns per dollar spent, therefore the Great Lakes to the Hudson route can not be economically justified until the question of the St. Lawrence route has been determined.

Under existing conditions the board concurs with the special board in the opinion that from an economic standpoint a waterway from the Great Lakes to the Hudson River, either for 20, 25, or 28 foot vessels, is not justified at the present time.

The foregoing would probably have been sufficient to deter the average individual from further efforts, but not so in the case of our able and resourceful colleague [Mr. DEMPSEY]. One of his next steps therefore is found in the resolution passed by his committee on July 13, 1929, requesting a further review of the adverse reports, bringing in a new proposal, namely, the cost and advisability of deepening the Erie and Oswego

Channels to 14 feet and with which a series of questions almost as long as the moral law were propounded.

Again the report was unfavorable. It was made under date of November 1, 1929, and the following is the syllabus heading the report:

Conclusions are reached that the proposed improvements of the Erie and Oswego Canals are not advisable at the present time; that traffic conditions will soon undergo a radical change by reason of the opening of the new Welland Canal and of the completion of the Hudson River 27-foot project to Albany; that the existing canal fleet can take advantage of an increased depth only to a very limited degree; and that under prospective conditions ample facilities will be available for handling a tonnage at least double that of 1928.

The conclusion and recommendation appearing at the end of the report signed by three able Army engineers, reads:

Having in view all of the circumstances and conditions set forth above, the board finds that the large expenditures required for the proposed extensive improvements of the Erie and Oswego Canals are not now advisable. It is therefore recommended that the deepening of these canals to 14 feet and the general reconstruction of the bridges crossing the navigable channels be not undertaken at the present time.

The expense estimated to be involved in the proposed improvements ranged from $50,137,180 up to many times that amount.

Again the irrepressible Mr. DEMPSEY was not satisfied, so he made another speech which appears on page 1015 of the CONGRESSIONAL RECORD for December 20, 1929. He then changed to a 13-foot depth, coupled with an increase in bridge clearance to 15½ feet. So the Army engineers went to work again.

The next report was finished on February 6, 1930. It showed an estimate of $26,906,210 for deepening the canal to 13 feet, involving increased annual charges amounting to $1,351,248, and an estimate of $281,000 for raising the height of the bridges with increased annual expenses amounting to $11,240. The inference in the whole report was very adverse also to this suggestion, taking into consideration the probable traffic that would be moved thereon. The engineers could not even recommend the deepening of the canal 1 foot.

What could now be done? General Deakyne refused to modify the adverse report when he appeared before the committee on March 24. Other arguments were needed. Recent press reports, if correct, tell us what occurred. Our colleague from Illinois [Mr. HULL] had also encountered some difficulties in securing approval of the Illinois waterway, so having the interests of their constituents in mind it was but natural for Mr. DEMPSEY and Mr. HULL to join forces. A tremendously interesting private conference was apparently arranged by these two with the Board of Engineers on Rivers and Harbors and held on March 27, just a few weeks ago.

Naturally, I do not know what transpired there. Newspaper correspondents of the Buffalo Evening News and the Detroit Daily News claimed to know, as disclosed by their reports to their respective papers. Let me read you extracts from the one which appeared in the Detroit News immediately following this meeting:

Authorization of the so-called Illinois waterway will be included in the impending rivers and harbors bill, whether the War Department likes it or not, the board was informed by representatives of the coalition backing this scheme for continuing the diversion. * * *

These manifestos were issued at a quasi-private hearing on the proposal for the Federal acquisition of the Erie Barge Canal, which forms the other leg of the congressional "deal." The Congressmen in attendance were S. WALLACE DEMPSEY, of New York, chairman of the Rivers and Harbors Committee, and WILLIAM E. HULL, of Illinois, chief promoter of the deal with the Mississippi Valley States. * * *

The observations of the two Congressmen constituted a frank warning that the coalition intends to go ahead with the deal in defiance of the custom which hitherto has limited the rivers and harbors bill to those projects which have been approved by the War Department.

Chairman DEMPSEY until now has delayed action on the present bill in committee in the apparently vain hope that the engineers might be prevailed on to approve the Erie project. The ultimate purpose of this project, which calls for deepening and widening the canal at Federal expense, is opposition to the St. Lawrence waterway.

The purpose of the Illinois waterway proposal is to overturn the recent decision of the Supreme Court requiring the Chicago Sanitary District to effect a drastic reduction in the diversion of lake water through the Chicago Drainage Canal. * * *

"We are going to have the Illinois River project in the next bill," Representative HULL told the engineer board. * * * "You ought to see the importance of this from a political standpoint," Mr. HULL added. "We don't want to force your hand, gentlemen, but you must realize the Illinois River improvement is going in the bill, regardless of what you think about it. This talk of Canada being ready to build the St. Lawrence is nothing but camouflage. * * * Now, I am coming to you boys—I mean engineers—to ask if you can't in some way or other put this barge canal improvement (the Erie project) in the bill without stultifying your positions.

"You do not have to make a favorable report on it; you do not have to recommend the immediate appropriation of any money for it. But can't you send it back to us in some shape or other so that we can include it in the bill?

"I am not talking to you as a lawyer, but by golly, I know business even if I don't know law. * * * I ask you as friends of the Committee on Rivers and Harbors, and of Mr. DEMPSEY, to frame this report so the committee can act on it. The committee wants Mr. DEMPSEY to be represented in the bill."

Equally frank in revealing the voting deal lining up behind the bill Representative DEMPSEY reminded the board that the Mississippi Valley Association, comprising the States which think to gain by diversion of lake waters into the Mississippi navigation channel, favors the Erie Barge Canal project.

"I took my political life in my hands," said Mr. DEMPSEY, "when I fought for the improvement of the Illinois River. The Great Lakes States group was against me, but because I believed in its importance I threw aside fear and went to battle for it. But what good will this connection of the Illinois and Gulf with the Lakes be if there is no way to the sea through New York State?"

I leave it to you who are well acquainted with our colleagues, HULL and DEMPSEY, whether the reporter wrote a story which bears the earmarks of truth.

That their arguments were effective is shown by the fact that on April 2, 1930, the board of engineers seemed to reverse its decision and in spite of all former adverse reports recommended—

* * * That the Secretary of War be authorized and empowered to accept from the State of New York the state-owned waterways known as the Erie Canal and the Oswego Canal, and thereafter maintain and operate them as navigable waterways of the United States at an estimated annual cost of $2,500,000, provided that such transfer shall be made without cost to the United States and shall include all lands, easements, and completed or uncompleted structures and appurtenances of the said waterways, together with any plant, machinery, or equipment necessary, convenient, or incident to the construction, maintenance, or operation of the same that may have been procured in connection therewith, and any rights to the collection of tolls or the development of water power on said waterways which the State may possess or claim.

We might well ask whether this is the type of hearing that is to be used in the future with reference to proposed improvements. If so, can the rest of us Members of Congress hope to be as successful as Messrs. DEMPSEY and HULL?

The Chief of Engineers on April 4, 1930, also concurred in this report and transmitted it to the House committee where it was immediately voted into the bill several days before the various reports were printed.

I ask in all sincerity whether the star chamber session down at the War Department is the kind of a proceeding which this House ought to approve? Should not all interested parties have the same opportunity to be heard before the War Department reverses conclusions reached after years of research and work? Is such procedure fair to the Army engineers? And what effect will it have upon their public influence and standing?

But what, in fact, was the report? It was still adverse as to deepening the canal to 13 feet at an estimated cost of $26,000,000. It did speak rather kindly of a proposal eventually to provide a 14-foot channel at a cost of about $50,000,000.

Upon this information, according to a report in the United States Daily, the committee voted favorably for an item not only authorizing the Secretary of War to accept the canals from New York State and operate them at an estimated annual cost of $2,500,000, but also for an authorization to deepen the canal to 13 feet at a cost of approximately $26,000,000, a suggestion not supported by any Army engineer, and one that a year or so ago, when first proposed by Mr. DEMPSEY, was opposed by Governor Roosevelt and by Colonel Greene, superintendent of public works of New York.

Well, the committee later reconsidered such action and left that authorization out of the bill. But is that an improvement? Far from it, as I see it. That authorization at least let Congress and the country know what was contemplated. Now we are left in the dark. That at least operated as a maximum expenditure and would limit appropriations. Now virtually the sky is the limit as to what we may expect in the future.

In other words, by the present item the Government is to obtain the canal, maintain and operate it. It is generally conceded that improvements are to be made at an early date. Will Mr. DEMPSEY then request $26,000,000 for a 13-foot channel, $50,-

000,000 for a 14-foot channel, or $506,000,000 for a 25-foot step-ladder waterway to the sea?

Let, therefore, no one be misled by assuming that what we are voting on is simply to take over the Erie and Oswego Canals at an annual cost of $2,500,000. If we accept this white elephant, regardless of whether or not it will operate as a death blow to the St. Lawrence project, let us fully understand that it will in all probability result in the expenditure of hundreds of millions hereafter. It is not simply paying for a dead horse, for one that is entirely dead need only to be buried, but these canals will need constant care and attention and will have most voracious appetites.

Surely the far-reaching possibilities involved are far too important to dispose of in a few minutes on the theory that it is an innocent and inconsequential item in a general bill. Let us strike it out of the pending bill, and if the committee desires, it can report it back in a separate measure, when we can consider it thoroughly on its merits.

If the final contest becomes, what I think it will become, an issue between a deep-sea waterway across the State of New York and the proposed Great Lakes-St. Lawrence waterway proposal, let us attempt to decide it fairly upon the relative merits of the two and free from local or provincial considerations, having in mind only the best interests of our great Nation as an economic whole.

In that event I hope Congress and the country will give due consideration to the following contentions made by those of us who favor the Great Lake-St. Lawrence project.

First. It is the natural way out to the sea.

Second. It is the way beset with the least navigation hindrances or restrictions. The St. Lawrence route will have only 33 miles of restricted channel, while the Oswego-Hudson route will have 179 miles. The former will have not more than 7 locks, the latter 29 locks. The height from Lake Ontario to the summit by the low-level Mohawk route is 133.6 feet; by Oneida is 170.6 feet. Doubling this for ups and downs requiring 29 locks justifies us in calling either of the routes across New York the step-ladder route. There are 306 railroad and highway bridges across the New York State canals. Of these 82 are on the Oswego-Oneida-Mohawk line between Lake Ontario and Waterford. Of these 14 are railroad bridges. These difficulties are insurmountable for the development of deep-water navigation.

Third. It is the way that is economically feasible. From Oswego the distance is 3,434 miles to Liverpool via the St. Lawrence ship canal but 4,045 or 611 miles farther via the barge canal and New York. To Copenhagen, a typical example of Baltic ports, the distance is 4,120 by the former and 4,766 by the latter, or an advantage of 646 miles in favor of the St. Lawrence. To Bishops Rock, typical of western and northwestern Europe, the respective distances are 3,508 and 3,833, or 325 miles in favor of the St. Lawrence. To Gibraltar, typical of southern Europe and Mediterranean ports, they are, respectively, 3,898 and 4,052, an advantage of 154 miles in favor of the St. Lawrence route.

Fourth. It is the way that is most feasible from an engineering standpoint. This is abundantly proved by the many surveys and investigations which have been conducted by American and Canadian engineers.

Fifth. It will cost the American taxpayers the least to construct. Roughly, the difference is as 1 to 5 ($100,000,000 as against $500,000,000).

Sixth. It is assured of an abundant supply of water.

Seventh. It will best serve not only the grain-producing section of the country but also our general foreign and domestic trade.

Eighth. It will not isolate New England by removing her from the sea lane of commerce.

Ninth. For foreign territory to which the distance by way of the St. Lawrence is not the least, the Mississippi River offers the shortest route.

Tenth. It will furnish 1,464,000 continuous, 24-hour horsepower of hydroelectric energy at low water at the international section which may be utilized to the great advantage of the people of both Canada and the United States.

Eleventh. It will tend to put 40,000,000 land-locked people on freight-cost equality with the balance of the people of the United States and give them the shortest and most practical route to their export market.

REIMBURSEMENT TO IMMIGRATION OFFICERS

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to file a supplemental report on the bill (H. R. 9803) to amend the fourth proviso to section 24 of the immigration act of 1917, as amended, in order to comply with the Ramseyer rule.

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, what is this bill?

Mr. JENKINS. The bill (H. R. 9803) authorizes the Secretary of Labor to reimburse immigration officers for transfer expenses of dependents and household effects.

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

There was no objection.

THE RIVER AND HARBOR BILL AND THE ALL-AMERICAN CANAL

Mr. FREAR. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FREAR. Mr. Speaker, in past years I took an active part in exposing the character of several indefensible river and harbor bills, often with success. In late years I have been content to let others assume that responsibility, but because of the indefensible character of the $110,000,000 bill that comes before us to-morrow, limited to two hours' debate, controlled by the committee, I offer a few observations that seem pertinent both as to the method of passing these great omnibus-pork barrels and as to the bill about to be railroaded through the House. Its 156 projects and 345 surveys assures its passage without consideration. Its wasteful character could be easily demonstrated if we were permitted to discuss it like other legislation. I offer reasons why it should not be passed. These could be amplified by many arguments, based on official reports, but this is now presented to call attention to a remarkable situation that has occurred and to persuade others, if possible, to aid in preventing a grossly unjust project from being fastened onto the Federal Treasury.

Mr. Speaker, at a small gathering in the Capitol Building to-day I first learned that the river and harbor bill is to be brought up to-morrow, Friday, under suspension of rules with one hour's debate only on a side and would then be rushed through without any opportunity for discussion or amendment. One hour is to suffice for the Republicans on the committee and the same time for the Democrats; and the remaining 400 Members, unless recognized, will remain mute.

A meeting of several interested was held to ascertain sentiment in the House in reference to a project contained in the bill known as the Erie Canal or Barge Canal of New York State, a project which has been actively urged for years by the distinguished chairman of the Rivers and Harbors Committee as an all-American canal substitute for the St. Lawrence waterway, but in the present bill it appears as an innocent desire of New York State to have the United States Government only hold the bag for a useless $147,000,000 venture made by that State.

Without any other means of expression and irrespective of that purpose, I am taking this occasion to protest in the RECORD against such action in placing a bill on the suspension calendar with two hours' discussion not subject to amendment; that authorizes over 500 propositions in a bill carrying over $100,000,000 and contains many worthless projects foremost among which is the old Erie or Barge Canal. Its championship by the committee chairman leaves little hope of its exclusion from the bill, and it is with regret I take this means of presenting a situation that I am not permitted to discuss before the House.

The insertion of the canal item ought to defeat the bill, but that result seems hopeless, because it contains over 150 projects, for which authorizations occur running from a few hundred dollars to many millions per item, and in addition the bill includes nearly 350 surveys, all of which are expected to bring votes for the bill. Five hundred projects and surveys ought to cover every nook of the 48 States, as is usually the practice, so as to insure enough votes against its defeat, although not one-half of these separate projects would be passed by the House if subject to a separate vote. Only by an omnibus bill or pork-barrel method can they be placed on the Government pay roll.

No pork barrel in all recent history has been of equal significance to this one, and to remain silent is to countenance a gross injustice resulting from many wasteful projects and an enormous waste of Federal funds, without opportunity in the House to disclose their character.

Some years ago when the ranking Republican member of the Rivers and Harbors Committee, with assurances of its chairmanship, if desired, at the next session, I voluntarily asked for an appointment on another committee, because I could not act in harmony with some of the practices and projects connected with the bill, and so I speak with a few years' experience and after a fairly thorough study of our pork-barrel waterway methods of legislation, that is expected to secure voters with every project placed in the bill.

The greatest vice in the present bill lies in the amount as well as in the practice which permits a project involving probably hundreds of millions of dollars in future costs to be settled onto the Treasury of the United States by those who have been urging that single project for years without any right now given for its consideration in the House.

Many of the one hundred and fifty-odd projects in the bill may equally be condemned, but I call attention to the fact that the one most interested in that project is the chairman to whom the hour's control of time is given under the bill. Unless the bill is defeated, we permit ourselves to be gagged and the country subjected to an indefensible, vicious extravagant bill in the face of President Hoover's reminder yesterday that the Treasury is facing a deficit of from twenty to thirty million dollars. When this bill is passed authorizing from $100,000,000 to $1,000,000,000, or possibly more, on these 150 projects within the next two decades, Members of Congress may insist upon the right to legislate in such important measures as every other legislative body in the world transacts business. Now we legislate by committees and by a committee of which oftentimes every committee member is interested in some particular project in the bill. Never before has reason for open consideration been more necessary than with the present bill.

The Erie Canal in New York State appears on page 5 of the bill, and the paragraph on that project simply provides for the United States to take over the worse than bankrupt project with an annual maintenance charge on the Treasury hereafter of $2,500,000. That looks innocent in character, but it should be understood that practically every session of Congress has been asked to take over some worthless, abandoned canal of little or no value to commerce with an increased rapidly growing liability from an economic standpoint.

In 1903 the old Erie Canal was changed by New York State to a barge canal with a 12-foot depth, and the vote submitted to the people at that time disclosed that in the noncanal counties of New York 10 votes against taking over the canal project were recorded for every vote in its favor, but the New York State country districts were overwhelmed by votes of the two great terminal sites—the cities of New York and Buffalo—the latter city represented by the distinguished chairman of the Rivers and Harbors Committee now controlling the bill, and a city deeply interested in its ownership and support by the Federal Government.

House Document No. 29, Seventy-first Congress, dated April 4, 1930, just received, discloses that the Army engineers, after many years' protest, have finally been persuaded or dragooned into taking over this canal, and they report in partial excuse a tonnage of 2,513,000 tons for 1929, page 25. Much of this traffic is local for short distances and of little value, although great oil companies have found it advantageous to use the canal at times, because stone, sand, and gravel, with oil, furnishes nearly one-third of the canal's insignificant commerce after nearly $150,000,000 of expenditures.

Many objectionable features to the 12-foot canal have been disclosed by boats returning empty, which evidences the small value of a canal that is closed several months in the year by cold weather and by floods at other times, as shown by the Army engineers' report. New York's $150,000,000 investment does not produce as much actual commerce as in the old Erie Canal days.

This project carried some $26,000,000 and more in the present bill, but was stricken out, according to the press on demand of the President because of the condition of the Federal Treasury. That extra money was to deepen the canal to 13 feet, and as deepening proposals have ranged up to 24 feet for any kind of a ship canal instead of a barge canal, which is the proposal of the New York canal lobby, it is reasonably certain to cost the Government from $500,000,000 to a billion dollars within a score of years depending upon future depths and cost of removal of bridges and other lines of communication that cross the canal. Once adopted it will have many enthusiastic champions from the Empire State, and it will be in every bill hereafter for more depths.

Apart from the original cost of the canal to New York State, the Federal Government could well afford to carry all the oil barges now using it free not only for the great oil companies between Buffalo and New York, but also all other commerce either by rail or water, thereby saving money rather than to take over this indefensible proposal which follows the extravagant Albemarle Canal, the $13,000,000 Cape Cod Canal, the $12,500,000 Chesapeake and Delaware Canal, and a score of other canals that have found their way into the Government Treasury which now maintains them with constantly added Government charges through increased depths and claimed shipping facilities.

The Erie Canal or Barge Canal was built against the wishes of the State of New York excepting for those at the terminals who expected its adoption would increase business in Buffalo and New York City. It is now of little use excepting for an occasional canal boat and yet it has been regularly urged as a substitute for the St. Lawrence canal in diminishing waterway traffic from the Great Lakes to European ports. Once in the list of Government projects it will again be pressed as the only available "all-American" waterway.

It is a financial waste at the present time and will become a monumental disgrace if this Congress or any other Congress should adopt it, but the most serious situation at this time lies in the fact that those who have been urging the canal most strongly upon the Government now control the discussion and a large number of votes by means of the 150 projects contained in the bill together with over 300 surveys.

Standing by itself, any proposal to load the Erie Canal on to the Government would not get 50 votes, and yet by preventing discussion to show its vice and through the pork barrel policy adopted in our omnibus bills, of which the river and harbor bill is an outstanding example, little chance will be had in the House to expose the bill.

Attention is also called to the fact that it has been impossible to secure a report on the canal until the present time. That report just issued has not been available before, and it is significant that with some of the projects, no report is obtainable and Congress votes blindly without any knowledge of the character of projects which are not described in the bill but referred to by document number.

A dozen questionable items could be cited from a brief glance over the bill, but by way of illustration the adoption of the Illinois and Mississippi canal appears, although it is impossible to secure the Senate report with other reports that relate to this and other projects all of which are being pushed through in the pending omnibus bill.

I call attention for illustration to the Missouri River between Kansas City, Mo., and Sioux City, Iowa, page 24, authorizing $15,000,000 for a project that is as worthless and indefensible as anything that can be found in all the old pork barrels and they certainly were filled with many worthless and wasteful projects.

Briefly this small branch of the upper river was first improved in 1868, and there has been appropriated on it to date $5,320,482 with practically no results (p. 1166, vol. 1). It is suggested in the reports that additional appropriations of $9,910,000 be made, although on page 24 the amount appears at $15,000,000. No reason is given for not placing the amount at $50,000,000 so far as any possible commercial value appears.

What does the Government get for this enormous expenditure of money? "Commerce" has been stationary for many years, supposedly around the figure of 100,000 tons, and the report of 1928 (vol. 1, p. 1166), gives the Army Engineer's estimate at 169,654 tons of commerce. He so reports.

Unless the Army Engineers made some favorable report they would likely be removed because of the pressure from the locality, but to show how far good conscience can be stretched even by Army engineers, let me quote the character of this commerce last year on page 616, volume 2, Army Engineers' Report.

	Tons
Total "commerce" reported	169,654
Items of "commerce" in 1928 (vol. 2, p. 616):	
Piling for river work	2,916
Trees for river work	6,910
Sand barged by owners	140,786
Stone for river work	15,391
Coal for river work	2,360
Concrete for river work	160
Machinery for river work	200
	168,723
Total reported, page 616	169,002
Actual commerce	277

From the foregoing it would appear that 277 tons of actual commerce is reported on the river, of which, however, 75 tons were logs, never weighed but purely guesswork, and that needed no river work, all consisted of floating logs. Can any evidence of the general character of many of these worthless projects be more convincing than this illustration—taken at haphazard of a project in the bill after an expenditure of several millions of dollars on this section of the river?

If there is any more indefensible method of distorting figures to deceive Members of Congress as to actual facts concerning some of these waterways, I submit it has not yet been produced. Distortion of one kind or the other is had either by dividing up the river into districts or by carrying sand, gravel, and other so-called freight across the river or a distance of several miles,

but with an imposing array of figures to justify these enormous expenditures by Army engineers, often without any commercial result.

Such examples are often to be found in the Army engineer's reports. Further than that, let me say that when on the committee I disclosed engineers' reports that offered ferriage items as freight carried on the river requiring additional improvements and in order to enlarge upon values, items were made up of automobiles ferried across the river, and similar methods used to influence Congress.

We have to rely upon statements furnished by the engineers, who compose one of the most reputable branches of the Government service. Nothing but tremendous and constant political pressure on them would cause this practice of distorting commercial values.

Many items in the bill before us should be stricken from it, but that, I fear, will be impossible under the procedure of the House. If the country can only be made to understand the effect of a gag practice that permits these enormous projects, carrying over $100,000,000, to be pushed through without any possibility of discussing 156 items, many of which are of little value, there would be a calling to account to those who support the bill because of some local project that might otherwise be defeated.

It is not my province to discuss the action of other Members, and I have the highest respect for all Members of the House, individually and collectively, but when one Member most interested has the time within his power to shut off information in reference to a project so unwarranted as the New York barge canal, it is no time to remain silent.

Personally I should be glad to discuss the project even with the short time afforded by examination of a report heretofore in opposition, but the chairman of the committee, with 21 members of that committee, is entitled to the floor before other Members can be heard, so the hopelessness of a bill railroaded through in this fashion must be apparent to every Member.

It is common custom to hold up these bills until near the close of the session and then force them through without discussion. I believe the chairman of the committee, a long-time personal friend, is only following past custom in the procedure adopted, but the country that pays the taxes would be surprised to learn the little value received in actual returns for $110,000,000 that goes with this bill's authorizations. That is the camel's nose under the tent. The sky is the limit for future authorizations of increased depths and other expenditures.

The only way to protect the Treasury against these wasteful items is to defeat the bill. I am not offering these hurried observations the day before the bill's consideration with that hope. Its many projects and surveys will probably prevent such praiseworthy action, but I am seeking to present reasons why it should be done and a distant hope that at the other end of the Capitol, where debate is permitted with amendments, the project may be eliminated or the bill's passage prevented.

Mr. Speaker, after dictating the foregoing remarks I found a letter addressed to me containing the following: It is only a confirming expression by other parties of my own belief, but I am particularly interested in the Wall Street Journal note which says New York State could afford to pay $50,000,000 in gold to have the Federal Government, if foolish enough to accept.

Based on past experience, let me say the United States Government is not only foolish enough to accept the gift (?) but has placed in charge of the gift or sale a chairman of the committee that represents the district in which a canal terminal is located. No debate, no amendment, will be permitted on the entire bill of 156 projects. The House binds itself to this course by permitting the bill to be crammed through in a few minutes idle talk. Any State government and any business interest, however great, would be bankrupted in 24 hours by the unbusinesslike methods "Uncle Sam" pursues with its river and harbor bills, of which the one briefly discussed is among the most indispensible.

The news editorial follows:

[Editorial, Cleveland Plain Dealer, April 20, 1930]

WHITE ELEPHANT FOR SALE

New York's proposal, backed by the Rivers and Harbors Committee of the House, to dispose of the Erie Canal to the Federal Government will, in our opinion, bear careful scrutiny.

The Empire State has put some $200,000,000 into this waterway, and the chief return has been a series of annual deficits. Built to carry a great commerce, it has disappointed its backers and brought grief to taxpayers.

Every ton of freight on the canal is carried at a loss. It would be cheaper for New York to send by rail all the commerce now accommodated by this water route, the State paying the bill, than to continue to maintain and operate this waterway.

Not surprising, then, that New York is anxious to persuade the Federal Government to assume proprietorship of this white elephant which has such an appetite for tax money and such a disinclination to work for its living.

Ohio has three Members on the Rivers and Harbors Committee which has indorsed the proposal to take the canal. Two of them—Messrs. MOONEY and BOLTON, of Cleveland—voted for the federalization of the canal; Mr. CHALMERS, of Toledo, opposed it. The only other Member of the committee to oppose was Mr. HUDSON, of Michigan.

The bill containing the canal proposal is scheduled to come before the House this week. A fight is brewing to defeat this particular provision. Regardless of what their first impressions may have been, it behooves the Members of the Ohio delegation—all of them friends of the St. Lawrence waterway—to weigh carefully the considerations that seem to lie back of this effort of New York to unload its elephant.

It is a fact, and may be significant, that the men now most loudly boosting the federalization of the Erie Canal have long been opposed to the St. Lawrence. Conspicuous among them is Chairman DEMPSEY of the House committee, which recommends that the National Government shall relieve his State of these recurring deficits.

The Erie Canal, as every reader recalls, is the route which enemies of the St. Lawrence have for years been urging for the miscalled all-American way to the sea. Now, a barge channel with a 9-foot depth, their demand has been for the Federal Government to take it and develop it into a 25 or 30 foot waterway connecting the Great Lakes with the crowded harbor of New York.

Mr. DEMPSEY, who lives at Lockport, the lake end of the main stem of the Erie, has at the moment dropped his advocacy of the "all-American" and is boosting the provision of his committee's bill. This is, in brief, for the National Government to take the old canal, whose chief activity is making deficits, and deepen it to 12 feet. War Department engineers foresee a considerable commerce if this additional depth is provided.

Friends of the St. Lawrence who voted to recommend the canal provision see no connection between the two enterprises. We are not so sure. There are suspicious circumstances. If the Federal Government is once committed to the improvement of its own waterway from the Lakes to the Atlantic, even though the depth now contemplated is only 12 feet, it will become more difficult to procure assent to the only logical, feasible deep-water route, which is the St. Lawrence. We suggest to the Ohio delegation, including the two Clevelanders who supported the canal proper in committee, that the facts be considered with great care when the issue reaches the floor.

The rivers and harbors bill contains some excellent provisions, including that for deepening the lake channels, but the country can not afford at this late date to permit the St. Lawrence project to be stabbed in the back. This would be too high a price to pay for whatever favors this bill may contain.

The Wall Street Journal says:

It is proposed that Uncle Sam take over the New York State canals. New York could well afford to pass them over, plus $50,000,000 in gold, if Uncle Sam were foolish enough to accept.

COMMISSION TO STUDY VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent to call up the joint resolution (H. J. Res. 222) providing for a survey of all existing legislation with reference to veterans and providing for the appointment of a special joint committee to be appointed by the Speaker and the Vice President to make such survey.

Mr. RANKIN. Mr. Speaker, reserving the right to object, how much time will this take?

Mr. JOHNSON of South Dakota. I do not think it will take any time. I think we are all in favor of it so far as I know.

Mr. SNELL. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. SNELL. So far as I know, everyone is in favor of the sentiment or the general provisions of the resolution; but, personally, I do not know whether the resolution is in the exact form we want it or not. Does the gentleman know about that?

Mr. JOHNSON of South Dakota. We thought it was.

Mr. RANKIN. Would the gentleman mind withholding his request until we finish the pending bill?

Mr. SNELL. I think we should wait until we know exactly what is in the resolution.

Mr. RANKIN. I am not opposed to the resolution, I will say to the gentleman from New York, but under the circumstances I think we should wait until we have finished the pending bill.

Mr. JOHNSON of South Dakota. Then, Mr. Speaker, I will withhold the request until we have finished the special orders for to-day.

IMMIGRATION

The SPEAKER. Under the special order of the House the Chair recognizes the gentleman from New York [Mr. DICKSTEIN] for 20 minutes.

Mr. DICKSTEIN. Mr. Speaker, ladies and gentlemen of the House, I am sorry to have to take up this time in view of the fact I know everybody wants to proceed with the pending legislation. I am not going to ask for any further time in this discussion, although I had expected to apply for more time. I will content myself with the time allowed.

I am rising at this time to resume my remarks made in this House April 14 last when I have taken the floor to ask support of this House for the bill introduced by me, H. R. 5646, which was favorably reported by the Committee on Immigration, and the purport of which is to admit into this country fathers and mothers of American citizens over 55 years of age without any quota limitation.

Nothing has been heard with respect to whether a rule will be obtained for the consideration of my bill or not. I noticed a few days ago a bill introduced by the gentleman from Ohio [Mr. CABLE] was reported and passed when we were considering the Consent Calendar. When objection was about to be made, I understand that the gentleman from Ohio [Mr. CABLE] and others in authority stated that if it was objected to a rule would be granted. It seems to me, Mr. Speaker, ladies and gentlemen of the House, that a rule is more important, more essential for the consideration of this legislation that I speak of to-day than the legislation that you passed a few days ago.

I have pointed out to the House how fair my bill is. I have shown that the number of those involved is small but that their need is great. Here are American citizens who are desirous of rejoining their parents, American citizens who perhaps for a long time have been waiting for the opportunity of having those near and dear to them with them but, unfortunately, the limitations of the quota law does not permit them to come into this country even though they are entitled to a preference in coming to the United States.

The preference given to these aged fathers and mothers in at least a good many instances means nothing, because the quotas of their nationality have been seriously curtailed. It may be all right, perhaps, for those whose parents are born in Great Britain to get them admitted into this country, because the quotas of that nationality have not been exhausted; but if their fathers and mothers happen to be born in Syria or Czechoslovakia, and many other countries of southern and eastern Europe, there will be serious difficulty in bringing them into this country.

Mr. O'CONNELL of New York. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. O'CONNELL of New York. As a matter of fact, was not the quota of Great Britain increased recently to almost double what it was before?

Mr. DICKSTEIN. Yes; under the national-origins scheme Great Britain's quota was much larger than under the 1924 act.

I desire to address myself for a moment to the remarks made by a member of my committee who expressed himself in opposition to this proposed bill, Mr. GREEN, of Florida.

Some of you may think it is not right for me to speak of something that another Member has said on this floor. Some may think it is not ethical or professional, but the particular gentleman I speak of, after I made my speech on the 14th of this month, got time from the House and told us that he is opposed to the bill, but has not given one single proposition against it.

Mr. GREEN is worried over the fact that there are 14,000,000 persons of foreign birth in the United States, and of these probably one-half are not American citizens. What has this to do with the proposal before the House? I am not seeking to admit any more aliens. What I want to do is to permit an American citizen, if his father or mother happens to be abroad, to bring in such parent. Now, Mr. GREEN himself says that he regrets to see the families separated, but he does not do a solitary thing to alleviate that condition and apparently is not offering any help to solve this human problem.

Mr. GREEN says this is no time to let down our immigration bars. But who has urged such a thing? Neither the American people nor the members of the majority party, nor the party which I represent, has expressed itself in favor of unlimited or unrestricted immigration. We all wish to see immigration continued on a basis of restriction, bearing in mind the human side of the case, but this new bill is not letting down our immigration bars.

Mr. GREEN also says that unemployment in this country makes it necessary for us to restrict immigration into the United States. That is true; but by this bill we are not letting in anyone who may compete with our labor or cause any increase in our unemployment. Quite the contrary, we are preventing American money from leaving these shores in aid of the parents of our American citizens. We are preventing American citizens from sending immense sums of money to Europe every year, and will permit this money to be employed in this country gainfully and so as to afford work to our people.

The gentleman from Florida [Mr. GREEN] says that there are 7,000,000 people unnaturalized. Let me tell you something, ladies and gentlemen of this House, only a few days ago this committee voted out the bill, H. R. 10669, which Mr. GREEN, I have no doubt, and Mr. JENKINS voted for, which provides that before a man or a woman may become a citizen of the United States they must know the history of the United States of America, must be able to read and write the English language, and must understand the history of the United States. I have here copies of the textbooks issued by the Department of Labor. I venture to say that on this floor now, if Mr. GREEN was here, and a few more, perhaps, they could not pass this test.

I have three books before me—here is No. 1, given out as a textbook on citizenship, issued by the Department of Labor in 1924. That is for children up to 14 years of age. Here is another textbook for persons between the ages of 22 and 30. That was published by the Department of Labor in 1924.

Here is one for adults, and I venture to say that if this bill was ever passed by this House the questions in it could not be answered by many Americans, and they want you before you become a citizen of the United States to know the history of the United States.

This is the class of legislation that brings about discontent in this country.

Mr. O'CONNOR of New York. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. O'CONNOR of New York. Yesterday the House voted to sustain the President's veto of the bill to issue 50-cent pieces in commemoration of the Gadsden purchase. From my own observation I venture to say that there are not a dozen Members on the floor of the House who can recall what occurred at that purchase.

Mr. DICKSTEIN. Yes; and you would have these people know that before they could pass the test for citizenship.

Mr. HOOPER. Will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. HOOPER. Will the gentleman insert some of these examples from these textbooks that he has referred to in his remarks?

Mr. DICKSTEIN. It would be impossible to put the books in, but I will insert some of it. I have marked off a number of questions.

Mr. HOOPER. I thought the gentleman might give us some examples.

Mr. DICKSTEIN. I will be glad to insert some of it. I do this to bring out the point that in one breath they say that we can not allow these people to come in because we have 7,000,000 aliens, and in another breath they attempt to make a man know the American history before he can take the oath of citizenship.

Under the Federal Textbook on Citizenship Training, part 3, headed "Our Nation," issued by the United States Department of Labor, by Secretary James J. Davis, Bureau of Naturalization, issued in 1926, there are a number of lessons, commencing with No. 1 and through to 68. I will incorporate lesson 34, which is one of the easy ones, which reads as follows:

LESSON 34

In establishing the new Government Washington had many difficult problems to face. There was no money in the Treasury and the country was in debt about $75,000,000. Such departments as were necessary to carry on the work of the Government at that time had to be organized. Our affairs with foreign countries had to be settled.

The work of carrying out the laws was given to four Secretaries. Washington's first Cabinet was made up of Thomas Jefferson, Secretary of State; Alexander Hamilton, Secretary of the Treasury; Gen. Henry Knox, Secretary of War; Edmund Randolph, Attorney General.

As Secretary of the Treasury Alexander Hamilton had a very difficult piece of work to do. It was necessary to get money with which to pay the expenses of the Government. Congress could have raised the money needed by levying taxes on property, but the people did not like to pay direct taxes. Besides, it was difficult for Congress to decide how much direct tax each State should pay according to population, and direct taxes could be levied only according to population. Therefore the tariff, or indirect tax on goods imported from foreign countries, was used to bring in the necessary money.

Alexander Hamilton made a complete study of the conditions in the United States and sent four reports to Congress telling what he thought should be done to build up a strong Government. To carry on the Revolutionary War it had been necessary for the United States to borrow great sums of money from individuals and from France and Hol-

land. Bonds had been sold by the States also to private individuals to pay the expenses of the war. Because we had no money with which to pay these debts, our country had very little credit. Foreign countries and even individuals in the United States did not have much confidence in the National Government. Hamilton wanted people to take a greater interest in the National Government than in the State governments. He suggested to Congress that the National Government take over the debts to foreign countries and individuals, and also the States' debts. He wanted the Government to issue new bonds which would be paid in the future. A great many people, especially the farmers in the South, were not in favor of this plan because they would have to pay taxes which would be given to speculators who had bought for only a few cents most of the States' bonds. Congress finally decided to take over all the debts only on condition that the National Capital be moved to Philadelphia for 10 years and then to Washington.

Hamilton's second plan was to increase the tariff on goods imported into this country from foreign countries and to place a tax on whisky. Farmers were very much against the tariff and the excise tax, from which they received no benefit. In the western districts they had been making corn into whisky and selling it in the East. There was no profit in carrying large loads of grain over rough mountain roads. In Pennsylvania the farmers started a revolt and Washington had to call out the troops to establish peace.

In the third report Hamilton recommended that a United States bank be started which could issue money. Up to this time each State had its own paper money and coins, and the value varied greatly in different parts of the country. Business men wanted one kind of money which would have the same value everywhere. Through a national bank also it would be easier for the Government to borrow money in time of great need. The first national bank was established in 1791.

In the last report Hamilton described several different kinds of manufactures and recommended that a tariff be placed on such products when imported, not only for the purpose of paying the expenses of the Government but also to protect the persons who manufactured the same products in this country. Wages were higher in the United States than in Europe because there were not as many laborers, and therefore it cost more to make goods here. Hamilton knew that wages could not be reduced until more workingmen came to America and yet he wanted people to buy American-made goods. The only way to protect the American manufacturer and workingman was to charge a duty on imported goods that would be large enough to make the foreign goods cost as much as the American goods. Congress approved Hamilton's plan of taxing imports. The tariff has done much to encourage manufacturing and make it profitable. There is no doubt that the tariff has helped to make the United States a prosperous country. The business men and workers in the large cities were very much in favor of Hamilton's plan, but the farmers were against it. They said they really were paying the tax when they had to pay so much more for their farming implements, cotton cloth, and other manufactured goods. If there was no tariff, they could sell their corn, wheat, cotton, and tobacco in Europe and get cheap goods in return for them. From that time on there have been two large groups of people in this country, the one strongly in favor of high tariff and the other in favor of free trade.

Just as Washington was getting affairs settled in the United States and it seemed that the new Nation would be prosperous, he found that we were being drawn into European troubles. England and France were at war. England, therefore, seized products which we were carrying to French ports. If any English-born sailors were working on our ships, they were seized also. France thought we should help her because she had helped us in the Revolutionary War. Spain owned New Orleans and was making it difficult for the settlers in the land near the Mississippi to send their goods to market through New Orleans. Washington knew that the new Government was not able to enter into a war with any of these countries. A treaty was made with Spain which satisfied the western settlers. The English refused to honor our ships and seamen and finally a war was fought in 1812 to settle the matter.

Washington's second term was coming to an end. The new Government was working well and under it the country was prosperous. Many people wanted Washington to accept a third term, but he refused, for he wished to retire from public service and lead a quiet life in his home at Mount Vernon. Before leaving office he gave a farewell address to the people in which he told them what they should do to keep the Union they had established. Regarding the duty of citizens he said:

"Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of America, which belongs to you, in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes."

TOPICS FOR DISCUSSION

1. The problems of Washington.
2. The first Cabinet.
3. Comparison of public debt in 1789 and to-day.
4. Why the Nation's Capital was moved.
5. The effect of tariff on a country.

I have no complaint—I believe that a person should be able to read and write the language before he becomes a citizen.

Mr. COLE. Will the gentleman yield?

Mr. DICKSTEIN. Yes.

Mr. COLE. The gentleman does not think that a knowledge of the history of the United States is detrimental?

Mr. DICKSTEIN. Oh, no; perhaps he ought to know it.

Mr. COLE. An applicant for citizenship ought to know that Stalin is not President of the United States.

Mr. DICKSTEIN. I agree with the gentleman that they ought to know the history if it was possible, but the gentleman will agree with me—I hope the gentleman is not serious, if a man or a woman is law-abiding, and able to read and write the English language, if they are not criminal, but people of good moral character, they should be admitted, but because they do not know who composed the first Cabinet of the United States they should not be debarred as a citizen. I hope the gentleman is not serious in advocating that because a man or a woman does not know the particular ground where Washington crossed the Delaware he could not become a citizen of the United States.

Mr. COLE. I insist that a man ought to know something of the history of the country of which he aspires to become a citizen.

Mr. DICKSTEIN. I agree with the gentleman that he ought to know something about the civics of the country in some measure, but he should not be compelled to know fluently the history of the United States of America.

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

Mr. DICKSTEIN. Yes.

Mr. JENKINS. The gentleman will make it clear, will he not, that this examination that he is talking about now is the examination given to an immigrant after he has been here five years, who wants to become a citizen?

Mr. DICKSTEIN. The examination now is to find out whether the man reads and writes the English language and knows something about the Government, both the State and the Federal Government, but he should not have to know the history of the United States. I hope he could know the history of the United States, but as a matter of fact some of our natives do not know it, and why should you expect others to know it who have been here over five years?

Mr. JENKINS. I understand the gentleman is trying to state that this examination is a test for citizenship and not for entry into the country.

Mr. DICKSTEIN. Certainly. I am trying to illustrate to you that on the one hand you say you do not want to let any more people into the country because they do not become naturalized and on the other hand you stick in another bill to prevent the naturalization.

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

Mr. DICKSTEIN. Yes.

Mr. FISH. Does the gentleman state that he thinks the history test to-day is too difficult for an alien?

Mr. DICKSTEIN. No. I am using it by way of illustration. There is a bill introduced and voted by the gentlemen from the Committee on Immigration making the test for citizenship a knowledge of American history.

Mr. FISH. Let me say to the gentleman that I agree with him and to point out to the gentleman and to the House of Representatives that there are very few Americans in this country who are being taught American history, and that it is not necessary, in order to enter any college in the United States, to know anything about our own Government or about the history of the United States. If we are going to legislate, let us begin by legislating at home and make it compulsory, in order to go into an American college, that the applicant shall know something more than that George Washington cut down a cherry tree.

Mr. REED of New York. I think it is true, however, that in the State of New York the regents require a knowledge of history in order that a pupil may graduate from a high school.

Mr. DICKSTEIN. That is true; but this will apply to immigrants who have been here five years, who have had a hard time to educate themselves in our general civics, and to know the English language and to speak it; but, in addition thereto, they are going to require a knowledge of the history of the United States. I wish I had more time to read to you some of the questions and to see whether some of the Members here could answer them and meet the test, not that I make any reflection

upon the high standing of the membership of the House, but, with other business in mind, you may not be able to answer the question just as you would like to. But, coming down to the bill in question, all I ask is to exempt the father and mother of an American citizen. A son who has been in the United States for a number of years can take care of his old father and old mother. He wants to bring them here, but, under the present law, he can not do it. Let me illustrate to you the situation by calling your attention to those who happen to be British subjects: Great Britain has a quota of 65,721. After allowing all of the preferences granted the fathers and mothers of American citizens, after allowing husbands of American citizens, after allowing farmers who have applied for a preference, after allowing women and children of declarants in the United States, who are not citizens, Great Britain has a total balance to her credit of approximately 62,628. On the other hand, let us take Czechoslovakia and Syria, for an illustration, with only a handful of numbers. It would take from 5 to 100 years or more before you could bring your poor old father or mother into the United States. What harm can there come to this country; what objection can there be to a son sending for his father and mother so that they may have the protection they need? Who dares to say that a son has not the right to support his own mother or father? In addition, why should all of that money for the support of these aged parents be sent abroad? It runs into millions and millions of dollars.

What objection has the Speaker of the House or the gentleman from New York [Mr. SNELL] or anyone else, to voting out a rule for a consideration of this bill, in order that we may enact this humane piece of legislation which was guaranteed by your own party as well as by the party on this side of the aisle? Let me read to you what President Hoover said in his address of acceptance at Palo Alto, Calif., on August 11, 1928. He said:

> We shall amend the immigration law to relieve the unnecessary hardships upon families.

Has he complied with that promise made by him in that acceptance speech? Not up to the present time. Again he repeated that pledge at the convention that was held by the Republican Party, in whose very platform it was stated that you would unite the fathers and mothers of American citizens, and the same pledge was made by the Democratic Party, and neither party has lived up to that pledge up to the present time. I shall discuss the exact platforms of both parties a little later in my talk to this House.

I call attention to these things because in my opinion they are nothing less than inhuman. I have no axe to grind for anybody. I am just a member of the Committee on Immigration, I want to assimilate happiness to American citizens, and to bring happiness to the home fires in the United States of America. What harm can there be, what objection is there to anyone in the United States taking care of the father and mother who is over 55 or 60 or 70 years of age, and why should they not be entitled to come in exempt of the quota? Why should you, Mr. Citizen, have a greater right than I? If you were fortunate enough to be born in Great Britain, and if your father was born there, and you came over here and established yourself and you send for your mother or your father, you can bring them here within a very short time.

If I was born in Poland, in Rumania, in Czechoslovakia, or in some part of Turkey, it would take me from 10 to several hundred years to bring in my mother or father. I have a number of cases of men of foreign birth who served this country in the World War, and in some cases these men paid the extreme penalty.

Mr. GREEN's argument on the floor of this House following my speech of April 14 has no logic whatever, nor is it coherent with respect to the matter in discussion. It is outside of the case. He did not touch upon the real problem which confronts our American people, and by his speech and suggestion did not aid us in any way in the solution of the problem of uniting father and mother of American citizens. The circumstances described so tragically in Mr. GREEN's speech showing that we are face to face with unrest, social problems, race problems, crime waves, riots, anti-American propaganda, wage reductions, and other evils has absolutely nothing to do with this important legislation before the House; nor has it to do with anything with regard to our summer resorts in Florida, or skiing in the Florida waters, nor boat racing at Miami Beach.

As I stated before: Both major political parties, in their respective platforms, which were adopted in 1928, pledged themselves to effect just such relief as is provided for in this bill.

The Republican platform which was adopted at Kansas City on June 14, 1928, indorsed the principle of this bill when a portion of the platform stated:

> IMMIGRATION
>
> * * * Where, however, the law works undue hardship by depriving the immigrant of the comfort and society of those bound by close family ties, such modification should be adopted as will afford relief.

The Democratic platform, which was adopted at Houston, Tex., on June 29, 1928, likewise in a portion thereof indorsed the principle of this bill, as follows:

> IMMIGRATION
>
> * * * the provisions contained in those laws that separate husbands from wives and parents from infant children are inhuman and not essential to the purpose or the efficacy of such law.

President Herbert Hoover in his address of acceptance at Palo Alto, Calif., on August 11, 1928, stated in part:

> * * * We shall amend the immigration laws to relieve unnecessary hardships upon families.

The Democratic presidential candidate, Alfred E. Smith, said in his speech of acceptance at Albany, N. Y., on August 22, 1928, in part, as follows:

> * * * I am heartily in favor of removing from the immigration law the harsh provision which separates families.

The all-important problem of labor competition and unemployment is entirely absent, and is not at all effective since the bill applies to only parents of American citizens over the age of 55 who are not coming here to work, but coming to spend the last of the few years they may live with their children, who are able to provide for them comfortably. Both major political parties therefore are pledged by the platforms of 1928 to the abolition of immigration restrictions which cause the needless and cruel division of families, even the separation of fathers and mothers from an American citizen. Furthermore, both Mr. Hoover and Mr. Smith, in accepting nominations to the Presidency, declared themselves in favor of this reform. Mr. Hoover (now President Hoover) even promised categorically that it would be made. Although the fulfillment of campaign promises in general is notoriously neglected, such neglect in this instance would be disgraceful not only to politicians and statesmen, but to the Nation.

The gentleman [Mr. JENKINS] who wrote the minority report is going to tell us that we should put them within the quota. That is no solution or answer to this question. These people have been in the quota as preferred prospective aliens, and as a result of this preference there is an accumulation over a period of seven years or more of about 12,000. From some countries they may come in within the next few years, if they do not die in the meantime. From some other countries they may never come. To best illustrate this for the benefit of Mr. JENKINS and his coauthors, let me show you, Mr. Speaker, ladies and gentlemen of the House: Great Britain and Northern Ireland's total quota is 65,721. The total amount of preferences established up to to-day, which consists of fathers and mothers totaling 78, farmers and their wives, 190, and women and children of persons from Great Britain legally admitted to the United States, 2,725, making a total of 2,993, against Great Britain's quota of 65,721, leaving 62,628 for new blood or for anyone that wants to come in. This not only takes care of all preferences but has a surplus number of 62,628. Let us take as the next case Czechoslovakia. The total quota for Czechoslovakia is 2,874. Up to the present time there has been established preferences for mothers and fathers totaling 836; farmers, 306; women and children of persons legally admitted to the United States from Czechoslovakia totals 2,678. The classes I have enumerated are all preferences, making a total of 3,820. This is not counting the quota immigrants.

Taking Poland as the next example, with a quota of 6,524: Half of this quota will be 3,262. Taking the fathers, mothers, husbands of American citizens, at the present time there is established 2,957 preferences for these people and 25,789 preferences for farmers, making a total of 28,746. It must be borne in mind that there is no distinction between fathers and mothers, farmers, or husbands in preferences of 50 per cent. As a matter of fact, there are only a few fathers and mothers in that batch, but nevertheless the tremendous amount of preferences established in the 50 per cent that mothers and fathers get lost in the shuffle and are being held back from uniting with their children. I can give you a number of other illustrations, and in some instances fathers and mothers if they apply to-day could not come in under any circumstances.

Let us do the humane thing by the aged parents of American citizens, who in the very nature of things can not live long, and who will surely die within the next 20 years, and who will surely not in any way come into competition with our labor, and who surely can not hurt a soul in the social or economic life in the United States.

Surely it is not to be expected that these aged parents, who are over 55 years of age, will engage in any riots, crime waves, or anti-American propaganda. These individuals are harmless; and no matter what happens, nothing should be done to cause them any hurt.

I again appeal for a rule at the earliest possible moment.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATTERSON rose.

The SPEAKER. For what purpose does the gentleman from Alabama rise?

Mr. PATTERSON. To ask unanimous consent that on next Tuesday, after the reading of the Journal and the disposal of business on the Speaker's table, I may address the House for one hour

The SPEAKER. The gentleman from Alabama asks unanimous consent that on next Tuesday, after the reading of the Journal and the disposition of business on the Speaker's table, he may address the House for one hour. Is there objection?

Mr. SNELL. Reserving the right to object, Mr. Speaker, and I intend to object, as I indicated the other day, to the House granting requests of this kind until we may know what is before the House at that particular time. At the present time we have two unfinished bills before the House and we have important legislation coming next week. At the present time I do not know exactly what the program will be, but until we know the program I shall object to anyone obtaining unanimous consent to address the House on any particular day.

Mr. PATTERSON. Does the gentleman know when I can get the time?

Mr. SNELL. If there is nothing special set for any particular day, you may get the time then.

Mr. PATTERSON. I may have the privilege of renewing my request to-morrow?

Mr. SNELL. Certainly; but we ought not to allow such requests without knowledge of what will be before the House on the day indicated.

Mr. GARNER. Mr. Speaker, do I understand it is going to be the policy of this session of Congress from now on that none of these requests will be granted more than one or two days in advance?

Mr. SNELL. I can not say as to one or two days in advance, but as for one week at least one Member now on the floor will object. The time has come when we must attend to the business before the House before we grant permission for somebody to make a speech for home consumption for one hour.

Mr. GARNER. I would like to know how long in advance you will permit these special orders to be made.

Mr. SNELL. I should think they could be made one day in advance at least, for we usually know what is coming up at least that far in advance.

JOINT COMMITTEE TO INVESTIGATE THE PAY, ALLOWANCES, PENSIONS, AND COMPENSATION OF PERSONS WHO SERVED IN UNITED STATES MILITARY AND NAVAL FORCES IN ANY WAR

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 222, as amended.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of House Joint Resolution 222. The Clerk will report it.

The Clerk read as follows:

House Joint Resolution 222

For the appointment of a joint committee of the Senate and House of Representatives to survey and investigate the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war

Resolved, etc., That a joint committee, composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make a survey and investigation and report recommendations by bill or otherwise to their respective Houses relative to the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons who served in the military and naval forces of the United States in any war.

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

Mr. SNELL. Reserving the right to object, Mr. Speaker—and I shall not object—that resolution has had some consideration by the Committee on Rules, but the committee has not given definite consideration to its actual workings or whether it is properly worded to do what they want and nothing more. So far as the intent and purpose of the resolution are concerned I think we are all in favor of it. I have already made some suggestions to the gentleman from South Dakota [Mr. JOHNSON] as to amendments to be offered at this time, and with those amendments, I am rather of the opinion that the resolution will do all that they want to have done, although we have not given to it the careful and considerate attention that we should give to as important a matter as this.

The SPEAKER. Is there objection?

Mr. JOHNSON of South Dakota. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Page 1, line 7, after the word "recommendations," strike out the words "by bill or otherwise"; and on line 8, after the word "Houses," insert the words "before March 1, 1931"; and on line 10, after the word "persons," insert the words "except those in the Regular Establishment," so that as amended the resolution will read:

"*Resolved, etc.*, That a joint committee, composed of five Members of the Senate, to be appointed by the Vice President, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, shall make a survey and investigation and report recommendations to their respective Houses before March 1, 1931, relative to the pay, allowances, pensions, compensations, emoluments, and retired pay of all persons except those in the Regular Establishment who served in the military and naval forces of the United States in any war."

The SPEAKER. The question is on agreeing to the amendment.

Mr. SNELL. Mr. Speaker, is the gentleman from South Dakota absolutely sure that that will do what he wants done?

Mr. JOHNSON of South Dakota. I think it will do all that we want done. There are conflicting laws affecting the service men of all wars; discriminatory laws, laws referring to their allowances and pensions and emoluments and retirement pay. We ought to have legislation that will treat them all alike.

Mr. SNELL. If you think it is all right, I am for it.

Mr. FISH. Mr. Speaker, I am for the gentleman's resolution, and I think it will work out as the gentleman suggests, to cover all the veterans. But there is one class that is not included, namely, the reserve officers. Now to include those 5,000 officers that we want above all others to be included, will the gentleman accept an amendment?

Mr. JOHNSON of South Dakota. Yes. One class is the provisional officers and another is the reserve officers and still another is the class of emergency officers. Those should be included. I would accept such an mendment.

Mr. FISH. Can the gentleman suggest where it should go in? I wish to offer such an amendment.

Mr. EDWARDS. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. EDWARDS. Exception is made with respect to the Regular Establishment. Will that not defeat what we are attempting to do?

Mr. JOHNSON of South Dakota. I have already stated that there is a special committee of the House which is making a survey and investigation of the pay of the Regular Establishment, the same as we did in 1922, at the time of the passage of the other pay bill.

Mr. SNELL. That is all being considered at the present time.

Mr. EDWARDS. If that is the case, very well, but we want full information as to the entire personnel.

Mr. JOHNSON of South Dakota. That is being done by another committee of the House.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. RANKIN. Of course, the gentleman from South Dakota [Mr. JOHNSON] knows that I am in favor of the resolution as written; but I want to know what amendment has been offered.

Mr. JOHNSON of South Dakota. Does the gentleman from Mississippi refer to the amendments offered by me?

Mr. RANKIN. No; I favor those amendments.

The amendments were agreed to.

Mr. FISH. Mr. Speaker, I would like to offer an amendment.

The SPEAKER. Does the gentleman from South Dakota [Mr. JOHNSON] yield to the gentleman from New York [Mr. FISH] for the purpose of offering an amendment?

Mr. JOHNSON of South Dakota. I yield to the gentleman from New York [Mr. FISH] to offer an amendment.

Mr. FISH. I offer the following amendment: In line 10, after the word "persons," include the words "provisional officers."

The SPEAKER. The gentleman from New York [Mr. FISH] offers an amendment, which the Clerk will report.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. BANKHEAD. Has the gentleman compared the proposal that is now submitted after the word "persons," in the light of the already amended section of the resolution?

Mr. FISH. As far as I could, in the limited time at my disposal.

Mr. BANKHEAD. I had some part in suggesting these amendments to the gentleman from South Dakota [Mr. JOHNSON]. There has been inserted an amendment after the word "persons," to except those in the Regular Military Establishment. Where would the gentleman's phraseology come in?

Mr. FISH. I ask unanimous consent to include the amendment I have offered, after the words "Regular Establishment."

The SPEAKER. The gentleman from South Dakota [Mr. JOHNSON] has the floor.

Mr. JOHNSON of South Dakota. Mr. Speaker, I have seen the amendment offered by the gentleman from New York [Mr. FISH]. While I do not think it is necessary, in order to make a survey of provisional officers, yet it does not in any way injure the resolution and might make it a little clearer, and I am entirely willing to accept it.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes; I yield to the gentleman.

Mr. BANKHEAD. I have just looked at the language of the amendments offered by the gentleman from South Dakota, and the parliamentary clerk advises me that the amendment offered by the gentleman from New York [Mr. FISH] will completely carry out the purpose.

Mr. FISH. Mr. Speaker, I offer that amendment and ask for its consideration.

Mr. SWING. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman from California.

Mr. SWING. I would like to know whether or not the amendment offered by the gentleman from New York [Mr. FISH] will open up the investigation to include emergency officers who have been retired, and include what they have been paid or authorized to be paid?

Mr. JOHNSON of South Dakota. That amendment will not affect any disabled emergency officer.

Mr. KVALE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. KVALE. Will the gentleman from South Dakota [Mr. JOHNSON] offer an amendment, in addition to the provisions of his bill, to take care of the men from the United States who served with the Foreign Legion in France, with the Lafayette Escadrille, and with troops of that kind, that should be considered now?

Mr. JOHNSON of South Dakota. I would not accept any such amendment, because it has been the policy of this country to take care of only soldiers who served under the United States flag.

Mr. KVALE. But, Mr. Speaker, there are bills pending now before the House of Representatives proposing to take care of this class of men, and those bills can be supported by meritorious arguments and by valid facts. I would like to see that incorporated in this bill. It commits the House to nothing. It only says that they shall be considered in connection with these other studies. I doubt the advisability of considering this resolution before the supposed enactment of the Johnson bill.

Mr. JOHNSON of South Dakota. I will say to the gentleman from Minnesota [Mr. KVALE] that the men to whom the gentleman refers now are not on any roll of the United States—pension, compensation, or anything else.

Mr. KVALE. But they are, potentially.

Mr. JOHNSON of South Dakota. The purpose of this investigation is only to make a survey of those that we know served honorably in the United States forces, but not to take on any more jurisdiction.

Mr. ABERNETHY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield to the gentleman.

Mr. ABERNETHY. Do I understand that the gentleman from South Dakota [Mr. JOHNSON] proposes to accept this amendment in this bill? This is only for an investigation.

Mr. JOHNSON of South Dakota. It has no connection with the bill that is before the House now.

Mr. ABERNETHY. I do not understand the gentleman from South Dakota [Mr. JOHNSON] would favor putting this in his bill?

Mr. JOHNSON of South Dakota. It has no connection with the bill and would not be germane.

Mr. NELSON of Wisconsin. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. NELSON of Wisconsin. I would like to ask the chairman of the committee whether this contemplates a survey of the military and naval forces of the United States, of any war?

Mr. JOHNSON of South Dakota. I would say to the gentleman from Wisconsin [Mr. NELSON] that perhaps he did not hear the amendments which I offered, which excepted from the survey the Regular Establishments. Those are being surveyed now by a committee, of which the gentleman from Wisconsin [Mr. NELSON] is a member. We do not desire to interfere with that jurisdiction.

Mr. NELSON of Wisconsin. May I say that we have now arranged for a very comprehensive survey. Colonel Church, the Director of the Bureau of Pensions, will lead, and then General Hines and General Wood, and following them will be experts from the different departments who are giving study to every phase of this question. Certainly, we welcome any further investigation.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 1, line 10, after the word "persons" insert the words "including provisional officers."

The amendment was agreed to.

Mr. JOHNSON of South Dakota. Mr. Speaker, I move the previous question.

The previous question was ordered.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. JOHNSON of South Dakota, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

WORLD WAR VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. 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. 10381) to amend the World War veterans' act of 1924, 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, with Mr. MAPES in the chair.

The Clerk read the title of the bill.

Mr. RANKIN. Mr. Chairman, I think it should be stated, for the benefit of the Members who were not present yesterday, that we have already read the first section of the bill and that it is now open for amendment.

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

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 3, line 8, strike out the period and insert in lieu thereof a colon and the following:

"*Provided further*, That where service connection has been found by the United States Veterans' Bureau to exist (whether or not by reason of a presumption of law) in the case of any injury or disease or any aggravation or recurrence of a disability, and such finding has continued in effect for a period of five years, such finding, except in case of fraud participated in by the claimant, shall be final and conclusive for the purposes of this act, and the claimant shall be entitled to the benefits thereunder in accordance with such finding from and after the end of such 5-year period, whether or not such period ended prior to the passage of this amendatory act."

Mr. LANHAM. Mr. Chairman, it seems to me this amendment should appeal to the sound judgment of the Members of this House, irrespective of their opinions with reference to the relative merits of the so-called Johnson and Rankin bills.

This amendment simply seeks to accord to the veterans of the World War the benefit of the principle of equitable estoppel, a protection which has been accorded our citizens generally in our courts from the very beginning of our judicial system.

I want to explain this amendment briefly. I think this provision should have been incorporated in law long before this in justice to these men who went overseas to fight in our behalf.

This amendment provides this, and simply this: That when the Veterans' Bureau has established the service connection of a veteran's disability and that finding has remained unquestioned for a period of five years, the bureau shall then be estopped from denying the service connection of the disability. In our general system of jurisprudence that doctrine is founded upon the very proper theory and principle that after the lapse of several years it is impossible for a man to adduce the same proof in support

of his contention which he could have offered originally. It is a well-recognized principle throughout our whole system of jurisprudence.

Now, this proposed amendment has nothing to do with the amount of compensation which a veteran receives. It does not say he shall continue to receive a fixed amount of compensation; the amount of compensation to be paid him will depend entirely upon the degree of his disability. This amendment has to do simply with service connection, and it provides that when service connection has once been established and recognized for five years the Veterans' Bureau thereafter, whether the disability be of compensable degree or not, shall be estopped from denying the service connection of it.

Mr. CONNERY. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. CONNERY. I am in hearty sympathy with the gentleman's amendment, and it will not cost the bureau a cent, will it?

Mr. LANHAM. I do not think it will. It certainly will not cost very much.

Of course, this was brought to my attention by a particular case, but it is certainly typical of a class of cases. However, I imagine the number would be relatively slight, and it seems to me it is nothing but simple justice to the veterans to provide that after five years they should not be required to re-prove the service connection of their disability.

Mr. RANKIN. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. RANKIN. Instead of costing the Government money, would not this amendment save the Government money in that it would do away with the services of a coterie of clerks who would be engaged in going through the files of these veterans for the purpose of cutting their compensation every now and then?

Mr. LANHAM. I will say to the gentleman that I think the final result will likely be in the interest of economy and that the outlay will probably be less.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. JOHNSON of South Dakota. How many cases of service connection have been broken after five years?

Mr. LANHAM. I will say very frankly that I do not know, but I imagine very few.

Mr. JOHNSON of South Dakota. Does the gentleman know of any?

Mr. LANHAM. I do; yes; and I should like to recite the details of that case, because that is what brought the matter to my attention.

Mr. COCHRAN of Missouri. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. COCHRAN of Missouri. I want to say for the benefit of the gentleman from Texas and also for the benefit of the gentleman from South Dakota that the Veterans' Bureau to-day has certain committees which are doing nothing whatever but reviewing papers, and they are breaking service connection in cases of which I have personal knowledge.

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

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. McCORMACK of Massachusetts. Will the gentleman yield?

Mr. LANHAM. I yield.

Mr. McCORMACK of Massachusetts. I may also say, for the benefit of the gentleman from South Dakota, that I have two cases pending where service connection was broken after six years, and I am doing what I can to reestablish service connection.

Mr. PALMER. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. PALMER. I wish to say that I have a case in which service connection had been established for about eight years. It has been terminated absolutely although it is evidently a meritorious case.

Mr. LANHAM. I may say that the thing which prompted me to offer this amendment was the belief that there were such cases in existence, because one came under my own personal observation.

The particular case to which I refer is one in which a veteran had been paid compensation for seven years. After this veteran had drawn compensation for seven years he was persuaded by a lawyer to institute suit for his insurance. He was poorly advised, because he was not permanently and totally disabled and was not entitled to the insurance. Shortly thereafter the Veterans' Bureau reopened his original claim and decided that seven years before they should not have determined that his disability was service connected and that he should not have been paid compensation during the seven years.

There was no doubt with reference to his disability. It was very severe. It had become aggravated through the years. He was unable to work, though he had made earnest efforts to work and employment had frequently been offered him.

Now, he went back, as he naturally would have done, to the physician who examined him and upon whose testimony the Veterans' Bureau had established the service connection. The physician said, "Yes; I remember examining you. My records show I examined you at that time, but I can not locate the findings. I do not know just what I found your condition to be, and I can not give you a detailed statement of that, as I did at the time." So the boy, through no fault of his own, supposing for seven years that the matter had been settled, was called upon to offer proof which he could not possibly offer, but which had been offered originally, and I say that this whole principle of equitable estoppel is founded upon the idea that after the course of years a man can not introduce the same proof which he could originally. For this reason we have our various statutes of limitation.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. JOHNSON of South Dakota. Whatever proof was introduced at the beginning of the matter is in the folder now.

Mr. LANHAM. It may be. I do not know whether it is or not.

Mr. JOHNSON of South Dakota. It could not help but be there. In other words, whatever testimony was given originally is still in that folder.

Mr. LANHAM. That may or may not be.

Mr. JOHNSON of South Dakota. Well, it is.

Mr. LANHAM. I know one thing; I know that the Veterans' Bureau had definitely established this boy's service connection. There was no question in the world as to the very serious nature of his disability. They had paid him compensation for seven years and then cut him off, and I say that to require that boy to go back seven years and try to establish his claim as of that date imposes a burden not required in our civil jurisprudence throughout this land. It is a well-established principle; and surely the period of limitation with reference to service connection ought at some time to cease and be determined. [Applause.]

Mr. MOORE of Virginia. Will the gentleman yield for a question?

Mr. LANHAM. Yes.

Mr. MOORE of Virginia. I understand that the gentleman's amendment expressly excludes cases of fraud?

Mr. LANHAM. It does. I am pleased that the gentleman called attention to that. Of course, where there is fraud in the securing of the service connection originally, that vitiates it, and the amendment does not apply to such cases.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to the amendment. This amendment has never been presented to the committee in any shape, form, or manner.

Mr. LANHAM. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. LANHAM. I would like to call the gentleman's attention to the fact that I appeared before the committee in person and cited this particular case and asked for a provision to cover cases of this character.

Mr. JOHNSON of South Dakota. Well, I must not have been present at that time.

Mr. RANKIN. If the gentleman will permit, I will say to the gentleman I was present and other gentlemen who are here were present when the gentleman from Texas came before the committee.

Mr. LANHAM. The gentleman simply does not recall it, because he was present and he graciously accorded me an opportunity to present the matter to the committee.

Mr. JOHNSON of South Dakota. It is the intention of the Veterans' Committee to afford every Member of the House an opportunity to present matters of this kind. They are important and we have always intended to give the Members such an opportunity. I was probably called from the room on some other matter at the time the gentleman was there, because I have been present at all the hearings.

This amendment would estop the Government in certain cases where it should not be estopped.

I grant you that once service connection is established, except in very exceptional cases, it should never be broken; but I was in Washington in 1919, 1920, and 1921 and I saw many cases given service connection under a previous administration of the Veterans' Bureau when I knew they should not be connected, and I do not think the Government should be estopped from breaking service connection when it has perfect proof.

Mr. LANHAM. Does not the gentleman think that five years is time enough to determine that?

Mr. JOHNSON of South Dakota. Not necessarily. I would like to see this matter considered by the new committee that is to be created under the provisions of the resolution (H. J. Res. 222) that has just passed. If the testimony were all taken, if we could bring the witnesses from the Veterans' Bureau, from the Pension Bureau, and from all the other Government departments before the committee and make a thorough investigation I might not oppose it, and no great damage will be done to any person by not adopting a provision of this kind at this time.

This is typical of the amendments which we are going to consider. There will be some merit in all of them, but my judgment is that you are gradually going to load this bill, by adopting amendments to this provision and by adopting amendments to other provisions, until any President would be forced, by such cumulative loading, to veto the bill. I do not believe this is the time or place for an amendment of this kind, with only the consideration that we can now give it on the floor of the House, without any opinion from the bureau, without knowing the Members' cases, and without going into the facts of the cases involved. I do not think it ought to be passed until a survey is made.

Mr. DENISON. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. DENISON. Where the bureau has decided that there was no service connection, can that be opened up?

Mr. JOHNSON of South Dakota. Certainly it can be opened up the other way if the claimant has more evidence which is connected with the service. In other words, you ought not to estop the Government and not estop the man.

Mr. GARBER of Oklahoma. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. GARBER of Oklahoma. Does not the gentleman think that before the bureau would be authorized in disconnecting the service there should be notice to the veteran?

Mr. JOHNSON of South Dakota. I would be glad to accept such an amendment, but it is not necessary for they are giving notice now.

Mr. GARBER of Oklahoma. I have a case in which I am interested, where they did not give notice—they disconnected the service without any notice on the veteran whatever.

Mr. JOHNSON of South Dakota. I know the gentleman is making a statement which he believes to be true, but I know from my own knowledge that they have a rule that they shall be given such notice, and if that rule was broken the case could be opened up anew.

Mr. GARBER of Oklahoma. Why put the burden on the veteran; why not put it on the department in the event of disconnection of the service? Why not require the department to do that and give the veteran his day in court?

Mr. JOHNSON of South Dakota. I will say to the gentleman that I will be glad to accept an amendment of that kind, for I do not believe that a man should be disconnected without notice.

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

The question was taken; and on a division (demanded by Mr. LANHAM) there were 91 ayes and 82 noes.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. JOHNSON of South Dakota and Mr. LANHAM.

The committee again divided; and tellers reported that there were 135 ayes and 97 noes.

So the amendment of Mr. LANHAM was agreed to.

Mr. SWING. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Proposed amendment of Mr. SWING: Page 1, line 11, after the word "purposes," strike out the word "and" and insert in lieu thereof the following: "*Provided*, That in making regulations pursuant to existing law, with reference to home treatment for service-connected disabilities, the director shall not discriminate against any veteran solely on the ground that such veteran left a Government hospital against medical advice or without official leave. The director."

Mr. SWING. Mr. Chairman, in the RECORD of yesterday, at the close of the proceedings, you will find this amendment, together with the regulation at which it is directed and which it is sought to amend.

The necessity for this amendment arises out of Regulation No. 6588, subdivisions (c), (d), and (e), which prohibit home treatment to disabled veterans with service-connected disability if he left a hospital against medical advice or without official leave.

And it makes no difference whether he is at the time so seriously ill that he can not be moved to a Veterans' Bureau hospital for treatment without endangering his life, still by subdivision (d) of paragraph 6588, the bureau will not extend him medical aid or home treatment.

I first called this situation to the attention of the House two weeks ago. I cited the case of a veteran in my district, Mr. J. H. Wilson, who had service-connected disabilities. He appealed for home treatment because he had not the means to employ a private physician and was too ill to be moved to a hospital. That relief was refused him. I called the matter to the attention of the director on the 28th of last month, stating that I was informed that this man was dying. He did die two days afterwards without any Veterans' Bureau doctor attending him. I say that is an unnecessary militaristic regulation that is not in conformity with the spirit of the Veterans' Bureau act, and that it is contrary to the intention of Congress and the desire of the American people. Merely because a man has broken a regulation of a hospital by leaving when the doctors thought he ought to stay there, under existing rules, he thereby forfeits, so long as he lives, and no matter what his physical condition may be, any right to receive medical treatment from the Veterans' Bureau outside of a hospital. That is inhuman.

I have discussed this amendment with the chairman of the committee and have discussed the amendment with Mr. Watson B. Miller, who has done more for disabled veterans of the World War than probably any other man. I think I am safe in saying that they are not opposed to the purpose of the amendment. I am advised that the amendment has been discussed with officials in the Veterans' Bureau, and that those with whom it was discussed are not opposed to the purpose of the amendment. In fact, I am told that they are considering amending this regulation, but they have been considering amending it ever since the 5th of March, a month and a half ago, when I first called this regulation to their attention, and they are still considering it and my fear is that unless we adopt this amendment they will be considering it this time next year. I trust that Comrade Wilson will not have died in vain and that this amendment will be adopted.

Mr. JOHNSON of South Dakota. Mr. Chairman, the committee will recall that this is the same question which was debated by the gentleman from California [Mr. SWING] and myself several days ago in general debate. We have conferred concerning the amendment. I shall not oppose it. I do wish, however, to extend my remarks in the RECORD by inserting a copy of a letter written to the gentleman from California [Mr. SWING] by the Director of the Veterans' Bureau on April 8, 1930, giving the viewpoint of the bureau.

The CHAIRMAN. Without objection, the gentleman from South Dakota will be permitted to extend his remarks in the manner indicated.

There was no objection.

The letter referred to is as follows:

APRIL 8, 1930.

Hon. PHIL SWING,

House of Representatives, Washington, D. C.

MY DEAR MR. SWING: I have received your letter of April 5, 1930, referring to your recent conversation with me regarding the extension of relief, particularly out-patient treatment, to veterans who have left hospital against medical advice or absent without leave. During the course of our conversation you referred to those veterans who were undergoing treatment for tuberculosis at Banning, Calif., and cited the case of James H. Wilson, C-1, 281615, who is reported to have died on March 30, 1930, without having received treatment by a bureau physician.

I am sure that you will appreciate that the World War veterans' act of 1924, as amended, clearly indicates the intention of Congress that Government facilities, such as are available or may be made available, shall be utilized in connection with the treatment of disabled veterans who are beneficiaries under that act. This is quite clearly specified in section 10 of the act, which section, it is true, further provides that other facilities may be utilized when Government facilities are determined to be unsatisfactory. The act also provides (sec. 11) that such regulations as may be deemed necessary in order to promote good conduct on the part of persons who are receiving care and treatment in hospitals, homes, or institutions, as patients of this bureau may be made.

The Government, as you know, has proceeded at great expense (approximately $106,000,000 having been authorized to date) in providing modern, up-to-date hospital facilities for the care of disabled veterans, and it is felt that the bureau is well advised by medical authorities both within and without the bureau in insisting that disabled veterans who are its beneficiaries shall, when they are in need of hospital care and adequate facilities are available, accept such care as is offered by the bureau, or, in the event that they elect to take treatment in accordance with their own desires, the bureau will not and should not be responsible for any expense thus incurred, unless such treatment is approved by the medical authorities of the bureau. However, in such instances the bureau does provide for the continued relief of service-connected disabilities through such services as may be rendered by the out-patient dispensary facilities of the bureau, and follow-up nursing service is always available. This type of service, however, may only be rendered when beneficiaries are so situated as regards location as to be reasonably accessible to contact by the bureau.

In reviewing the hospital record of Mr. Wilson, whose death is sincerely regretted, it is noted that he had been hospitalized by the bureau on four occasions, and in two instances left a Government hospital equipped in every way to render him a high type of service against medical advice. On both occasions he signed a statement as follows: "I hereby certify that I am discharged upon my own request and contrary to the advice of the medical officer in charge." By so doing he voluntarily and by his own act placed himself in a position where the bureau lost control of treatment which had been instituted, and it does not seem that the bureau can justly be charged with negligence or with responsibility for events which subsequently occurred.

On February 1, 1930, Mr. Wilson, as well as eight other veterans who were in the same status, at Banning, were offered hospitalization. Mr. Wilson refused to accept same and all of the others either failed to reply or refused outright to accept the offer of hospitalization. Following your visit to this office the regional manager at Los Angeles, Calif., was instructed to render such medical care for Mr. Wilson as was indicated, but it appears that he passed away in the interim.

With reference to your views as to blacklisting veterans whose hospitalization is prohibited by regulations, it is desired to state that the disciplinary status of bureau patients is recorded in their case folders which are held in regional offices. No list is published or circularized, but information as to beneficiary status as well as disciplinary status is obtained in individual cases through contact with the office having jurisdiction over the case folder. The procedure for handling such cases has been entirely decentralized and field officials have ample authority to take the required action.

Only such regulations are issued as are authorized by law and as are considered in the best interests of beneficiaries as a whole, and in the application of the law and the regulations sympathetic liberality is required of and exercised by all bureau employees concerned. Continued study is given regulations and instructions as issued by the bureau, and as circumstances and conditions are presented indicating necessity or desirability for changes, appropriate action in that regard is taken. Ample provision is made for home treatment and out-patient treatment for bureau beneficiaries who are entitled to such services, under certain conditions, which conditions it is believed are conducive to the interests of the patients themselves as well as the Government; but the bureau can not assume responsibility for the treatment of veterans outside of hospitals when such treatment is arranged beyond the control or without the approval of this bureau.

Very truly yours,

FRANK T. HINES, *Director.*

Mr. JOHNSON of South Dakota. I also call attention to the fact that when this amendment is adopted there may be certain service men in the United States entitled to hospitalization who may get the idea that because of this amendment they can go in some of these hospitals at 2 o'clock in the morning and kick some nurse in the eye and not be put out. It is not so intended. In other words, it is costing the Government $120 a month to hospitalize these men, and there must be some rules and regulations as there are in private hospitals. I do not desire to penalize them, but the passage of this amendment will not permit some of the things that have happened in the past, because certain men must be kept out of the hospital if they want to behave in that manner. They ought to be in jail instead of in the hospital.

Mr. SWING. I agree with what the chairman has just said, Mr. Chairman.

Mr. RANKIN. Mr. Chairman, we are willing to accept the amendment on this side.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from California.

The amendment was agreed to.

Mr. WOOD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. WOOD: Page 2, line 1, after the word "decisions," insert the words "of questions of fact," and on page 2, line 2, strike out the words "claimant's right" and insert the word "claimant," and on page 2, line 4, commencing with the word "notwithstanding," strike out the remainder of the line, and strike out lines 5 to 10, inclusive, and all of line 11 down to and including the word "amended."

Mr. WOOD. Mr. Chairman, the only purpose of this amendment is that the enforcement of this act, if it becomes law, shall be no different from the enforcement of any other act of this Congress, in so far as the Comptroller General is concerned. I appeal now to every Member of this House upon both sides of the Chamber who was and is in favor of the continuation of the Budget system and supervision of the Comptroller General to vote for this amendment. As I said here yesterday, to my mind, the adoption of the Budget system, together with the Comptroller General, has been the greatest agency for saving that this Government has ever known. If you want to break down that system, you have presented in this bill a splendid opportunity to do it.

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

Mr. WOOD. In a moment. I do not believe that it is the purpose or desire of a majority of the Members of this Congress who know what the practical effect of the Budget system has been, together with the action of the Comptroller General, to break down the Budget system. As I said yesterday, to-day we are spending, through the Veterans' Bureau, an amount equal to the customs receipts of this country. We are spending, through the Veterans' Bureau, an amount nearly equal to one-fourth of all of the money derived through the income tax. If this bill becomes a law, I expect that within a very short time we will be spending more than 40 per cent of the income tax. Is it possible, in view of our desire for better business conduct of this Government, that we want to break down this agency which has been of so much value in the years that have passed since its adoption? It can be of no particular good if that be done, but it will be of incalculable damage to the Government of the United States and to the finances of the United States. I appeal to every Member who believes in the Budget system, who believes in the Comptroller General, as an agency to save money and see to it that impartial justice is dealt out, to vote for this amendment, in order that we may preserve that agency for the future good, warranted by the good that it has done in the past. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Mr. Chairman, we are appropriating for the Veterans' Bureau in round figures about $514,000,000 annually, which is 22 per cent of all the expenditures of the Government, leaving aside the Post Office Department and our war debt. If this bill is passed in its present form, it will remove the Veterans' Bureau from out of the jurisdiction of the Comptroller of the Budget and we shall have no supervision of the expenditures in that big bureau. Is not that a fact?

Mr. WOOD. Absolutely none. That is the reason why I desire to call it to your attention.

I want to say to you, gentlemen, that even those who are to be the beneficiaries under this bill would want to have that supervision. I do not believe there is a soldier in this country or the friend of a soldier in this House who wants anything but what is fair. I can not believe that anybody in this House wants any injustice done to the Government because of the enactment of this law. I think the soldiers of this country are among the best citizens in the country, and I believe that the best citizens in this country are in favor of the Budget system, and if this bill is enacted without this amendment, it will be a death blow to the Budget system and the comptroller. [Applause.]

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

Mr. LUCE. Mr. Chairman, I rise in opposition to the amendment. The question at issue here is whether matters of law shall be decided by the legal department of the Veterans' Bureau or by the legal department of the Comptroller General's office. That is the heart of the question. It goes very much beyond this bill. It goes to the whole operation of the finances of the Government.

I was a Member of the House at the time the Budget law was passed, and I favored the enactment of that law. However, in my judgment, one grave mistake was made. The law gave the Comptroller General final authority, without appeal, to determine what is the law. It took away from the judicial department of the Government its proper function of determining what is law.

I have no criticism to make of the Comptroller General. He has done admirable work, in my opinion. I do not mean to weaken his authority, save where the principle embodied in the Constitution of the United States interferes; the Constitution of the United States places the determination of matters of law in the judicial branch of the Government. I thought then, and I have had occasion to think since, by reason of personal ex-

perience, that it was wrong to authorize the Comptroller General, a man for all practical purposes beyond the reach of both the Legislature and of the Executive, to determine what is law.

I may be wrong in the supposition that the Comptroller General is not a lawyer. The lawyers in his bureau may be young men without great training or great knowledge of the law. These young men, whose identity we do not know, before whom we do not appear, to whom we can present no oral argument, before whom we can in person lay no citation of decisions of the courts, and to whom we have no access whatever—these young men say what is the law, and thereupon the Comptroller General inevitably accepts their opinion and puts it in force.

The proviso under consideration results from a case where the Veterans' Bureau says one thing and the Comptroller General says another thing is the law. I do not know which is right, and of itself it is not a matter of supreme importance which side is right. You can decide to-day which legal department shall have the authority. But if you are going to allow the lawyers of the comptroller's office to determine what is the law, without effective opportunity to appeal to the judiciary, without effective opportunity to protest, without effective opportunity to discuss, I trust you will thoroughly understand what you are doing.

Mr. WOOD. Mr. Chairman, will the gentleman yield there?

Mr. LUCE. Certainly.

Mr. WOOD. The Comptroller General is the agent of this Congress. He is responsible to no other authority than the Congress. He is the creature of the Congress, and if there is any defect in the law, the Congress can very easily change it; so that I would suggest that we should ourselves change the law rather than destroy it altogether.

Mr. LUCE. Mr. Chairman, at this very moment we are changing the law.

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

Mr. LUCE. Yes.

Mr. PATMAN. Is it not a fact that under the present law the decision of the Comptroller General can be appealed or reviewed by the courts?

Mr. LUCE. Not as a practical matter, in my opinion. In my experience I have found no chance to ask any judge or jury if his judgment as to the law is wrong.

Mr. PATMAN. As I understand it, you can mandamus the Comptroller General under the present law, whereas under this proposed act the opinion will be rendered by the Director of the Veterans' Bureau and that opinion will be conclusive. However, under the due process of law section of our Constitution I doubt that the courts would refuse to review his decisions.

The CHAIRMAN. The gentleman from Alabama [Mr. OLIVER] is recognized.

Mr. OLIVER of Alabama. Mr. Chairman, I rise to support the amendment offered by the gentleman from Indiana [Mr. WOOD]. It may be interesting to read what the gentleman from Massachusetts [Mr. LUCE] said when the legislation providing for the position of Comptroller General was before the House for consideration. He offered an amendment to the bill, which was later adopted, and in his speech referred to the legislation and to the office which it sought to create in a very complimentary way. It is important to remember that the Comptroller General is not an officer under the control of the President. He is a representative of Congress, and this office was established for the purpose of requiring an examination of executive departments and independent offices and the rendition of regular reports thereon to Congress.

When we adopted the Budget System and created the office of the comptroller to supervise and report on all administrative acts in the spending of public funds, under existing laws, the gentleman from Massachusetts offered an amendment, and spoke, as I have previously said, in a most flattering way of the importance of the comptroller's office. His closing remarks in support of his amendment will prove interesting to the House. At that time he said:

> The words used have the savor of the bookkeeper, of the cashier, of the treasurer, not of the investigator of the way the money is spent, not of the man who goes out and looks for trouble, not of the man who attempts of his own initiative to find places to save money. Therefore I make the suggestion that we add to the words of the cashier and the treasurer and the accountant, namely, "receipt and disbursement" the word "application." If there ever was presented on this floor a single word of amendment which might have a wider extent of usefulness to the people, it has not come to my knowledge.
>
> I hope, sir, that if this is satisfactory to the committee, the chairman may supplement what I say in order that there never may be any question that we did not mean this man to be simply a bookkeeper, simply a cashier, simply an accountant, but that we meant him to be our will, our eyes, and our ears, to study and determine and enforce economy.

[Applause.]

That was the opinion of the gentleman from Massachusetts [Mr. LUCE] as to the importance of this official when he proposed an amendment seeking to lend dignity to the office. So that no one might consider the Comptroller General was merely a bookkeeper and an accountant he referred to him as the eyes and the ears of Congress.

Mr. LUCE. Will the gentleman yield?

Mr. OLIVER of Alabama. I yield.

Mr. LUCE. I indorse the sentiments then uttered. I am glad that I expressed them, and I wish that they may have been fully embodied in the statute, but I never said I desired this man to be the lawyer of Congress.

Mr. OLIVER of Alabama. I have often heard the plea of confession and avoidance when one has no defense. [Applause and laughter.] This was the only defense that my good friend from Massachusetts, the distinguished student of government, could really offer when reminded of the splendid tribute he paid this official position less than 10 years ago. But I say to the gentleman that this Congress is still mindful that this particular bureau which the gentleman seeks to remove from all supervision, control, and examination by the comptroller was once presided over by one called Forbes. We have to-day, it is true, at the head of this bureau a man to whom all pay high tribute and hold in high esteem, but we can not be sure that over any department there may not sometimes be found another Forbes. What excuse could any Member of this Congress offer if in the future there should appear another Forbes in this bureau of growing importance; and it was then said, "But Congress on the 24th day of April, 1930, decided to remove all supervision, control, and check over that bureau."

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

Mr. KNUTSON. Mr. Chairman and members of the committee, I concur in everything that the gentlemen from Indiana [Mr. WOOD] and Alabama [Mr. OLIVER] have said, but I am a little at a loss to understand by what method of philosophical reasoning the distinguished gentleman from Massachusetts [Mr. LUCE] has arrived at the conclusion that the amendment offered by the gentleman from Indiana should not be adopted because it is most assuredly in harmony with the Budget plan for making appropriations.

This House must realize that we are appropriating for the Veterans' Bureau for the present fiscal year $514,000,000; next year the appropriation has been increased by something like $42,000,000. Ladies and gentlemen of the House, either the Budget system is good or it is not good. If it is good, it certainly should be made to cover a department of the Government that is spending 22 per cent of our net appropriations. If it is not good, then we should repeal it and release all bureaus from the jurisdiction of the Budget.

How can anyone consistently vote against an amendment which would place certain safeguards about expenditures involving $550,000,000 a year? It is the money of the taxpayers, and if the Veterans' Bureau is spending that enormous sum in the manner contemplated by Congress, there should not be any opposition to supervision by the Comptroller General. If it is not spent the way it was intended it should be spent, then, in God's name, let us have this supervision of the expenditure so that we may know it is not going to be frittered away and wasted.

I yield back the balance of my time, Mr. Chairman.

Mr. ADKINS. Mr. Chairman, ladies and gentlemen of the committee, if this amendment and others that were not accepted by the committee are to be accepted now, I can see the finish of this bill. Every Member present can propose some amendment for which a good argument can be presented, which would apply to an individual case in his home district, but, if all such amendments were adopted, God help the poor veteran who is looking for relief under this law. We will get this bill loaded up so that it will not become a law. I can see that.

Addressing a number of veterans in my town before I came to Washington, I apprised them of just what would happen in this Congress. I told them that the only way to get a law passed was to go along with the committee after the committee reported, because there are so many angles to it and so many individual cases that appeal to us that unless we go along with the committee we will never get any legislation. Every man in the House is a friend of the veteran. Amendments can be offered to relieve specific individual cases, but I told my constituents that if that was done we would never have any veterans' legislation. I put that matter to them plainly. The legislative organization of the American Legion in my State rep-

resents about seven of the largest cities in the State. They have studied all of this legislation, and they appreciate the fact that there is not in this bill all that they would like to have, but the legislative representative has written a letter in which he said, "Stand for the Johnson bill."

I think the resolution which was passed to-day will go a long way toward finally bringing about an adjudication of the rights of the veterans. It does seem to me that after this committee has spent all the time in hearing everybody who wanted to be heard, and has brought out what in their judgment is the best thing that can be passed, we should go along with the committee. I would take just as much pride in introducing an amendment to this bill that would relieve certain individual cases as any other gentleman present, but I know, and the veterans in my district know, that if I did that and every other man did that, it will be impossible to get a law passed. If we accept every Member's amendment, we might just as well close the book, as far as the veterans are concerned.

Mr. JOHNSON of Oklahoma. Will the gentleman yield?

Mr. ADKINS. I yield for a question.

Mr. JOHNSON of Oklahoma. In view of the remarks of the gentleman from Illinois [Mr. ADKINS], does the gentleman not think the rest of us might leave the chamber and let the committee pass whatever bill it desires?

Mr. ADKINS. No; I do not think the gentleman looks at it that way at all.

Mr. JOHNSON of Oklahoma. That is the effect of the remarks of the gentleman from Illinois.

Mr. ADKINS. No, no. In a matter in which there is such a wide difference of opinion and in which every man in this House has a right to have an individual opinion, there must be some place to draw the line.

Mr. JOHNSON of Oklahoma. The gentleman from Illinois does not think that we should be able to express our opinions by amendments?

Mr. ADKINS. The gentleman does not get that inference from my remarks at all. I realize that it is rather unusual for a Member, not a member of the committee, to get up on the floor and say something in favor of a bill, and, I will say again, I look to the committee to gather all the facts and bring in their recommendations, but when I see two or three chairmen of big committees disagreeing on the recommendations of this committee, sometimes I do not know where I am in following the regular legislative procedure. Let us pass this bill as recommended by the committee and such amendments as the committee accepts, because they are familiar with every detail through their hearings of this kind of legislation. I think it can become a law and relieve a large number of deserving fellows.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that all debate on this section and all amendments thereto close in 15 minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman and gentlemen, I am sure no one in this House can charge me with being unfriendly to the veterans. I am one of them. I have been sentimentally and generously in favor of every piece of legislation for the benefit of the veterans that has come before this House. In the interest of the veterans I appeal to every friend of the veterans to support the Wood amendment. [Applause.] And I will tell you why. Gentlemen, you would not think of giving to any department of the Government the right of appeal from its own decisions. That is what the bill here does. You give enormous powers to the head of the Veterans' Bureau. You give him administrative powers, judicial and executive powers, and then you say his interpretation, his construction, and his decisions of the law and all payments by his administration is final and no supervision and no check whatsoever.

Now, gentlemen, what are those who are interested in the veterans striving to get? Uniformity of treatment. We want every veteran treated alike. We want the law construed the same for every veteran who applies for compensation. If you take away the power of review on all of these cases, I will tell you what is going to happen. The veterans who have political pull, the veterans who can get a Congressman to go up and fight their case, are going to get compensation, while the veteran who can not establish contact with a Member of Congress or some influential person is going to be left out in the cold. It is bound to happen. There will be 50 different varieties of constructions of the law. Without the check and supervision of the comptroller favoritism is bound to be created in the treatment of various veterans. The veterans themselves desire square and equal treatment for all. The gentleman from Texas pointed out that without the amendment the bill not only gives the Director of the Veterans' Bureau the last say but makes his decision absolutely final. That may well result most unfavorably to the veterans.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. MOORE of Virginia. The language is that all decisions shall be conclusive except as "otherwise provided herein," and there is no "otherwise provided."

Mr. LAGUARDIA. Exactly. I can not understand the attitude of the gentleman from Massachusetts, who is usually sound in his position. He is the author of a book on parliamentary law, and the announcement of the publication of his book came to us a few days ago. The publishers announce the book as written by the greatest "parliamentary authority in the world," and I fully subscribe to that description. He is. But he is willing to make the decision of an administrative officer absolutely final and conclusive, and he is opposed to giving the agent of Congress the right to pass upon the construction of law and its administration, the same right we have given to him with respect to every other department of the Government.

I will say to every Member of this House who knows his legislative business that the reason we have been relieved of a great deal of detail work is because we created that agent of Congress, responsible only to Congress, the Comptroller General. If the law we make does not carry out the intent of Congress it becomes a legislative matter for Congress. It should not be left to the head of a department.

Let me give you an instance, and the chairman of the Committee on Appropriations will bear me out. The Comptroller General rendered a very wholesome and sound opinion a few days ago on the awarding of lump-sum appropriations in connection with the merchant marine act. He was right and he was sound. Congress within 10 days overruled his decision by passing a law. This is not the time to take up the merits of that case, but that is the proper procedure to follow.

I appeal to the friends of the veterans who want a square deal—for all veterans, not only the veteran who can get ROYAL JOHNSON or CONNERY or LAGUARDIA to go to the Veterans' Bureau for him and fight for his case, but for the thousands and thousands of boys out in the backwoods, boys who have no political contact. I want to give them a fair deal. I want uniformity of construction in connection with this law, and the way to do it is to permit the Comptroller General to exercise the functions Congress gave him. [Applause.]

Mr. PATMAN. Mr. Chairman, I want to invite the attention of the members of the committee to the present law. The present law states that the director—

> Shall decide all questions arising under this act and all decisions of questions of fact affecting any claimant to the benefits of titles 2, 3, or 4 of this act, shall be conclusive except as otherwise provided herein.

Remember that the present law only refers to questions of fact. The proposed amendment provides that the director—

> Shall decide all questions arising under this act and all decisions affecting any claimant's rights to the benefits of titles 2, 3, or 4 of this act shall be conclusive except as otherwise provided herein.

In other words, it strikes out the words "of questions of fact." Under the present law it is all right for the Director of the Veterans' Bureau to pass upon questions of fact.

Mr. WOOD. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. WOOD. The gentleman is entirely mistaken. I am putting in the words "of questions of fact."

Mr. PATMAN. I am with the gentleman, and I am thoroughly in accord with what the gentleman had to say. Under the present law if the Comptroller General makes an erroneous ruling an appeal can be made to the courts, whereas under this proposed act, if it is enacted, the decision of the Veterans' Bureau shall be conclusive except as herein provided. I want to challenge the gentleman from Massachusetts to state wherein it is provided that a veteran can appeal to the courts from a decision of the Veterans' Bureau. It is not provided, and therefore there can be no appeal. However, I doubt that such a provision is constitutional. If so, there is no necessity for enacting an unconstitutional provision.

Mr. LUCE. The gentleman is in error. I was talking about the omnipotence of the Comptroller General. The gentleman referred to the Director of the Veterans' Bureau, but that may have been a slip of the tongue.

Mr. PATMAN. Possibly I misunderstood the gentleman. I refer to the conclusive authority of the Director of the Veterans' Bureau in the event this proposed act becomes a law.

Mr. RANKIN. Will the gentleman yield?

Mr. PATMAN. Yes.

Mr. RANKIN. As far as I am individually concerned—and I think I am in about the same position as other Members—I have had a great deal more criticism lately with reference to the acts of the Veterans' Bureau than I have with regard to the acts of the Comptroller General. If we give the Veterans' Bureau supreme power we may expect them to render decisions against the veterans just the same as they would for them.

Mr. PATMAN. That is true. The Veterans' Bureau will not only authorize the expenditures, but the Veterans' Bureau will, in effect, pay the money.

There will be no appeal from the decisions of the Director of the Veterans' Bureau, and I think we should be very careful about enacting legislation that will put conclusive authority, conclusive power, in the hands of the Director of the Veterans' Bureau or in any other head of a department of our Government.

The proposed act says that the director's decision shall be conclusive except as herein otherwise provided, and there is no other provision. Therefore, under this bill, the decision of the Veterans' Bureau would be conclusive, and for that reason I think we should carefully consider the matter.

Mr. JOHNSON of South Dakota. Mr. Chairman, it is very apparent from this debate that there has been a great shift of sentiment, in that on one day in the debate some Members of the House will attack the comptroller, and on another day we attack the Director of the Veterans' Bureau for the same thing. As a matter of fact, I think this is a matter of form rather than substance. The decisions may be about the same in either event and the reason the committee inserted this provision in the bill was to get a final cut-off and to get a final decision.

Mr. CONNERY. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. Strange as it may seem, I am in entire sympathy with my colleague from Massachusetts and the chairman of the committee. Have we not found all our trouble in writing legislation for the veterans has come, not from the bureau, but from the Comptroller General on account of decisions in respect to the law, as to how we intended the law to be interpreted. It was almost always in this way turned against the veteran.

Mr. JOHNSON of South Dakota. That is the reason we inserted this provision in the proposed law. Somewhere there should be a cut-off. Somewhere there should be final authority to decide, purely to eliminate red tape. In other words, a veteran may carry his case through the Veterans' Bureau and be successful and then he must try it again before the Comptroller General. If we do not have a legal department in the Veterans' Bureau capable of interpreting the law, then we ought to get one that is capable.

For this reason I am opposed to the amendment offered by the gentleman from Indiana [Mr. WOOD].

Mr. WELSH of Pennsylvania. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. WELSH of Pennsylvania. If this amendment is adopted, will it not be just one more hurdle for the veteran to get over in order to have his claim settled?

Mr. JOHNSON of South Dakota. It will be one more hurdle; yes.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. WOOD].

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 130, noes 27.

So the amendment was agreed to.

Mr. KVALE. Mr. Chairman, I offer an amendment, which I have at the Clerk's desk.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 3, line 8, add a new section to read as follows:

"SEC. 2. That section 6 of the World War veterans' act, 1924, as amended, is hereby amended to read as follows:

"'SEC. 6. That the bureau shall have the power, and it shall be its duty, to advise, assist, and provide for the placement of veterans in suitable or gainful occupations. A separate division of the bureau is hereby created for this purpose, to be known as the employment division. The director is hereby authorized to employ or transfer such officials and personnel as he may deem necessary for the successful operation of this division, together with such equipment and supplies as he may consider necessary. In addition, the director is authorized and directed to utilize, with the approval of the Secretary of Labor, the facilities of the Department of Labor, in so far as may be practicable, in the placement of veterans in suitable or gainful occupations.'"

Mr. KVALE. Mr. Chairman——

Mr. LUCE. Mr. Chairman, I rise to a point of order that the amendment is not germane.

Mr. KVALE. Will the gentleman withhold his point of order for a moment?

Mr. LUCE. Mr. Chairman, I should be glad to reserve it, if that is the wish of the members of the committee. If we allow reservations now, for my own part I can not see how we can possibly get through with the bill before midnight. There are 25 sections to the bill. The House yesterday determined to sit here until the bill is finished to-day.

Mr. KVALE. If my amendment is adopted, there will be 26 sections.

Mr. LUCE. I doubt if we can get the bill through if we do not consider points of order as soon as they may be made. Personally I am quite willing to stay here as long as anybody else.

Mr. RANKIN. Will the gentleman yield?

Mr. LUCE. Certainly.

Mr. RANKIN. I understand that debate on this section has been closed.

Mr. KVALE. No; debate was closed on the pending amendment. This is another amendment.

Mr. RANKIN. No; I have made inquiry and I have been told that debate has been closed on the section.

Mr. KVALE. It was on the amendment.

Mr. RANKIN. Mr. Chairman, a parliamentary inquiry. Has debate on this section been closed?

The CHAIRMAN. Debate has been closed on the first section. As the Chair understands, this is an amendment proposing a new section.

Mr. McLAUGHLIN. Regular order, Mr. Chairman.

Mr. LUCE. Mr. Chairman, I will reserve the point of order, but I say to the House that with the utmost good will toward all interested in the bill, the committee will, I think, feel justified in restricting the course of proceedings so far as possible to things that can have definite and quick action.

Mr. KVALE. Mr. Chairman, I desire to take only a moment or two. First, let me explain the purpose of the amendment. The amendment has been proposed, Mr. Chairman, by the American Legion and by the Veterans of Foreign Wars in bills which the chairman of the Committee on World War Veterans' Legislation has introduced at their request, but which were not reported.

It simply asks that there be set up in the bureau a separate agency to assist the recently organized set-up in the Department of Labor for placement of veterans in employment. It authorizes the director to assist the Secretary of Labor to find positions for ex-service men. There is no appreciable cost involved; it simply gives them this added advantage. I am in full sympathy with the gentleman from Massachusetts, and I am gratified that he has taken the position of wanting to expedite this legislation. I insist again, however, that this takes no appreciable amount of money, and if we want to amend the bill in certain particulars as we go along we should be permitted to do so. It will not take much time and a distinctly good purpose will be served.

Mr. LUCE. Mr. Chairman, I renew my point of order.

Mr. KVALE. Mr. Chairman, I insist upon my amendment.

Mr. LUCE. Mr. Chairman, speaking as a member of the committee, I feel it necessary to press this point of order, particularly by reason of the fact that the matter is already covered in the law and any change at this time would be unwise. But that does not go to the point of order itself.

Mr. Chairman, the question of whether amending the bill in one particular throws it open in all particulars has been frequently discussed in this Chamber. There have been decisions in which authority can be found, if attention were drawn to isolated decisions, for the principle that inasmuch as we are amending the bill in numerous sections it may be amended in all sections.

Of late the trend of decisions have been to the contrary, and I would call your attention to some of the recent decisions.

One was by Chairman Anderson in 1921, of which the synopsis reads:

To a bill amending the Federal reserve act in a number of particulars an amendment relating to the Federal reserve act but to no portion provided for in the pending bill was held not to be germane.

Here is one by Chairman LEHLBACH, January 14, 1925:

To a bill amendatory of an act in several particulars an amendment proposing to modify the act but not related to the bill was held not to be germane.

Here is another in the previous year by Speaker GILLETT:

To a bill amendatory of one section of an existing law an amendment proposing further modification of the law was held not to be germane.

Now, one word about the purpose of this series of apparently strict rulings. The purpose is in part to protect the House against the introduction of a topic which it could not previously

study. Its committee may or may not have studied the matter. If the committee itself has not studied it, the committee will be taken by surprise. If the House has not studied it or known that it was to be thrown into the arena of discussion, the House has not had any opportunity to study it.

This World War veterans' act, a copy of which I have in my hand, covers 44 pages with many sections. Surely there can be nothing consistent with the purpose of the rule about germaneness in holding that a proposal to amend some of these sections should give opportunity to present amendments to any one of the many sections in all this long bill to which the committee has proposed no amendment.

Therefore I hope, sir, you will add the weight of your own authority to these recent decisions by Chairmen of the House, who have attempted to protect the House by their decisions, holding that amendments like this are not in order.

Mr. KVALE. Mr. Chairman, I rise in opposition to the point of order. I do not see how it can be held logically by the chairman of the committee that an amendment offered in good faith to the bill in question, which is in itself a proposal to amend certain sections of the World War veterans' act, as amended, can be held not to be germane.

This amendment is in the proper place. It follows an amendment to section 5 of the act. It proposes to amend section 6.

Furthermore, it does not take the committee by surprise, it does not take the House by surprise, I beg to say in all deference and courtesy to the gentleman from Massachusetts. This matter has been considered by the committee. The committee has had this proposal included in bills before it, has heard testimony, and has seen fit to reject it after consideration. Since no one else has done so, I desire to bring this vital question to the consideration of the House at this time. I submit the matter for the decision of the Chairman with those words.

The CHAIRMAN. The point of order raised by the gentleman from Massachusetts is not without its difficulties to the Chair. The gentleman from Massachusetts [Mr. LUCE] has called attention to the older decisions, to the effect that a bill amending a law in several particulars generally throws the law open to amendment in other respects. The gentleman has cited one or two more recent decisions which seem to modify those earlier precedents somewhat. The Chair has before him and has read the argument and the decision of Chairman Anderson in the case to which the gentleman from Massachusetts has referred. In that decision Chairman Anderson quite properly said, as the Chair thinks, that where a bill proposes to amend a law in several particulars, each amendment must be considered on its merits, and that there is no hard and fast rule which can be applied in such cases. This bill proposes to amend the World War veterans' act in 24 or more different particulars. It is very broad and very general in its scope. It seems to the Chair that it would be limiting the rule of germaneness too much and that it would be giving it a too technical construction to sustain the point of order raised by the gentleman from Massachusetts. The Chair therefore overrules the point of order.

Mr. JOHNSON of South Dakota. Mr. Chairman, do I understand that debate has been closed on this amendment?

The CHAIRMAN. It has not.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, this amendment was originally included in H. R. 10831, the bill under discussion, when I originally introduced it. It was eliminated by the committee because the Department of Labor has already opened up such an employment bureau, and an appropriation has already been made by this Congress for this specific purpose. Therefore the adoption of the amendment offered by the gentleman from Minnesota would simply provide a duplication of effort. In other words, the Department of Labor would be running one bureau for the employment of service men and the Veterans' Bureau would be running another. It seems to me that that is a system which should not be followed, and that we ought to confine the activities to one department.

Mr. KVALE. Mr. Chairman, the amendment specifically provides that the two shall work in harmony. This gives scope and authority to the work now authorized, and it permits the Director of the Veterans' Bureau to work hand in hand with the Secretary of Labor. The gentleman knows that a few months ago it was suggested to the Director of the Veterans' Bureau that he direct each regional manager and every head of every bureau office to contact for a 60-day period, every claimant coming into these bureau offices regarding the status of his employment, and that it was not done. These men want employment, and in this way we can help them materially to find employment.

Mr. JOHNSON of South Dakota. I still oppose the amendment because I do not think we ought to put another bureau in the Veterans' Bureau when we have the Department of Labor doing this work now.

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

The amendment was rejected.

Mr. GREEN. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. GREEN: Page 3, line 8, add a new section to read as follows:

"SEC. 2. That Title II of the World War veterans' act, 1924, as amended (U. S. C., title 38, ch. 10, pt. 2), is amended by adding at the end thereof a new section, to read as follows:

"'SEC. 214. That in the case of the death, from any cause, of any person receiving compensation under section 202, compensation shall be payable, without regard to the provisions of section 206, to the dependents of such person in the same manner and to the same extent and subject to the same conditions and limitations as if the death of such person resulted from injury incurred in the military or naval service after April 6, 1917, and before July 2, 1921.'"

Mr. JOHNSON of South Dakota. Mr. Chairman, I make the point of order that this is not germane at this point.

The CHAIRMAN. The Chair sustains the point of order.

Mr. GREEN. Mr. Chairman, this is an amendment to the 1924 act.

The CHAIRMAN. The Chair does not think it is germane to this portion of the bill at any rate. The Chair sustains the point of order.

Mr. GREEN. I shall offer it then when we have the section of the 1924 law under consideration. I would like to be heard on that for a moment.

The CHAIRMAN. The offer proposes to amend a section of the law under Title II, which comes in at a later point in the bill.

Mr. GREEN. Then I shall offer it at that time.

Mr. MOUSER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 3, line 8, insert the following:

"*Provided further*, That in connection with adjudication of the claim of Hal R. Johnson, X-C 423,904, the director shall make payment of the amount of the adjusted-service certificate in accordance with the last will and testament of the deceased."

Mr. STAFFORD. Mr. Chairman, I make a point of order on the amendment.

The CHAIRMAN. The Chair calls the attention of the gentleman from Ohio to the fact that we have passed section 1.

Mr. MOUSER. I tried to get recognition to offer it before. I may say that I consulted the chairman of the committee with reference to the facts, and it was drawn at his suggestion. I ask unanimous consent that we return to section 1 in order that I may offer it.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to return to section 1 in order that he may offer his amendment. Is there objection?

Mr. RANKIN. Mr. Chairman, the amendment is clearly out of order. We want to make as rapid progress as is possible; therefore I object and make the point of order that it is too late.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

SEC. 2. That section 10 of the World War veterans' act, 1924, as amended (sec. 434, title 38, U. S. C.), be hereby amended by adding thereto the following paragraphs:

"The director is further authorized to secure such recreational facilities, supplies, and equipment for the use of patients in hospitals and for employees at isolated stations as he, in his discretion, may deem necessary, and the appropriations made available for the carrying out of the provisions of this section may be expended for that purpose.

"There is hereby transferred to the jurisdiction and control of the United States Veterans' Bureau the property referred to in acts of Congress of May 29, 1902 (sec. 1346, title 10, U. S. C.), and March 22, 1906 (secs. 151-154, title 24, U. S. C.), and known as the Battle Mountain Sanitarium Reserve, and the Board of Managers of the National Home for Disabled Volunteer Soldiers is hereby authorized and directed to execute a deed to said property running to the United States."

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

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMSON: Page 3, strike out all of lines 19 to 25, inclusive, and all of lines 1, 2, and 3 on page 4 and insert in lieu thereof: "All property acquired by the Board of Managers of the National Home for Disabled Volunteer Soldiers under the act of May 29, 1902 (32 Stat. 282), known as the Battle Mountain Sanitarium, is hereby transferred to and the title thereof vested in the United States. The jurisdiction and control of said Battle Mountain Sanitarium and the Battle Mountain Sanitarium Reserve created under the act of March 22, 1906 (U. S. C., title 24, secs. 151–154), are hereby transferred to the United States Veterans' Bureau, and any unexpended balances of appropriations therefor are made available for expenditure by said bureau."

Mr. WILLIAMSON. Mr. Chairman, if I may have the attention of the committee for just a moment, I may state that this amendment has become necessary because whoever drafted the original provision did so without a clear idea of the condition of the title of the property sought to be transferred.

In the first place, the act of May 29, 1902, was not transferred to the United States Code, so that the citation is wrong. It should be Thirty-second Statutes, page 282, and, in the second place, the title of the Battle Mountain Sanitarium Reserve now stands in the United States, and therefore the Board of Managers could not be required to transfer it to the United States. The board has no title and can convey nothing.

The paragraph also leaves out of account the fact that the property known as the Battle Mountain Sanitarium as distinguished from the reserve and which was acquired under the act of 1902 stands in the name of the Board of Managers of the National Home for Disabled Volunteer Soldiers. The paragraph makes no provision for the transfer of that property.

In order to clarify that provision and carry out the intention of the committee, the amendment I have offered is necessary. I have submitted this amendment to the chairman of the committee and he has agreed to it. I also submitted it to the counsel of the Veterans' Bureau and he agrees that the amendment is necessary in order to carry out the intention of the committee that reported the bill.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 4. That section 19 of the World War veterans' act, 1924, as amended (sec. 445, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 19. In the event of disagreement as to claim, including claim for refund of premiums, under a contract of insurance between the bureau and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the Supreme Court of the District of Columbia or in the district court of the United States in and for the district in which such persons or any one of them resides, and jurisdiction is hereby conferred upon such courts to hear and determine all such controversies. The procedure in such suits shall be the same as that provided in sections 5 and 6 of the act entitled 'An act to provide for the bringing of suits against the Government of the United States,' approved March 3, 1887, and section 10 thereof so far as applicable. All persons having or claiming to have an interest in such insurance may be made parties to such suit, and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the bureau acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a bill of interpleader may be brought by the bureau in the name of the United States against all persons having or claiming to have any interest in such insurance in the Supreme Court of the District of Columbia or in the district court in and for the district in which any of such claimants reside: *Provided*, That no less than 30 days prior to instituting such suit the bureau shall mail a notice of such intention to each of the persons to be made parties to the suit. The circuit courts of appeal and the Court of Appeals of the District of Columbia shall respectively exercise appellate jurisdiction and, except as provided in sections 346 and 347, title 28, United States Code, the decrees of the circuit courts of appeal and the Court of Appeals of the District of Columbia shall be final."

"No suit shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made, or within one year from the date of the approval of this amendatory act, whichever is the later date: *Provided*, That for the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded: *Provided further*, That this limitation is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the bureau shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitations has elapsed. Judgments hertofore rendered against the person or persons claiming under the contract of war-risk insurance on the ground that the claim was barred by the statute of limitations shall not be a bar to the institution of another suit on the same claim. No State or other statute of limitations shall be applicable to suits filed under this section.

"In any suit, action, or proceedings brought under the provisions of this act, subpœnas for witnesses who are required to attend a court of the United States in any district may run into any other district: *Provided*, That no writ of subpœna shall issue for witnesses living out of the district in which the court is held at a greater distance than 100 miles from the place of holding the same without the permission of the court being first had upon proper application and cause shown. The word 'district' and the words 'district court' as used herein shall be construed to include the District of Columbia and the Supreme Court of the District of Columbia.

"Attorneys of the bureau when assigned to assist in the trial of cases, and employees of the bureau when ordered in writing by the director to appear as witnesses shall be paid the regular travel and subsistence allowance paid to other employees when on official travel status.

"Part-time and fee-basis employees of the bureau, in addition to their regular travel and subsistence allowance, when ordered in writing by the director to appear as witnesses in suits under this section, may be allowed, within the discretion and under written orders of the director, a fee in an amount not to exceed $20 per day.

"Employees of the United States Veterans' Bureau who are subpœnaed to attend the trial of any suit, under the provisions of this act, as witnesses for plaintiffs shall be granted official leave for the period they are required to be away from the bureau in answer to such subpœnas.

"The term 'claim' as used in this section means any writing which alleges permanent and total disability at a time when the contract of insurance was in force, or which uses words showing an intention to claim insurance benefits, and the term 'disagreement' means a denial of the claim by the director or some one acting in his name on an appeal to the director. This section, as amended, with the exception of this paragraph, shall apply to all suits now pending against the United States under the provisions of the war risk insurance act, as amended, or the World War veterans' act, 1924, as amended."

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

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MOUSER: Page 9, line 2, insert the following: "*Provided further*, That in connection with adjudication of the claim of Hal R. Johnson X–C 423904, the director shall make payment of the amount of the adjusted-service certificate in accordance with the last will and testament of the deceased."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 5. That a new subdivision be added to section 21 of the World War veterans' act, 1924, as amended (sec. 450, title 38, U. S. C.), to be known as subdivision (3), and to read as follows:

"(3) All or any part of the compensation or insurance the payment of which is suspended or withheld under this section may, in the discretion of the director, be paid temporarily to the person having custody and control of the incompetent or minor beneficiary to be used solely for the benefit of such beneficiary, or, in the case of an incompetent veteran, may be apportioned to the dependent or dependents, if any, of such veteran. Any part not so paid and any funds of a mentally incompetent or insane veteran not paid to the chief officer of the institution in which such veteran is an inmate nor apportioned to his dependent or dependents under the provisions of section 202 (7) of this act may be ordered held in the Treasury to the credit of such beneficiary. All funds so held shall be disbursed under the order and in the discretion of the director for the benefit of such veteran or his dependents. Any balance remaining in such fund to the credit of any veteran may be paid to him if he recovers and is found competent, or otherwise to his guardian, curator, or conservator, or, in the event of his death, to his personal representative, except as provided in section 26 of this act: *Provided*, That payment will not be made to his personal representative if, under the law of the State of his last legal

residence, his estate would escheat to the State: *Provided further,* That any funds in the hands of a guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, derived from compensation, automatic or term insurance payable under said acts, which under the law of the State wherein the veteran had his last legal residence would escheat to the State, shall escheat to the United States and shall be returned by such guardian, curator, conservator, or person legally vested with the care of the veteran or his estate, less legal expenses of any administration necessary to determine that an escheat is in order, to the bureau, and shall be deposited to the credit of the current appropriations provided for payment of compensation and insurance."

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

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 10, line 17, after the word "insurance," insert a new section, to read as follows:

"SEC. 6. That section 23 of the World War veterans' act, 1924, as amended (sec. 45, title 38, U. S. C.), be amended as follows: In the second proviso, after the words 'and it is thereafter established,' strike out the words 'to the satisfaction of the director.'"

Mr. KVALE. Mr. Chairman, the purpose of the amendment is in line with the remarks that I made yesterday.

It is proposed to strike out the words "to the satisfaction of the director" from section 23, the provision which provides specifically that when a veteran is adjudged insane the director shall be permitted to pay benefits under the war veterans' act on the basis that the man was insane when he committed the act for which he was subsequently discharged and punished.

In the case I cited yesterday, the portion of the veteran's sentence relating to his incarceration was remitted, but the Navy Department declined to remove his dishonorable discharge, and the director declined to act in contradiction. There are many such cases, and they result in large numbers of private bills. This amendment, if adopted, will prevent the piling up of the work on the members of the Committee on Military Affairs and the work of Congress.

Mr. JOHNSON of South Dakota. Is it the purpose of this amendment to give the Director of the Veterans' Bureau the power to give an honorable discharge?

Mr. KVALE. In substance, it is to do just the converse. He now has the discretionary power to do that in substance. It is the purpose of this amendment to force the director to confirm decisions, when they are in the veterans' favor. When he has recommendations from his executives before him that would warrant him in finding for a veteran in cases of this kind, it is no longer to be left to his "satisfaction" to do these things, but he shall be charged with the duty of doing it. It may be a small point, but it is tremendously important in a case such as I cited yesterday.

Mr. JOHNSON of South Dakota. Just what is the gentleman trying to do with reference to the power of the director?

Mr. KVALE. The director now has discretionary power. The law says insanity must be shown to his satisfaction. Under the provisions of my amendment the law would simply omit those words, and the gentleman can read to the committee the law as it would read if the amendment were adopted.

Mr. JOHNSON of South Dakota. The gentleman would not want the director to remit any sentence if it was not established to his satisfaction, would he?

Mr. KVALE. In certain cases, such as I described yesterday, exactly that.

Mr. JOHNSON of South Dakota. I am not certain that the amendment would make much difference.

Mr. KVALE. I do not want to impede the progress of the legislation. Those who have read the brief that I put into the RECORD yesterday will be in favor of the amendment, and those who have not read it may have some question as to its merit, and I do not blame them for that, for there is too much to read every day in all these extensions of remarks. I do not want to take any more time now, but I plead the urgency of this particular amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section close in two minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that all debate on this section close in two minutes. Is there objection?

There was no objection.

Mr. JOHNSON of South Dakota. Mr. Chairman, I am forced to oppose the amendment, because it is not clear to my mind what its effect would be. I know that somewhere there must be a final decision, and I do not see how the director could decide an important matter of this kind unless it were established to his satisfaction. In other words, it would take away from the director the right to decide and put it in some other body of which we know nothing.

Mr. KVALE. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I yield.

Mr. KVALE. In the case I cited yesterday the director had had authority and instruction from every one of his advisers, legal adviser, medical adviser, a special board of neuropsychiatric experts which had been set up to secure advice on it, from his coordination section, from the contact section, from every agency within the Veterans' Bureau.

Mr. JOHNSON of South Dakota. And the gentleman desires to put those lower boards above the director?

Mr. KVALE. Not necessarily. I want to make it mandatory for the director to accept the advice which he seeks.

Mr. JOHNSON of South Dakota. Which advice? The advice from the medical adviser or the legal adviser or the coordination division?

Mr. KVALE. Well, the gentleman is straining a point.

I ask for a vote, Mr. Chairman.

The amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 10. That section 200 of the World War veterans' act, 1924, as amended (sec. 471, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided,* That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided,* That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, a disability developing a 10 per cent degree or more in accordance with the provisions of subdivision (4) of section 202 of this act shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting disability in such service between said dates, and said presumption shall be conclusive in cases of tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further,* That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act, nor for more than three years after such approval pending a further study of veterans' relief by the Congress."

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

The CHAIRMAN. The gentleman from Mississippi [Mr. RANKIN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. RANKIN: On page 15, line 2, after the word "claim," insert a new proviso, as follows:

"*Provided further,* That an ex-service man who is shown to have, or, if deceased, to have had, prior to January 1, 1930, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly, all diseases enumerated on page 75 of the schedule of disability ratings of the United States Veterans' Bureau, 1925, or amoebic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, a chronic constitutional disease or analogous disease, particularly, all diseases enumerated on page 75 of the schedule or disability rating of the United States Veterans' Bureau, 1925, or amoebic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1930, if the facts in the case substantiate his claim."

Mr. CONNERY. Mr. Chairman, I offer an amendment to the Rankin amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. JOHNSON of South Dakota. It is very evident that it is upon this section the greatest argument and dispute will arise. The Chair has recognized the gentleman from Mississippi [Mr. RANKIN] to add as an amendment to the bill, the so-called Rankin bill. Is it the purpose of the Chair to recognize at this time the gentleman from Massachusetts to offer his amendment as a perfecting amendment?

The CHAIRMAN. The gentleman from Mississippi has offered his amendment as an amendment to section 10. His amendment does not include all the language of his bill but simply provides for an amendment following the word "claim" in line 2, on page 15. Any germane amendment to the gentleman's amendment will be in order.

Mr. JOHNSON of South Dakota. The lady from Massachusetts, the gentleman from Ohio [Mr. FITZGERALD], and the gentleman from Iowa [Mr. CAMPBELL] have amendments running along the same line. I would like to ask the Chair how they fit into this program.

Mr. OLIVER of Alabama. Mr. Chairman, I have a perfecting amendment.

Mrs. ROGERS. My amendment is a substitute for the section.

The CHAIRMAN. The Chair can only dispose of amendments as they arise. The gentleman from Ohio [Mr. FITZGERALD] has submitted a proposed amendment to the Chair. It proposes to strike out all of the section and insert new language. That amendment will not be in order until all perfecting amendments to the section have been acted upon.

Mr. OLIVER of Alabama. Did I understand the Chair to hold that the Rankin amendment is a perfecting amendment?

The CHAIRMAN. Yes.

Mr. CONNERY. I have offered an amendment to the Rankin amendment.

Mr. STAFFORD. Mr. Chairman, has not the gentleman from Mississippi the floor to discuss his amendment?

The CHAIRMAN. If he desires recognition.

Mr. RANKIN. I expected to ask for recognition, Mr. Chairman, but have been waiting until these amendments were offered, if Members desire to offer them.

Mrs. ROGERS. Mr. Chairman, mine is a substitute for the whole section.

Mr. CONNERY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONNERY. My purpose is to get a vote up to 1930 before we vote on the Rankin amendment, and I have offered an amendment to the Rankin amendment with that in mind. I would like to offer a perfecting amendment, if necessary, after we get a vote on that.

The CHAIRMAN. If the gentleman from Massachusetts will withhold his amendment until after the gentleman from Mississippi has had his five minutes, then the Chair will have the amendment read. The gentleman from Mississippi is recognized.

Mr. RANKIN. Mr. Chairman, this is, in effect, the Rankin bill imposed on the Johnson bill. We do not disturb the Johnson bill; we leave it intact up to 1925, but impose thereon the provisions of the Rankin bill in order to carry tubercular cases, neuropsychiatric cases, and other chronic constitutional diseases up to 1930.

This amendment covers those cases about which so many appeals have been coming to Congress for relief. It covers 18,000 tubercular patients who are now suffering and drawing no compensation. It covers 23,000 neuropsychiatric cases, which are also in distress and drawing no compensation. We put them on the roll by presumption, because it has been impossible for them to prove service connection, owing to the red tape of the Veterans' Bureau, and owing to the fact that these men—many of them the best soldiers America furnished during the World War—attempted to carry on; they attempted to make a living without asking their Government for assistance until finally, when they broke down, they found they were too late.

The men suffering from nervous troubles, these neuropsychiatric men, invariably owe their disabilities to shell shock and to the strain and stress of the war and the intensive training through which they passed during the time we were in that conflict. They are just as deserving as any, and if Congress fails to adopt this amendment, which will care for these poor, unfortunate men, and put them on the roll, those men who broke down prior to January 1, 1930, it will be a serious disappointment to them and a disappointment to the American people.

Not only this, Mr. Chairman, but this is to take care of those unfortunate tubercular men to whom I have just referred, not a one of whom is put on the pay roll by the Johnson bill, not a one of whom is given compensation under the Johnson bill. If these men were included I would not have continued this fight throughout all these months.

Mr. Chairman, tuberculosis is the great white plague of America—the dreaded enemy of mankind. He is the commander in chief of the allied forces that are fighting for the destruction of the human race.

He is more dangerous than any foreign power, and more destructive than any antagonist our country has ever encountered on the field of battle.

He is the friend of none, yet he is the confederate of every disease and the ally of every foe of mankind.

He is more devastating than the sword; more treacherous than poison gas; more sinister than the submarine; and more cruel than Caligula.

In the heat of battle, in the fullness of his pride and strength, the soldier takes little heed of the hissing bullet or the bursting shell. He is urged on by his patriotism, and the consciousness of his country's support and cheered on by his comrades to victory or to death.

But he who dies of tuberculosis must in a measure fight his battles alone. He lingers for days, and weeks, and months, and even years, while this insidious foe stealthily performs his deadly work.

He comes not up like a brave and daring enemy storming by sudden onset the fortress that resists. He besieges. He draws his line around the doomed garrison. He cuts off supplies; he undermines. He never summons to surrender. He asks no quarter and gives none. He observes no armistice; he recognizes no flag of truce. He halts at no Rubicon; he pauses at no Delaware. He is grim, stealthy, insidious, malignant, relentless, and implacable. His arena of constant warfare spreads throughout the earth. The devastating wake of his ravishing march leads through every land. Wherever he goes he conquers.

He conquers amidst the burning sands of the south where the phalanx of Alexander halted in mutiny. He conquers amidst the snowdrifts of the north where the grand army of Napoleon found its winding sheet.

Unlike a common warrior, he tortures his helpless victim and gradually puts him to a slow and painful death—he smothers him to death. When finally the spark of life has fled, instead of relenting his assault he gloats over the dead and moves on to attack and, if possible, destroys his defenseless loved ones.

Thus, while Congress quibbles over the cost, his relentless march goes on, leaving in his deadly wake a hundred thousand yearly victims in the United States alone, many thousands of whom are veterans of the World War.

For these tubercular victims whose cause I am now pleading the war has never closed. For them the battle will rage until they sink into the grave.

I appeal to you to adopt this amendment. It is not a costly affair. It will cost, at the outside, only $31,000,000 a year. I

prefer it to the Connery amendment, because I am afraid the Connery amendment is so broad and will take in so many cases aside from the ones I have referred to and will bring such a burden to the Treasury that it will invoke a veto.

For this reason I have asked you to adopt this amendment, for which the veterans have been appealing to you for months, in order that we may do full justice and take care of these men who are suffering from this horrible malady before it is everlastingly too late. [Applause.]

Mr. PATTERSON. Will the gentleman yield for a question?

Mr. RANKIN. Yes.

Mr. PATTERSON. Does the gentleman now state that not one of these tuberculosis or neuropsychiatric cases will be cared for under the Johnson bill if we do not pass an amendment of this kind?

Mr. RANKIN. I said that in my original remarks.

Mr. CONNERY. Mr. Chairman, I ask recognition to offer an amendment to the Rankin amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNERY to the amendment offered by Mr. RANKIN: Strike out all of the Rankin amendment after the figures "1930," in line 3 down to and including the word "than," in line 26, and insert in lieu thereof the following: "a disability developing."

Mr. CONNERY. Mr. Chairman, I have no desire to take the time of the committee on this amendment. I think we have discussed it thoroughly. My whole idea is to get a vote on the Johnson bill brought up to 1930. This language will give us a chance to decide whether the membership of the House wants to bring all the provisions of the Johnson bill up to January 1, 1930, or not. This is all that my amendment calls for, and I hope the committee will support the amendment.

Mr. HASTINGS. Will the gentleman yield?

Mr. CONNERY. I yield.

Mr. HASTINGS. I do not understand how the gentleman's amendment accomplishes what he has in mind. Does the gentleman substitute 1930 for 1925?

Mr. CONNERY. Yes; I leave the words "January 1, 1930" in the Rankin amendment and cut out all after that down to the word "than."

Mr. HASTINGS. I thank the gentleman.

Mrs. ROGERS. Mr. Chairman, I have a substitute for the Rankin amendment, as amended.

The CHAIRMAN. The gentlewoman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment proposed by Mrs. ROGERS: Page 12, line 16, strike out the section and insert section 10, as follows:

That section 200 of the World War veterans' act, 1924, as amended, is hereby amended, to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921"——

The CHAIRMAN. If the Clerk will suspend the reading of the amendment a moment, the Chair would like to say he does not think this is a substitute for the Rankin amendment. It is a motion to strike out the section and insert an entirely new section. It is exactly similar to the motion which the gentleman from Ohio [Mr. FITZGERALD] proposes to offer, except, I presume, it contains different language. The motion is not in order until the perfecting amendments to the Rankin amendment and to the section have been acted upon.

Mrs. ROGERS. Will the amendment be in order after that?

The CHAIRMAN. After the Rankin amendment and all other amendments to the section have been acted upon.

Mrs. ROGERS. Will that strike out the Rankin amendment?

The CHAIRMAN. If adopted, it would strike out the whole section, including the Rankin amendment and any other amendment that may be adopted.

Mrs. ROGERS. And we would start just as if the bill had not been amended?

The CHAIRMAN. Unless the committee adopts some other motion similar to the one that the gentleman from Ohio proposes to offer, to strike out the section and insert other language. If that were adopted, that would preclude any other amendment to the section.

Mrs. ROGERS. If I offer an amendment to the Rankin amendment, that would be in order now?

The CHAIRMAN. There is one amendment to the Rankin amendment pending; as soon as that is voted up or down then another amendment to the Rankin amendment would be in order.

Mrs. ROGERS. Then, Mr. Chairman, I withdraw my amendment temporarily.

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

Mr. JOHNSON of South Dakota. Mr. Chairman, I rise in opposition to this amendment.

Mr. Chairman, ladies and gentlemen of the committee, this whole debate has been conducted in the committee and in the Congress for the last 60 days and will culminate in a vote we will take in a few moments. I would like to have the definite propositions explained so that everyone will know what they are voting on.

In the first place, the gentleman from Mississippi has offered an amendment, which is the Rankin bill, to the bill which bears my name and is now under discussion.

The amendment by the gentleman from Mississippi [Mr. RANKIN] provides that a certain selected class of diseases shall be presumed to have been received in service if contracted prior to January 1, 1930. The list of diseases he has enumerated in some respects is ridiculous. As explained by the gentleman from Massachusetts [Mr. LUCE] yesterday, he has provided that a man who contracts gout prior to January 1, 1930, will be presumed to have contracted it in the service.

A man who is found to be suffering from obesity, if he gets too fat prior to January 1, 1930, shall be deemed to have received the injury in the Argonne Forest or Belleau Wood.

Mr. RANKIN. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RANKIN. As a matter of fact, the gentleman from South Dakota and the gentleman from Massachusetts have made a good deal of talk about gout. I want to ask him if he has ever found an ex-service man afflicted with gout?

Mr. JOHNSON of South Dakota. Oh, yes; many of them.

Mr. RANKIN. With reference to obesity, the gentleman from New York the other day pointed out that this was a disease caused by certain glands in the head——

Mr. JOHNSON of South Dakota. I am only yielding for a question.

Mr. RANKIN. That is true, is it not?

Mr. JOHNSON of South Dakota. It is not true that the injury to the glands in his head came from anything happening at Chateau-Thierry.

Mr. RANKIN. The Johnson bill covers gout and obesity, does it not?

Mr. JOHNSON of South Dakota. It covers every disease prior to January 1, 1925, and I admit has little justification for some of its provisions. But it does place upon an equality every service man in the United States. It brings equality to every man upon the basis of those to whom we previously gave preference.

I am frank to say that you will have a record vote, for if the Rankin amendment goes into the bill I shall move to recommit, and if it does not go into the bill the gentleman from Mississippi [Mr. RANKIN] will move to recommit, so that there will be a record vote on this question and you must decide. If you vote for the Rankin amendment you will provide that a man who enlisted in the Regular Army on July 1, 1921, nearly three years after the World War, and served two days, and then was afflicted with gout or obesity in December, 1929, will be given if he takes hospitalization and has dependents a pension from $225 to $250 a month.

Mr. ARNOLD. Will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. ARNOLD. If it is shown that his disability was not connected with the service he will not get it?

Mr. JOHNSON of South Dakota. The Government can not prove that except on the man's own admission, and he will not admit anything.

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

Mr. JOHNSON of South Dakota. Yes.

Mr. WAINWRIGHT. On the question of gout and obesity, as I understand it, the only difference between the gentleman's bill and the Rankin bill, if gout and obesity were contracted prior to January 1, 1925, they would be covered by the gentleman's bill, whereas by the Rankin bill that period would be extended to 1930?

Mr. JOHNSON of South Dakota. Exactly. As I have tried to explain, there are many unscientific things in the committee bill, the so-called Johnson bill, but there is this justification: That we do not give preference to men afflicted with certain diseases. That was unsound.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Chairman, will the gentleman later yield me one minute, so that I may ask unanimous consent to change my amendment?

Mr. JOHNSON of South Dakota. Certainly; I shall be glad to do that.

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

Mr. JOHNSON of South Dakota. Yes.

Mr. PERKINS. It might be of interest to the committee that claims for death and disability compensations have been filed in the total number of 1,138,015 as of September 30, 1929. Of that number, 564,240 claims have been allowed. The difference is about 550,000 claims, filed as of September 30, 1929. Is there any reason to believe that the entire 550,000 claims would not be allowed under this amendment?

Mr. JOHNSON of South Dakota. There is no reason to think that they would not, and there is no reason that they could not.

Mr. PERKINS. In addition to that, all cases that have arisen since January 1, 1925, up to January 1, 1930, would also come in.

Mr. JOHNSON of South Dakota. Yes; and not only that but there is no reason in the world to confine this to 1930, for, if you adopt the Rankin bill, and carry these provisions to 1930, you have adopted the policy of each year further extending the time, and, therefore, you will have adopted the policy of giving to every man and woman who saw service in the World War, who becomes diseased from any cause, even through his own misconduct, a pension, which, with hospitalization, will amount to $225 to $250 a month, and that will bankrupt any government, and it can not be done.

Mr. RANKIN. Mr. Chairman, if the gentleman will yield, in order that I may not be misunderstood, if any of these men who served during the war break down with tuberculosis after 1930, I am one who is willing to take care of them.

Mr. JOHNSON of South Dakota. I think I have analyzed the Rankin bill, so that members of the committee will surely understand it.

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

Mr. JOHNSON of South Dakota. Yes.

Mr. TABER. What is the justification for providing for compensation in this bill for service after the close of the World War and prior to July 21, 1921?

Mr. JOHNSON of South Dakota. There is no justification for it. It came in because that was the date that by formal enactment of law the war was closed. It is very unscientific, and I think an amendment will be offered to-day by a Member of the House [Mr. LAGUARDIA] to confine that time to November 11, 1918.

I want now to discuss the amendment offered by my distinguished colleague from Massachusetts [Mr. CONNERY]. One thing I always give that gentleman credit for is that he believes everything that he says. He has probably as distinguished a service record as any man in the United States. There are a great many men who, if they could look back and say that they had been a color sergeant of the One hundred and first Infantry, Twenty-sixth Division, would have something to be proud of to-day.

I do not agree with the gentleman except very, very occasionally; and I know that his amendment, if adopted, which would simply carry my bill to 1930, would bankrupt the Government more than the Rankin bill, because it would include every single known disease that a man could be afflicted with.

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

Mr. JOHNSON of South Dakota. Yes.

Mr. CONNERY. While the gentleman and I very seldom agree in committee, I say this, and I mean it: The ex-service men of the United States have no better friend in the world than the gentleman from South Dakota, the chairman of this committee. But I say further, that he knows from past experience that if we send the bill over to another body with $300,000,000 on it, it will come back to this House with about $150,000,000 cut out of it, and so I never worry about that on this side of the Capitol.

Mr. JOHNSON of South Dakota. I recall that in 1925 we sent a bill to the Senate, and that instead of reducing it they trebled it, and I think that is what would happen on this occasion. There is one thing which I think ought to be made clear in the minds of the membership before we vote on these matters. My honest judgment is that even if you should pass the so-called Johnson bill with that amendment, the President would veto it, although I am not authorized to speak for him. I do know that he could not do otherwise than veto it if you adopt either the Rankin amendment or the Connery amendment.

The CHAIRMAN. The time of the gentleman from South Dakota has again expired.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

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

Mr. JOHNSON of South Dakota. Yes.

Mr. PATMAN. I agree with the gentleman that the Director of the Veterans' Bureau will be unable to rebut any very large number of these cases with proof; but is it not a fact that the director can use the files of cases now in the various regional offices for the purpose of rebutting the applications for compensation under this new act?

Mr. JOHNSON of South Dakota. He could use whatever was in the folder, certainly.

Mr. PATMAN. And if an application is made now for disability, the director can go back to 1922 and tell the soldier that he was examined then.

Mr. JOHNSON of South Dakota. Certainly.

Mr. PATMAN. And that there was no disability like that shown at that time, and therefore it is convincing proof that he is not now suffering from what was service connected.

Mr. O'CONNELL of New York. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. O'CONNELL of New York. In regard to the statement the gentleman made about the President. Was that a threat or a promise?

Mr. JOHNSON of South Dakota. It is neither. It is purely a statement that in my judgment no President of the United States, whether he be a Democrat or a Republican, a standpatter or a progressive——

Mr. O'CONNELL of New York. Oh, there is no politics in this.

Mr. JOHNSON of South Dakota. There is no politics in it, but he could not sign a bill that will give for non-service-connected disabilities to this great body of men a pension amounting to from $225 to $250 a month.

Mr. O'CONNELL of New York. Congress has the right to decide when a service-connected disability begins and when it ends.

Mr. JOHNSON of South Dakota. The Congress will have that right, but the President must finally decide the fate of this bill. I am going to offer a motion to recommit and offer such an amendment to the bill as the President can sign and will sign. If this legislation is voted down, if it is vetoed and there is no bill, I want to make it clear that that is not my responsibility, and those who are causing that result are those who must take that responsibility. [Applause.]

Mr. O'CONNELL of New York. Oh, Mr. Chairman, there could not possibly be any politics in a measure of this kind. It will be found when the vote of the House is tabulated that men on both sides of the aisle will be for the bill with the Rankin amendment. The people of the United States will applaud the passage of this legislation. It will make glad the hearts of thousands of service men to whom adequate consideration has heretofore been denied. Their comrades in countless hospitals will be comforted and cheered when the news goes out to the country that the bill is passed.

It is inconceivable that the President would veto this humane legislation, as the gentleman from South Dakota [Mr. JOHNSON] threatens he will do. I believe my friend is under a misapprehension as to what the attitude of the Executive will be. The bill has my hearty support, and should pass unanimously.

Mr. JOHNSON of South Dakota. Mr. Chairman, I reserve the balance of my time.

Mr. CONNERY. Mr. Chairman, I ask unanimous consent for parliamentary reasons to withdraw my amendment and offer it a little later in a modified form.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to withdraw his amendment and reoffer it later in a modified form. Is there objection?

There was no objection.

Mrs. ROGERS. Mr. Chairman, I offer an amendment to the amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentlewoman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS as a substitute for the Rankin amendment: Page 14, line 9, after the word "record," insert a new proviso, as follows: "*Provided further*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925,

neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, diabetes insipidus, primary anemias, arterial sclerosis, diabetes mellitus, Hodgkins disease, leukeima, polycythemia (erythremia), arthritis deformans, arthritis chronic, carcinoma sarcoma, malignant tumors, cardiorascular renal diseases (including hypertension), cholecystitis chronic, endorcarditis chronic, leprosy, myocarditis chronic, nephritis chronic, nephrolithiasis, chronic nontubercular pulmonary disease, or amoebic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, diabetes, insipidus, primary anemias, arterial sclerosis, diabetes mellitus, Hodgkins disease, leukeima, polycythemia (erythemia), arthritis deformans, arthritis chronic, carcinoma sarcoma, malignant tumors, cardiorascular renal diseases (including hypertension), cholecystitis chronic, endocarditis chronic, leprosy, myocarditis chronic, nephritis chronic, nephrolithiasis, chronic nontubercular pulmonary disease, or amoebic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease, paralysis, paresis, blindness, those helpless or bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim."

The CHAIRMAN. The Chair understands that the gentlewoman from Massachusetts is offering this amendment as a substitute for the Rankin amendment and proposes to strike out all the language of the Rankin amendment and insert the language of the amendment in lieu thereof?

Mrs. ROGERS. Yes.

I have been asked to introduce this amendment at the request of the American Legion. I ask that the Clerk read the telegram which I received this morning from Commander Bodenhamer, the commander of the American Legion, and a letter from Col. John Thomas Taylor, the chairman of the American Legion legislative committee here in Washington; and I ask that in the reading of this telegram and letter the time be not taken from the time I am allowed in supporting this measure. I deem it an extremely important matter, and therefore I make this request.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. PERKINS. Mr. Chairman, will the lady yield there?

Mrs. ROGERS. Yes.

Mr. PERKINS. I might state that to the majority that is entirely satisfactory.

Mr. SIMMONS. Mr. Chairman, will the lady yield?

Mrs. ROGERS. Yes.

Mr. SIMMONS. It is my understanding that the amendment would be a substitute for the Rankin amendment to the provisions of the bill that we are now considering, and that it is not a substitute for the bill?

Mrs. ROGERS. No.

Section 200 in the present bill is not the amendment requested by the American Legion. While they wanted the amendment, they did not request it, because they realized, knowing the history of legislation of this kind, that it could not possibly become a law. You and I know that no President has ever signed a World War veterans' bill that carried over $30,000,000. This bill, even without the Rankin amendment, provides for a much larger appropriation, namely, $100,000,000. The Rankin and other amendments which will be proposed will bring the cost to several hundred millions of dollars, on lots of them over $500,000,000, which we are already spending on World War veterans' relief. As a result there would be no legislation, and we want legislation before we adjourn.

The CHAIRMAN. The Chair understands that the amendment offered by the gentlewoman from Massachusetts does not change the language of section 10 of the Johnson bill at all, but it strikes out the language of the Rankin amendment and substitutes the language which has been read, which is not all of section 10 of the Johnson bill. This is in answer to the interrogation of the gentleman from Nebraska [Mr. SIMMONS].

Mr. GREEN. I was wondering whether that takes care of chronic sore legs.

Mrs. ROGERS. It depends on the primary cause of the sore legs.

Mr. KVALE. Mr. Chairman, will the lady yield?

Mrs. ROGERS. Yes.

Mr. KVALE. Does your amendment apply to a disability such as is caused by duodenal ulcers? It has been held that these proposed changes relating to chronic or constitutional diseases would not cover the ulcerous ailments or amebic dysentery that has been of some concern to me, for I have a mass of evidence to show how these groups have suffered from inadequate consideration even under existing law.

Men suffering, and for all practical purposes totally disabled, from amebic dysentery or from ulcerous ailments, have been held to fail to come within the provisions of existing law when they have applied for compensation or treatment. It is unfair, it is not what it should be in keeping with the spirit of the law. The director and his advisers have undertaken to say that in the case of amebic dysentery, the claimant must show an actual dysenteric condition before he is eligible to receive benefits. That is not what Congress intended.

The bureau admits—because it is a medical fact—that this disease is caused by a parasite. The disease may, and generally does, cause a series of violent attacks that are separated by intervals of varying duration during which the dysenteric symptoms and evidence of the disease may be absent. And, just because this visit to the bureau does not happen to be timed so that one of his attacks is noted, the veteran is refused compensation, despite the provision of the law.

I say that whenever a veteran has that parasite he should be compensated, because he is afflicted every little while with recurring attacks of this dysenteric condition.

Mrs. ROGERS. I am sorry, but I did not yield for the gentleman to make a speech.

Mr. KVALE. I apologize to the lady; I did speak too long.

Mr. HUDSON. Will the gentlewoman yield for a parliamentary question?

Mrs. ROGERS. I yield.

Mr. HUDSON. Will the Chair state just what the effect of the amendment is? Does it strike out section 10 of the bill?

The CHAIRMAN. The Chair does not think that is a question for the Chair to determine.

Mr. BANKHEAD. With the permission of the gentlewoman from Massachusetts [Mrs. ROGERS] there was a great deal of confusion in the Chamber when the substitute was read, Mr. Chairman, and we would like to have the amendment read again so we may understand it, or at least have an explanation of it from the gentlewoman so that we may understand it. Some of us could not hear the amendment read.

Mr. TEMPLE. Mr. Chairman, it seems that if the first two or three sentences of the amendment were read we could see how it ties on to this bill. I would like to know whether it is a substitute for the Rankin amendment or whether it proposes to strike out section 10 or is a substitute for the entire section.

The CHAIRMAN. Does the gentlewoman from Massachusetts [Mrs. ROGERS] desire to proceed?

Mr. LUCE. Will the gentlewoman yield?

Mrs. ROGERS. I yield.

Mr. LUCE. Mr. Chairman, I ask unanimous consent that the introduction to the amendment offered by the gentlewoman from Massachusetts [Mrs. ROGERS] may be read, and the place pointed out where it is to be inserted.

Mr. TEMPLE. That is exactly what I asked for.

The CHAIRMAN. The gentleman from Massachusetts [Mr. LUCE] and the gentleman from Pennsylvania [Mr. TEMPLE] ask unanimous consent that the amendment be again read, or the first three sentences of the amendment.

The Chair will say that the Clerk has to interpret a great deal of the amendment. The Clerk will do his best to put it in proper form.

Mr. WINGO. Will the gentlewoman yield?

Mrs. ROGERS. I yield.

Mr. WINGO. I would like to ask the gentlewoman from Massachusetts if it is not true, if the Members will look at H. R. 8133, the old bill, on page 5, they will find the language that the lady from Massachusetts is offering as an amendment? This will enable them to follow it.

Mrs. ROGERS. That gives the language exactly. It is the original American Legion request upon this section as contained in H. R. 8133, the so-called American Legion bill, which was introduced at their request by Chairman JOHNSON, and it is exactly what they think should become the law.

Mr. TEMPLE. What bothers me is not a question as to what the language is, but as to how it is to be attached to this bill; whether it is a substitute for the Rankin amendment or a substitute for the section?

Mrs. ROGERS. Mr. Chairman, may we have the Rankin amendment read, and then we can understand it exactly.

Mr. RANKIN. I will say to the membership of the House that the lady's amendment does not bring in any of the cases beyond 1925.

Mrs. ROGERS. That is true.

Mr. RANKIN. So that every case covered by the amendment offered by the lady from Massachusetts is covered by the Johnson bill, up to 1925, which we propose to leave intact.

Mrs. ROGERS. But the American Legion has requested it go into the bill in this form. In view of the fact no compensation bill involving the cost of $100,000,000 would become law, we have to take what we can get.

The CHAIRMAN. As the Chair understands, the gentlewoman from Massachusetts proposes to offer an amendment to the amendment offered by the gentleman from Mississippi [Mr. RANKIN], in the nature of a substitute, to strike out all of the language of the amendment offered by the gentleman from Mississippi [Mr. RANKIN] and substitute therefor the language which the Clerk will read.

Mr. JOHNSON of South Dakota. Mr. Chairman, a parliamentary inquiry. The practical effect of that would be to eliminate from the law section 10 as it has been written into the bill, to eliminate the so-called Connery amendment, and eliminate the Rankin amendment and insert a new provision, taking certain specific cases and presuming them to have been contracted prior to January 1, 1925.

Mrs. ROGERS. Yes. It gives service presumption to 20 additional diseases to section 200 of the present World War veterans' act.

The CHAIRMAN. The Chair desires to say that he does not understand the amendment in the way the gentleman from South Dakota [Mr. JOHNSON] interprets it. It does not strike out the language of section 10 in any particular. The amendment offered by the gentleman from Mississippi [Mr. RANKIN] did not propose to strike out any of the language of section 10, but inserted language after the word "claim," in line 2, on page 15. The gentlewoman from Massachusetts [Mrs. ROGERS] offers an amendment which simply proposes to substitute in lieu of the Rankin amendment language which she proposes, both of which amendments leave section 10 in the bill exactly as it is now, with the additional language.

Mr. SIMMONS. A parliamentary inquiry. If the gentlewoman from Massachusetts [Mrs. ROGERS] desires to treat her amendment as a substitute for section 10 of the bill, it will first be necessary to dispose of the Rankin amendment, and then offer the gentlewoman's amendment as a substitute for section 10 either as now or as amended by the Rankin amendment.

The CHAIRMAN. The Chair said that at the beginning of the discussion.

Mr. FORT. A parliamentary inquiry. If the amendment were now adopted, a subsequent motion to strike out the balance of the section would be in order, would it not?

The CHAIRMAN. The Chair has stated that this is a perfecting amendment. Any motion to strike out the section after it is perfected will be in order.

Mr. FORT. A motion to strike out the balance of the section would cure the difficulty.

The CHAIRMAN. Any germane amendment will be considered.

Mr. TEMPLE. Mr. Chairman, has the Chair put the unanimous-consent request that I made, in which the gentleman from Massachusetts [Mr. LUCE] joined, to have the first two or three sentences read, so that we can see the ligament by which it is joined to the bill?

The CHAIRMAN. With the understanding that the language is to be inserted in the bill, as the Chair stated, the Clerk will now read the first three sentences of the proposed amendment.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS as a substitute for the amendment offered by Mr. RANKIN: On page 14, line 9, after the word "record," insert a new proviso, as follows:

"*Provided further,* That an ex-service man who is shown to have, or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease, etc."

Mrs. ROGERS. Mr. Chairman, I wonder if the Clerk may be allowed to read the telegram and letter from the American Legion, which I think explains this amendment, before I speak?

Mr. HOCH. Will the gentlewoman yield?

Mrs. ROGERS. I yield.

Mr. HOCH. Do we understand it is the intention of the lady to strike out section 10?

Mrs. ROGERS. Not the entire section, but beginning with "provided," on line 9, of page 14, strike out all from there on and insert my amendment in lieu thereof. It does not eliminate any disease covered by the existing law, but adds 20 additional.

Mr. HOCH. Nor does it change the Johnson bill?

Mrs. ROGERS. No. It does not change the Johnson bill except in certain particulars. It takes out certain diseases.

Mr. Chairman, I ask unanimous consent that the telegram and letter may be read.

The CHAIRMAN. Without objection, the Clerk will read the telegram and letter referred to.

There was no objection.

The Clerk read as follows:

SALT LAKE CITY, UTAH, *April 24, 1930.*

EDITH N. ROGERS,

United States Congress, Washington, D. C.:

Appreciate your deep and continued interest in disabled men's legislation. Understand you propose amendment substituting section 200 of H. R. 8133 for section 200 of Johnson bill. This would meet mandate of Louisville convention and would still leave the Johnson bill a splendid piece of legislation and ought to remove apprehension of many Congressmen as to cost as reported in the press. We are anxious for passage of this legislation.

Regards. O. L. BODENHAMER.

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

Mrs. ROGERS. Mr. Chairman, I ask unanimous consent that I may proceed for 10 minutes and that the reading of this letter be not taken out of that time.

The CHAIRMAN. The gentlewoman from Massachusetts asks unanimous consent that the Clerk may read the letter referred to and that she may have 10 minutes in addition to the time taken in the reading of the letter. Is there objection. [After a pause.] The Chair hears none. The Clerk will read the letter.

The Clerk read as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMITTEE,
Washington, D. C., April 24, 1930.

Hon. EDITH NOURSE ROGERS,

House of Representatives, Washington, D. C.

MY DEAR MRS. ROGERS: I am addressing this letter to you because of the deep and unselfish interest you have consistently displayed since 1917 in the welfare of the World War disabled, and because it has long been recognized that where their interests are concerned, your attitude has been of a strictly nonpartisan character—your desire has been to bring them the greatest possible measure of relief.

The House debate of the past 10 days clearly demonstrates that a crisis now confronts the pending Johnson bill, H. R. 10381, reported by the House Committee on World War Veterans' Legislation, and now being debated by the House. This committee bill contains 25 sections proposing to amend the World War veterans' act, at an annual cost estimated by the Veterans' Bureau at $89,000,000. The chief cost factor in these 25 sections is contained in section 200, which the Veterans' Bureau estimates alone will cost $76,000,000 a year for three years.

It would seem that Mr. Hoover's letter of warning that a deficit of $20,000,000 may be impending, which Mr. WOOD read to the House yesterday, has been prompted to some extent by the cost estimates advanced for the Johnson bill and other legislative proposals in connection with it.

The present acute difficulties of the veterans' legislation have to do, as you are well aware, with this and other proposed amendments to section 200 of the World War veterans' act. This is the section of the law which creates the presumption of service connection for disabilities arising to a 10 per cent degree prior to certain dates.

The Veterans' Bureau estimates that Mr. JOHNSON's bill would increase the cost of section 200 by $76,000,000 a year for three years, through a provision which would make all disabilities developing prior to January 1, 1925, considered of service origin, unless otherwise rebutted.

Mr. RANKIN's bill would provide that tubercular, neuropsychiatric, and constitutional diseases developing prior to January 1, 1930, would be attributable to the service. The Veterans' Bureau estimates the cost of this proposal at $44,000,000 a year, and adds that should the Rankin bill be superimposed upon the Johnson bill, that an annual cost of $31,000,000 would be added to the $89,000,000 cost of the Johnson bill, or $120,000,000 annually, altogether.

For greater clarity, the cost estimates of the various amendments proposed to section 200, are herewith set forth:

Veterans' Bureau cost estimates

H. R. 10381, Johnson bill, sec. 200 (1925 presumptive date)	$76,000,000
H. R. 7825, Rankin bill, sec. 200 (1930 presumptive date)	44,000,000
H. R. 8133, Legion bill, sec. 200 (1925 presumptive date)	12,500,000
H. R. 10381, amended by H. R. 7825, would be increased by	31,000,000

You will see from the foregoing estimates that the cost of the Johnson bill, section 200, exceeds that requested by the Legion by $64,000,000, while section 200 of the Rankin bill exceeds the Legion's request by $32,000,000. Also, that the cost of the Johnson bill, section 200, exceeds that of the Rankin bill by $32,000,000. These cost estimates have been on record for many weeks, and we had assumed that they had been accepted as reasonably accurate estimates of the cost of the proposed measures. However, other estimates and figures have been used during the debate, which are entitled to consideration because of the prominent positions occupied in the House by those who have sponsored them. The inevitable result of these other estimates has been

to confuse the Congress and the country, and raise a reasonable doubt as to the accuracy of all the cost estimates submitted.

For instance, Mr. JOHNSON, during debate, submitted figures from the Pension Bureau which estimate the cost of the Johnson bill at $319,000,000 annually, and further set forth that should the presumption date of 1925 in the Johnson bill be extended to 1930, the annual cost of the measure would be $426,000,000.

It should be said in connection with the cost estimates that those submitted by the Veterans' Bureau have been based upon claims pending, although the four days' debate has suggested that these estimates are in fact of a minimum nature, and may in actual practice prove considerably greater. While some feel that the Pension Bureau's estimates on Mr. JOHNSON's bill are excessive and would not be reached, they have nevertheless been presented to the Congress and the Nation by the chairman of the House Veterans' Committee, and for this reason alone, they are entitled to serious consideration.

The estimates given you yesterday by Mr. WOOD, the Appropriations Committee chairman, in the time granted him by Mr. JOHNSON, would indicate that he places great reliance upon the Pension Bureau figures submitted by Mr. JOHNSON, for Mr. WOOD said during the debate:

"If I had the time to go through the various items of this bill, I think I could demonstrate that it would amount to more than $400,000,000."

As stated earlier in this letter, the Veterans' Bureau has estimated that the 24 sections of the Johnson bill, exclusive of section 200, will entail an annual cost of $13,000,000. There are many excellent and necessary provisions contained in these 24 sections of Mr. JOHNSON's measure. The American Legion has for years endeavored to have the Congress enact many of them into law, on the basis that they would not only bring great relief to thousands of veterans but that their enactment would right many injustices now being done our World War disabled. Thousands of the so-called border-line cases would be rectified under their provisions.

I will cite the following of the many noteworthy benefits which these other sections of the Johnson bill would, if enacted into law, bring to the disabled and their dependents:

First. The comptroller would be precluded from making medical decisions, and in this connection his influence would be removed from the Veterans' Bureau.

Second. Due regard would be given to lay evidence in support of veterans' claims for disability compensation.

Third. Those veterans who are hospitalized for nonservice-connected disabilities would, where their annual income is less than $1,000, have disability compensation paid to their dependents in the same amounts as that received by widows and orphans of soldiers killed in the war.

Fourth. The provision which would definitely recognize the disabling effect of battle amputations by awarding an additional $25 a month for the loss of a hand or a foot.

Fifth. The removal of the time limit on applications for compensation and the submission of evidence in support of these claims.

These five provisions alone would be of tremendous benefit to the disabled, and would in themselves bring more relief to the World War veterans and their dependents than the average of the omnibus bills passed by the House in former years under suspension of the rules.

The American Legion at its national convention held in Louisville last October gave serious consideration to the situation confronting our World War disabled and recommended legislative amendments, which, in their estimation would solve the most pressing needs of the disabled. These recommendations were incorporated in an omnibus bill introduced in the House by Mr. JOHNSON on January 7, 1930, under the number H. R. 8133. The most far-reaching of these legislative proposals is contained in section 200 of our Legion bill, which provides that 20 of the most devastating of the so-called constitutional diseases would be considered attributable to the service if developing prior to January 1, 1925, the same date now providing service connection through presumption for neuropsychiatric disease, tuberculosis, and a few other less prevalent diseases. The Veterans' Bureau estimated that the cost of the Legion's section 200 would be $12,500,000 annually and benefit approximately 29,000 veterans.

These 20 constitutional diseases were selected with great care by the Legion, both because of their disabling effect and the likelihood that their inception resulted from World War service. Such diseases as obesity and gout, which Mr. LUCE pointed out yesterday would be attributed to service under the Johnson and Rankin bills, have been rigidly excluded from the Legion bill.

The inclusion of the 20 diseases requested in the Legion bill was advocated by expert medical testimony on each of the diseases in question. This testimony alone extended over several days of the hearings.

So much for the presumptive sections (sec. 200) of the various amendatory measures under consideration.

Now, here is a situation which we submit for your consideration—the more important provisions of the other sections of the Legion's omnibus bill (H. R. 8133)—other than section 200—have been incorporated in the Johnson bill (H. R. 10381) now before the House.

The Legion believes that the enactment of relief legislation by the present Congress is imperative. We would view the failure to enact relief legislation as a tragedy, even though that failure were due to the endeavor of friends of the disabled to secure the adoption of amendatory provisions of great benefit and effect, although unlikely to be enacted into law at the present session.

For instance, adoption of the Rankin bill would relieve many thousands of distressing cases, but Mr. JOHNSON has said the following concerning this:

"In my judgment, he (the President) will veto it, and there will be no legislation at all."

The Legion infinitely prefers to achieve a reality for the disabled, rather than lose an impossibility. I am sure that you, of all others, realize that we have to do in this connection with the happiness of tens of thousands of disabled, and in all probability with the lives of many hundreds. Under these circumstances, the chances of failure are too great for the Legion to assume responsibility therefor, or become a party thereto.

In view of the foregoing, I feel confident that should you propose an amendment to the pending Johnson bill (H. R. 10381) from the floor of the House, and the House concur therein, for the substitution of section 200 of the Legion's bill (H. R. 8133) for section 200 of the Johnson bill, that this action on your part would meet with the approval of the national Legion, as a whole, for it would seem that the Johnson bill, thus amended, would have an excellent opportunity of final enactment into law.

I am sure that you know that the results attained in this manner would merit the gratitude of the tens of thousands of veterans and their dependents whose disabilities are now unrecognized by their Government, but to whom such a law would bring prompt relief—would, in fact, be a godsend.

The Johnson bill, thus amended, would cost, as estimated by the Veterans' Bureau, less than $30,000,000 a year. It would not endanger the national finances, and its enactment would carry out the resolutions adopted by the American Legion National Convention.

I believe that such a proposal merits frank consideration by the friends of the disabled in the House of Representatives, and I hope that if you concur you will suggest this solution of the present situation to the Congress.

Very respectfully yours,

JOHN THOMAS TAYLOR,
Vice Chairman National Legislative Committee.

Mrs. ROGERS. Mr. Chairman and members of the committee, I want to try to explain in a few minutes exactly what this amendment does. If you have copies of H. R. 8133, the original bill which the American Legion requested the chairman of the Veterans' Committee to introduce, you will see exactly what it does. It includes the 20 chronic diseases that the American Legion asked be taken care of by giving presumption to these diseases if they occurred to a 10 per cent degree before 1925. It affects 29,000 cases. The estimated cost of this section as I have amended it would then be $12,500,000 instead of $76,000,000 as provided for in section 200 of the Johnson bill. The following letter from General Hines verifies my statement:

UNITED STATES VETERANS' BUREAU,
Washington, April 24, 1930.

Hon. EDITH NOURSE ROGERS,
House of Representatives, Washington, D. C.

MY DEAR MRS. ROGERS: This is in reply to your recent request for information regarding the approximate cost of section 3 of H. R. 8133, the so-called American Legion bill.

As you are aware, the section would amend the provisions of section 200, World War veterans' act, as amended, by extending presumptive service connection for certain diseases named therein if a 10 per cent degree of disability is shown by reason thereof prior to January 1, 1925. Based solely on the record of disallowed cases in the bureau, it is estimated that this amendment would affect 29,000 cases at an approximate annual cost of $12,500,000.

I trust this is the information you desire. A copy of this letter is inclosed for your use.

Very truly yours, FRANK T. HINES, *Director.*

In the opinion of the medical profession, it takes in, so far as I can ascertain, all the diseases that could possibly result from war service if not shown to exist before 1921 in some form. It weeds out cases such as typhoid fever and diphtheria incurred after 1921, which clearly do not come under any law and could not be considered by the wildest stretch of the imagination to have come from the service.

The changing of this section in the Johnson bill and inserting in lieu thereof the American Legion amendment would bring the total cost of this bill up to approximately $30,000,000. If we passed such a bill, the veterans as well as the Members of Congress would know that we would at least have a law that would

provide an additional appropriation of $30,000,000 for our disabled instead of having no added compensation for disabled veterans during this session. We passed a $16,000,000 hospital bill before Christmas for the veterans.

My own heart has been torn inside out thousands of times since 1917 over these veterans. I have worked with the men and women since the very beginning of the war. I was overseas. I have worked with them in the hospitals here, and it is because I have worked with them and because I love them and respect them that I am so anxious to have them secure added relief this year.

I do not want Congress to adjourn without passing legislation that will help them. My great fear has been that the bill would carry such a large amount that it would not be signed by the President. I have been looking over past history. While you have been talking during the past few days I have been thinking over past legislation. I have found that no bill has ever been signed by a President which authorized an appropriation of more than $30,000,000 for compensation for our disabled veterans. That is why I am pleading with you to-day to pass a bill that is going to mean something to the veterans—not a gesture. It is easy to get up and say that everyone who wore the uniform should have hundreds of dollars. We all want them taken care of, but we know as a practical matter that too big a bill will never become law. Thirty million dollars is not a small sum.

There is another provision in this bill—an amendment to section 14, which I introduced, and which takes care of dependents while the men are hospitalized. This amendment will only cost $4,000,000 and affects approximately 27,167 veterans.

It will enable many of our men to be hospitalized and it will enable them to recover their health. General Hines has stated in a letter written to me on April 15, 1930:

The provisions of section 14 of H. R. 10381 provide for the payment of compensation to the same classes of dependents if the veteran shall be hospitalized for a period of more than 30 days and also continues the allowance for a period of two months after discharge from the hospital. It is also required that the veteran file an affidavit with the medical officer in charge of the hospital indicating his financial need.

It is estimated that this amendment would affect the dependents of approximately 27,167 veterans during the fiscal year 1931, at an approximate cost of $4,000,000.

The amendment reads as follows:

SEC. 14. That two new paragraphs be added to subdivision (10) of section 202 of the World War veterans' act, 1924, as amended (sec. 484, title 38, U. S. C.), to read as follows:

"Where a World War veteran hospitalized under this section for a period of more than 30 days files an affidavit with the commanding officer of the hospital to the effect that his annual income, inclusive of compensation or pension, is less than $1,000, there shall be paid to the dependents of such veteran (commencing with the expiration of such 30-day period and to be payable) during the period of any further continuous hospitalization and for two calendar months thereafter, the following amount of compensation:

"(a) If there is a wife but no child, $30 per month;

"(b) If there is a wife and one child, $40 per month, with $6 for each additional child;

"(c) If there is no wife but one child, $20 per month;

"(d) If there is no wife but two children, $30 per month;

"(e) If there is no wife but three children, $40 per month, with $6 for each additional child.

"For the purposes of this section the Spanish-American War shall be construed to mean service between April 21, 1898, and July 4, 1902, and the term 'veteran' shall be deemed to include those persons retired or otherwise not dishonorably separated from the active list of the Army or Navy."

Mr. ANDRESEN. Will the gentlewoman yield?

Mrs. ROGERS. Yes.

Mr. ANDRESEN. As I understand it, the Johnson bill makes all diseases presumptive up to January 1, 1925, and by your amendment you are seeking to limit the number of diseases to about 22?

Mrs. ROGERS. The chronic diseases, yes, to 20.

Mr. ANDRESEN. It would appear to me, then, that the present provision in the Johnson bill is preferable to the amendment the gentlewoman is offering, because it takes care of more disabled veterans.

Mrs. ROGERS. It will take care of more disabled veterans, but does the gentleman believe that any President who has ever lived or who ever will live would be likely to sign a bill which authorized an initial estimated expenditure of $100,000,000 in the face of a threatened Treasury deficit? I very much doubt it.

Mr. ANDRESEN. Does the gentlewoman believe the President will veto the Johnson bill?

Mrs. ROGERS. I do not know, but I have never known of any President who signed a very big bill, I mean a bill over $30,000,000.

Mr. HALE. Will the gentlewoman yield?

Mrs. ROGERS. Yes.

Mr. HALE. Is it the gentlewoman's intention that her amendment shall be a substitute for the language of the Johnson bill on page 14, line 9, beginning with the word "*Provided*"? In the confusion I was unable to satisfy myself. I want to find out just where the gentlewoman's amendment is written into the bill.

Mrs. ROGERS. It begins in line 9.

Mr. HALE. On page 14.

Mrs. ROGERS. Yes.

Mr. HALE. That is where the gentlewoman from Massachusetts intended it?

Mrs. ROGERS. Yes.

Mr. HALE. Mr. Chairman, a parliamentary inquiry. Was not the substitute of the gentlewoman from Massachusetts offered to be written in after the word "claim," in line 2, page 15; and if that is so, then the intention of the gentlewoman from Massachusetts to offer it as a substitute for the proviso in line 9, page 14, has not been carried out.

Mrs. ROGERS. Yes; I shall move afterwards to strike that out.

Mr. STAFFORD. If the gentlewoman will yield for a suggestion, I understand after having hurriedly compared section 3 of the bill H. R. 8133, if the amendment offered by the gentlewoman from Massachusetts is adopted as a substitute to the amendment offered by the gentleman from Mississippi, then I assume she will move to strike out the proviso found in the Johnson bill which was not in the original bill, and this will make it conform in fact with what is intended.

Mrs. ROGERS. The proviso on page 14.

Mr. STAFFORD. The proviso on page 14, at line 9, which extends down to the proviso at the top of page 15.

Mrs. ROGERS. Yes; this would be inserted instead of that.

Mr. STAFFORD. And that would be the original American Legion provision.

Mrs. ROGERS. Yes. That would be the original legion proviso to section 200.

Mr. ARENTZ. Will the gentlewoman from Massachusetts yield?

Mrs. ROGERS. Yes.

Mr. ARENTZ. The only thing the committee has heard three times from the chairman of the committee is that the substitute for the Rankin amendment is inserted after the word "claim" in line 2, of page 15, and nothing else has been proposed to the committee.

Mr. STAFFORD. But nothing prevents the gentlewoman from striking that out after the adoption of her amendment.

Mr. ARENTZ. But the only thing before the House now is the substitute for the Rankin bill on page 15, line 2.

Mr. STAFFORD. And it is a proper substitute.

Mr. ARENTZ. Yes.

Mr. LAGUARDIA. Will the gentlewoman from Massachusetts yield?

Mrs. ROGERS. Yes.

Mr. LAGUARDIA. Does the amendment of the gentlewoman from Massachusetts broaden or narrow the provisions now in the Johnson bill?

Mrs. ROGERS. It narrows the provisions of the Johnson bill, but it does not detract anything from the existing law. It adds the benefit of presumption to 20 chronic diseases.

Mr. LAGUARDIA. But it is not as broad as the provisions of the Johnson bill?

Mrs. ROGERS. No; I clearly stated that, I think.

Mr. LAGUARDIA. Now, are we to understand that the American Legion, by its telegram from the national commander and by the letter which has been read to the House from the chairman of the committee on legislation, is now asking Congress to narrow the provisions of the Johnson bill because they want less than what is contained in that bill?

Mrs. ROGERS. The American Legion never went on record as asking that this provision in the Johnson bill be inserted.

Mr. LAGUARDIA. All right; is the American Legion asking now for less than Congress is offering them in the Johnson bill?

Mrs. ROGERS. Apparently they are asking that, thinking they can not get as much as is in the Johnson bill. And they want a law, not an unfulfilled promise.

Mr. REED of New York. Will the gentlewoman from Massachusetts yield?

Mrs. ROGERS. I yield.

Mr. REED of New York. No matter whether it narrows or expands the Johnson bill, what the gentlewoman is offering is exactly and precisely what the American Legion wants; is not that true?

Mrs. ROGERS. It is what they asked for in the beginning and what they ask for now under the circumstances of a threatened Treasury deficit. They have had a number of years of legislative experience and want results.

Mr. WELSH of Pennsylvania. It is not what the Pennsylvania Legion wants, though.

Mr. FISH. Will the gentlewoman yield for a question?

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

Mr. FISH. Mr. Chairman, I ask unanimous consent that the gentlewoman from Massachusetts may have one additional minute.

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

There was no objection.

Mr. FISH. The gentlewoman from Massachusetts has largely based her argument on the matter of cost.

Mrs. ROGERS. Yes.

Mr. FISH. I would like to ask her to explain to the House just how much money her amendment would save in comparison with the Johnson bill?

Mrs. ROGERS. The Johnson bill authorizes an expenditure of $76,000,000 in section 200. My amendment to section 200 authorizes the expenditure of $12,500,000, which means a saving on this section of $63,500,000. Ever since 1926 I personally have been fighting to have these diseases included in the presumptive clause of the law, because I know the effect of strain and things of that sort in connection with duty overseas.

Mr. FISH. Therefore the gentlewoman from Massachusetts is advocating $58,000,000 off of the pending bill?

Mrs. ROGERS. Yes; I want $30,000,000 worth of real relief rather than to pass a gesture that can not become law and which will raise the hopes of sick and suffering veterans. [Applause.]

The CHAIRMAN. The question is on the substitute offered by the gentlewoman from Massachusetts to the amendment offered by the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. CONNERY and Mr. KVALE) there were—ayes 99, noes 143.

Mrs. ROGERS. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed as tellers Mrs. ROGERS and Mr. RANKIN.

The committee again divided, and the tellers reported—ayes 118, noes 168.

So the substitute was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Mississippi [Mr. RANKIN].

Mr. COCHRAN of Missouri. Mr. Chairman, I offer the following amendment to the Rankin amendment:

The Clerk read as follows:

After the word "conclusive" strike out the following: "in cases of active tubercular disease and spinal meningitis, but in all other cases such presumption shall be rebuttable by clear and convincing evidence."

Mr. COCHRAN of Missouri. Mr. Chairman and Members of the House, the purpose of my amendment is to treat every disabled veteran of the World War alike. Under the provisions of the Rankin amendment there is a presumption that certain disabilities are of service origin, and then you bring into that class other disabilities, but you say in all other cases such presumption shall be rebuttable by clear and convincing evidence. If a veteran is on his back with heart trouble, he is 100 per cent disabled, and just as bad off as any other man with any other disability, I do not care what it is. If a veteran is in bed with arthritis, suffering 24 hours a day, he is likewise 100 per cent disabled.

Mr. JOHNSON of South Dakota. The purpose of the gentleman's amendment is to treat all veterans alike?

Mr. COCHRAN of Missouri. That is exactly what I desire to accomplish. I have cases where men have been bedridden for several years suffering from arthritis, heart trouble, nephritis, and other disabilities. What does the Rankin amendment do for them? The Rankin bill says your disability shall be presumed to be of service origin, provided the Veterans' Bureau is not able to produce evidence showing your disability was not contracted in the service. Practically all men affected have filed claims with the Veterans' Bureau. The evidence is in the file and on that evidence the Veterans' Bureau has already held their disability is not of service origin. Therefore, if you are going to give the Veterans' Bureau the opportunity to rebut it, produce the evidence already in the file and say it is sufficient to show beyond dispute that your disability was not contracted in the service and the veteran receives no recognition. My amendment will prevent that and will require the bureau to recognize the veteran. You say this is a bill to help disabled veterans. I am giving you an opportunity to help them and likewise their wives and children.

Mr. CONNERY. Will the gentleman yield?

Mr. COCHRAN of Missouri. I yield.

Mr. CONNERY. I am inclined to be in sympathy with the gentleman. As I understand, you mean to take care of all of the veterans on the rebuttable proposition?

Mr. COCHRAN of Missouri. Absolutely treat the men in bed with arthritis, heart trouble, or any other disability the same as those you place in the preferred class.

The Johnson bill extends the presumptive provisions of the present law, now confined to tuberculosis, certain mental disabilities, and a few other diseases to all disabilities that developed prior to January 1, 1925, provided, however, and there is where you are going to experience trouble, that the disability was at least 10 per cent disabling prior to that date. In other words, if a man developed a heart disability or any other disability not mentioned prior to January 1, 1925 and the bureau held it was, under the schedule of ratings, 5 per cent disabling in December, 1924, he would not be entitled to recognition, although subsequently say in the summer of 1925 the disability became more severe and at that time he was 75 per cent disabled. The Johnson bill does nothing for veterans in cases of this character.

The Rankin bill extends the time under the presumptive clause to January 1, 1930, for tuberculosis, mental disabilities, and so forth, and further it extends the presumptive clause to all other diseases, but there is a proviso attached to this that is also going to cause trouble and it reads:

But in all other cases (speaking of those not now in the persumptive class) said presumption shall be rebuttable by clear and convincing evidence.

There are a large number of cases rated constitutional psychopathic, inferior. The bureau holds that this is an inability rather than a disability, yet the history of many cases indicates the existence of an adequate industrial record prior to the war and a complete industrial maladjustment subsequent to the war. Such men, now of no value to themselves nor to their families, are not taken care of either by the Johnson or the Rankin bills.

Take a veteran having a service-connected condition, a stomach disorder, compensated by the Veterans' Bureau for a long period for such condition, dies in 1926 from a cerebral hemorrhage. This man's wife and children can not be taken care of by either the Johnson or Rankin bills.

One could recite many other cases where neither the Johnson bill nor the Rankin bill will serve to take care of veterans or their widows and children.

The acute conditions which may arise are many, and it is extremely difficult to find that a service-connected condition may have contributed to the inception of the acute condition or conditions which constitute the primary cause of death.

The legislation before the House takes care of certain classes and does nothing for thousands of other deserving cases. This applies both to the Johnson and the Rankin bills, although the Rankin bill is more liberal. However, I do not see that the Rankin bill is going to help a great many cases wherein death results from an acute condition, because by its very nature the Rankin bill applies itself to chronic constitutional diseases. It should be borne in mind that many of the potential claimants under legislation of the Rankin type are already claimants of the bureau; the evidence is in the files in possession of the bureau which will enable the bureau to take advantage of the right to rebut.

The Rankin bill can not help but be very attractive to those who have not been skilled in presenting claims. It, however, establishes preferential treatment for certain classes whose condition did not arise prior to January 1, 1925, and who would not be taken care of under the Johnson bill. But let me point out—and I do so to impress upon you the thought I will advance in a moment—that as an example a veteran with four months' service who died from, say, chronic nephritis in 1928 would be considered to have died of a service-connected disability and his dependents entitled to compensation, but a veteran who served two years who died of pneumonia in 1926 would not be considered as having died from a service-connected disability, and his widow and babies would not receive compensation. It is very easy to demonstrate how impossible it is to take care of all World War veterans and their dependents under any legislation other than a pension measure. It is true that all veterans should have been placed on a parity under the 1925 presumptive clause, and that should have been done when the amendment was added to the act. The nature of the disability should not enter into the question. A man suffering from a permanent heart disability is as bad off as the man suffering from any other permanent disability, but the man with the heart disability has never been included in the presumptive class. The same applies to a hundred other diseases. Take

the man suffering with chronic arthritis, confined to his bed for years, suffering intense pain. What have you done for him? The Johnson bill takes care of him if it developed prior to January 1, 1925, and so does the Rankin bill, provided there is not sufficient evidence in the bureau files to show beyond question it was not of service origin. My amendment takes care of him.

My viewpoint is that this question will not be settled until you pass the bill granting all disabled veterans and the widows and dependents of the veterans who have passed away compensation or pensions, whatever you desire to call it, regardless of the nature of the disability, the same benefits as are now extended to the Spanish War veterans. If you are not ready to go that far, then I say at least establish the right of dependency compensation for all widows, children, and dependent parents in those cases where the veterans have died, regardless of the cause of death. Establish the right of dependents to receive compensation while the veteran is in a hospital or disabled for the performance of manual labor.

When this Congress convened last spring I introduced a bill providing for pensions for disabled World War veterans, their widows and minor children. Following this a number of my colleagues offered bills along the same line. The committee has considered the Swick bill, the ranking Republican member of the Pensions Committee. I have no complaint to make, as it is the policy of the party in power, Democrat or Republican, to always attach to important legislation the name of a member of the majority party. That is the reason you have the Johnson bill here to-day and not the Rankin bill. If the Democrats were in power you would have the Rankin bill and not the Johnson bill. The committee has secured reports as to cost of the Swick bill. As I understand it, the first year will be around $50,000,000 and the average cost for the first five years around $100,000,000. The adoption of the Swick bill or a similar bill would do more to satisfy the veterans of the World War and their dependents than the passage of the Johnson or Rankin bill and over the first 5-year period cost less.

Congress in its wisdom adopted the veterans' act. One who does not thoroughly understand the administration of the act, after a casual reading, would immediately declare it is possibly the most liberal law ever passed by any legislative body in the world; and it is. But when one acquaints himself with the rules and regulations which must be met in order for the disabled veteran or his dependents to secure recognition you find a different situation.

The dissatisfaction among disabled veterans is general throughout the country, and members of their family who have been required to assume additional burdens due to the inability of the veterans to carry on in his pre-war work are likewise resentful at the failure of the act to cover thousands of cases.

I want to see the most liberal bill passed that the President will sign, and I hope that before this debate closes some one will be able to give us some direct information as to how far the President will go. Further, I hope the gentleman from Pennsylvania [Mr. SWICK] will rewrite his bill so it will provide for the payment of compensation and not pensions and offer it as a substitute to the pending bill.

If you will read the chairman's remarks, you will find he stated when referring to the paragraph providing for payment to dependents of uncompensated veterans a given amount while the veteran was in the hospital that it was simply a pension. Therefore I say the Swick bill is germane to the pending bill, with the wording changed as suggested.

Let us take care of the disabled veterans as the people of the country desire us to do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri to the amendment of the gentleman from Mississippi.

The question was taken; and on a division (demanded by Mr. RANKIN) there were 45 ayes and 38 noes.

Mr. RANKIN. Mr. Chairman, I ask for tellers.

Tellers were ordered, and the Chair appointed Mr. COCHRAN of Missouri and Mr. RANKIN as tellers.

The committee again divided; and tellers reported that there were 98 yeas and 63 noes.

So the amendment of Mr. COCHRAN of Missouri was agreed to.

The CHAIRMAN. The question is on the Rankin amendment, as amended.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let us be perfectly frank. You have just voted upon an amendment which absolutely destroys the bill. Some of the majority members of the committee voted for it. In no system of law, in no kind of administration of law, has there ever been created the principle of taking away entirely the right to rebut proof. We give to the veteran the presumption of service connection and that is all he asked for. That is all that any veteran wants. When you come on the floor of this House and vote for an amendment which takes from the department of the Government the right to rebut that presumption by competent proof, you are so loading the bill as to kill it entirely.

Mr. COCHRAN of Missouri. Mr. Chairman, will the gentleman yield?

Mr. LAGUARDIA. Oh, I do not doubt the good faith of the gentleman from Missouri. I know he is in earnest and means well.

Mr. COCHRAN of Missouri. You did not give the bureau the right to rebut in the case of tuberculosis.

Mr. LAGUARDIA. Because that can be easily explained. In our experience of 10 years we have learned something about the effect of gas and other diseases with which veterans are afflicted, but when you come here in a bill which throws the door wide open and give the veterans a presumption up to 1930—an absolute and nonrebuttable presumption—I say, in the name of every veteran really injured and disabled, that in voting for that amendment you have simply double-crossed the veteran, if by so doing the bill is so loaded as to bring in fake claims at the expense of the honest claims and thereby killing the bill. I can not understand such parliamentary tactics. Certainly there is a limit to parliamentary tactics; but let us be fair about it and not vote for an amendment of this kind and jam it through in the hope that by so doing the bill will be so extreme that it will justify a veto.

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

Mr. LAGUARDIA. Yes.

Mr. RANKIN. I know that the gentleman from New York does not want to be unfair or do anyone an injustice. There was one member of the committee on the majority side who voted with us, and that was the gentlewoman from Massachusetts [Mrs. ROGERS].

Mr. LAGUARDIA. Yes; because she has the interest of the veteran at heart.

Mr. CAMPBELL of Iowa. And I voted with you also.

Mr. RANKIN. Yes; and also the gentleman from Iowa.

Mr. LAGUARDIA. Right; I thank the gentleman.

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

Mr. LAGUARDIA. Yes.

Mr. PATMAN. I invite the attention of the gentleman to the fact that this amendment includes tuberculosis and spinal meningitis. It does not go as far as I thought it did when I voted against it. However, possibly too far after all, but these matters can be ironed out in conference.

Mr. LAGUARDIA. The amendment just adopted?

Mr. PATMAN. Yes.

Mr. SIROVICH. Only spinal meningitis and tuberculosis.

Mr. PATMAN. It says here "in cases of active tuberculosis and spinal meningitis." If it strikes out the language instead of inserting it—as some thought—evidently it does go too far. A correction can be made, before the bill finally passes, if it is necessary.

Mr. LAGUARDIA. That is all very well, but I suggest that the amendment strikes out part of the section and the section, as amended, simply takes away the right of the Government to rebut fraudulent and dishonest and fake claims. It is necessary to read the entire section. I do not want to see this bill made ridiculous. I appeal to the membership of the House, and to the veterans in the House, and I make a special appeal to the gentleman from Massachusetts [Mr. CONNERY] not to load this bill down. Let us get together on the bill and pass something that will give the veteran something more than a gesture. The veteran needs relief. Let us give him relief. The veterans need legislation; let us give him a law, not a veto.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate upon this section do now close.

The CHAIRMAN. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi, as amended by the amendment of the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 138, noes 144.

Mr. RANKIN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed Mr. RANKIN and Mr. JOHNSON of South Dakota to act as tellers.

The committee again divided; and the tellers reported—ayes 167, noes 136.

So the Rankin amendment was agreed to.

Mr. CONNERY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CONNERY: Page 14, line 11, after the words "January 1," strike out "1925" and insert "1930."

Mr. CONNERY. Mr. Chairman, this is the point at which I wanted to offer this amendment, because in the other amendment I offered to the Rankin amendment the parliamentary situation was such that it did not cover everything that we wanted. In other words, my amendment now brings the provisions of the Johnson bill up to 1930. The amendment of the gentleman from Mississippi, just passed, only brings 50 per cent of the diseases included in the Johnson bill up to 1930, from 1925. My amendment will bring all the provisions which are in the Johnson bill up to 1930. If you are going to be fair to anybody, treat them all alike. There are just as many men who are seriously disabled with cancer or diabetes or some other disease, which is not in the Rankin bill, as there are those who are afflicted with tuberculosis and other diseases.

Mr. JOHNSON of South Dakota. Under the Rankin amendment just adopted, the veteran may suffer from gout or obesity or pellagra and he will receive this high pension, will he not?

Mr. CONNERY. But the gentleman knows that Doctor SIROVICH explained yesterday that a man might get gout or obesity just as much as a result of service as anything else.

Mr. JOHNSON of South Dakota. Regardless of the explanation my statement is correct, is it not?

Mr. CONNERY. Yes. It is in the bill of the gentleman from South Dakota.

Mr. JOHNSON of South Dakota. Then, unless the gentleman's amendment is adopted, a man might suffer from kidney trouble and other diseases and have nothing.

Mr. CONNERY. I want him to have everything in your bill brought up to 1930.

Mr. JOHNSON of South Dakota. The gentleman wants them all to be treated alike?

Mr. CONNERY. Yes. That is exactly what I ask for in my amendment, that all disabled men be treated alike fairly and squarely.

I have heard a lot of talk about the expense, and about what will happen, and that the President will veto it if we overload the bill. But I have tried to bring out the fact that every piece of veterans' legislation in the other body has invariably been cut down by 50 per cent, and when it was voted on in conference and agreed to it has been always cut to one-third of what we passed here in the House.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. CONNERY. Yes.

Mr. PERKINS. What is the excuse for treating them all alike?

Mr. CONNERY. It is hard enough to get rated even up to 10 per cent. I do not want to take up any more of the time of the House. You all know what it is about. I hope you will support my amendment and do justice to the disabled men of this country. [Applause.]

Mr. RANKIN. Mr. Chairman, I am sorry that I can not support this amendment, because, according to the argument of the majority of this committee, it makes this bill so expensive that I am afraid it will never become a law. I regret very much that I can not go along with my distinguished colleague from Massachusetts on this one amendment.

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield there?

Mr. RANKIN. Yes.

Mr. JOHNSON of South Dakota. As a matter of fact, the amendment of the gentleman from Massachusetts is the only amendment that would treat all the men alike, is it not? Would it not treat them all alike?

Mr. RANKIN. I accept the Johnson amendment up to 1925, because the majority on that side seem to want it.

Mr. JOHNSON of South Dakota. Why do you not accept the Connery amendment?

Mr. RANKIN. Because these men who are seriously afflicted are suffering from disabilities traceable to the service; and I take that position because it would avoid overloading this bill and it would save a veto.

Mr. JOHNSON of South Dakota. Is the gentleman afraid it will cost too much money?

Mr. RANKIN. I want to say to the gentleman from South Dakota that I have the same regard for the Treasury of the United States as he has. The doctrine has been preached here that if we amend this bill we might provoke a veto and that the veto might be sustained. I fear we might not get any relief at all for the uncompensated disabled men.

Mr. JOHNSON of South Dakota. The gentleman does not seem to care how much it will cost so long as he can pick out certain specific diseases which he desires to include.

Mr. CONNERY. I know, and every man in the House knows, that every man in a hospital wants this bill brought up to 1930 for all diseases.

Mr. PERKINS. Mr. Chairman, will the gentleman yield there?

Mr. RANKIN. Yes.

Mr. PERKINS. Outside of the economics, what is the reason for not treating all of the service men alike?

Mr. RANKIN. Nothing, outside of economics, except the danger of killing the bill. If you adopt this amendment, however, I shall support the bill and do all I can to secure its passage.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Massachusetts [Mr. CONNERY].

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. RANKIN. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 144, noes 44.

So the amendment was agreed to.

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

The CHAIRMAN. Does the gentleman from Massachusetts desire to offer another amendment?

Mr. CONNERY. Yes. I offer a corresponding amendment similar to the other one.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Massachusetts.

The Clerk read as follows:

Amendment offered by Mr. CONNERY: Page 15, line 1, after the words "January 1," strike out "1925" and insert "1930."

Mr. CONNERY. Mr. Chairman, this is a perfecting amendment, just as that on page 14. It brings about the same result.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

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

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. LAGUARDIA: Page 15, at the end of the section, add the following: "*Provided further,* That nothing herein shall be construed to apply to an ex-service man who enlisted or entered the military or naval service subsequent to November 11, 1918."

Mr. LAGUARDIA. Mr. Chairman, by reason of the fact that you have included in the bill the period from April 6, 1917, to July 2, 1921, as the war period, and carrying the presumption of service connection up to 1930, I have introduced this amendment for the purpose of limiting the benefits of war compensation to the men who enlisted or who entered the military service during the time that we were actually in war. [Applause.] There can be no objection to that. Only one who has seen service can realize and appreciate the difference between service before November 11 and the service after November 11, 1918.

Mr. McCORMACK of Massachusetts. Does the gentleman feel that his amendment would affect any service-connected veterans' claims at the present time?

Mr. LAGUARDIA. No; I do not think so. In fact, the bill specifically takes care of such cases.

Mr. McCORMACK of Massachusetts. I know the gentleman does not want to, but I suggest that the gentleman have that definitely in mind.

Mr. LAGUARDIA. I do not see how it can affect them. This refers to men who enlisted or entered the military service subsequent to the time that hostilities ceased.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. JOHNSON of South Dakota. I am in accord with the gentleman from New York [Mr. LAGUARDIA] as he knows, because I think I know the situation, but has the gentleman thought of the two expeditionary forces in Russia that were sent over there without any authority or warrant of law, and some of them may have enlisted after November 4?

Mr. LAGUARDIA. My information is that they were taken from troops who were in the service prior to November 11, 1918.

Mr. JOHNSON of South Dakota. They were fighting over there in January, 1920.

Mr. VINCENT of Michigan. Will the gentleman yield?

Mr. LAGUARDIA. I yield to the gentleman, certainly.

Mr. VINCENT of Michigan. The members of the expeditionary forces to North Russia were members, largely, of the Eighty-fifth Division from Michigan. They were inducted into

the service long before the armistice. The amendment offered by the gentleman from New York [Mr. LAGUARDIA] will not militate against those men at all. There is an amendment to be offered later, which is necessary to take care of them, but not at this point. The amendment offered by the gentleman from New York [Mr. LAGUARDIA] will not affect the North Russia expeditionary forces at all.

Mr. JOHNSON of South Dakota. The entire matter of the Russian expeditionary force was taken up with the chairman of the committee by the gentleman from Michigan [Mr. VINCENT].

Mr. LAGUARDIA. That being so, and as a real sincere friend of the war veterans and this bill, I submit my amendment.

The amendment was agreed to.

Mr. BUCHANAN. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Texas [Mr. BUCHANAN] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BUCHANAN: Page 13, line 13, strike out all of line 13 after the word *"Provided,"* and lines 14, 15, 16, 17, 18, and 19, including the word "conduct" in line 20, and insert in lieu thereof the following:

"*Provided,* That compensation shall not be denied any applicant therefor by reason of the injury, disease, aggravation, or recurrence having been caused by his own willful misconduct: *Provided further,* That such willful misconduct occurred during the period of enlistment of such applicant."

Mr. BUCHANAN. Mr. Chairman and colleagues, many of you have been speaking this afternoon for the ex-service man who is suffering from only one injury. I am speaking to you for the ex-service man who is suffering from a double injury. The principal portion of the ex-service men who are excluded from compensation by reason of misconduct are those who have an unmentionable disease which was contracted during the period of their service. Many of them are helpless. Many of them have no means, and none of them will be given employment by reason of their disease. I submit that where the Government went out into the homes and took from the firesides of the country our young men and gathered these men together and held them in cantonments, shipped them across the sea where every one of them was practically the slave of Army officers and subject alone to the commands of their master, the Government is responsible for their conduct [applause], and if these red-blooded men sinned, then the Government created the conditions and the war aroused the "don't-give-a-damn" spirit which caused them to indulge their passions, resulting in many of them contracting an incurable disease, which disease impairs and ultimately destroys their ability to earn a living. When it is known that they have this disease no one will give them employment. It ruins their reputation, blights all hope, destroys their ambition, and leaves them human wrecks upon an uncharted sea of humanity. Many of them made brave and fearless soldiers, went "over the top" on several occasions, aiding in chasing the enemy from the Argonne Forest, withstood the enemy's charge on many occasions.

These men suffered desperate privation on the battle front without complaint. They charged the enemy's front line without fear. Some of them have been decorated for heroic conduct in battle.

Our country cheerfully received their services during its crisis, and now that the crisis is over these boys are down and out, poverty stricken, suffering, unable to procure employment. I say to you that it is the highest duty of our country to go to their aid.

Over 19 centuries ago Jesus hurled the challenge to mankind, "He that is without sin among you, let him first cast a stone." That challenge has come down the ages with no man daring to controvert it. Are you ready to do so now?

These cases are as much battle injuries as if received in combat on the battle front and are more to be pitied, for they are bearers of a double burden—first, their impaired and destroyed ability to earn a livelihood; second, their hope destroyed, their ambition blighted, and social ostracism suffered—and all because they happened to be more unfortunate in their indulgences than others. Let us see to it that no worthy ex-service man ever has to beg bread to eat or clothes to wear.

Mr. JOHNSON of South Dakota. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. JOHNSON of South Dakota. This only refers to what happened during the period of enlistment. It does not bring the presumptive period up to 1925?

Mr. BUCHANAN. No. Just in war time.

Mr. JOHNSON of South Dakota. I agree with the gentleman.

Mr. EDWARDS. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. EDWARDS. Has any estimate been made as to the number of men to be benefited by this amendment?

Mr. BUCHANAN. I know of no estimate.

Mr. EDWARDS. I want to say that I am heartily in favor of the gentleman's amendment. Some of the most unfortunate cases that I know of will be taken care of by this amendment.

Mr. RANKIN. Will the gentleman yield?

Mr. BUCHANAN. I yield.

Mr. RANKIN. I desire to say that we on the minority side of the House are willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BUCHANAN].

The amendment was agreed to.

Mr. OLIVER of Alabama. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Alabama [Mr. OLIVER] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. OLIVER of Alabama: Strike out the period on line 8, page 15, and insert the following:

"*Provided further,* That where an ex-service man who is shown to have had active tuberculosis prior to January 1, 1930, a presumption of service connection for such disability is hereby authorized on the filing of a statement under oath by a reputable physician based on a personal examination prior to January 1, 1925, giving it as his opinion that the ex-service man had at the time of such personal examination active tuberculosis."

Mr. OLIVER of Alabama. Mr. Chairman and ladies and gentlemen, you may say that the amendment offered at this time is meaningless, for the reason that the committee has just adopted the Rankin amendment as amended by the amendment of the gentleman from Massachusetts [Mr. CONNERY], and if that action of the committee is approved by the House, this amendment I propose would really not be required. But, in view of what has been said as to votes on the different amendments that may be adopted in the committee, I felt that those of you who heard this amendment read will recognize that it cares for many cases in every congressional district represented on this floor. I doubt whether a single Member has not had called to his attention a number of cases which have been denied service connection by reason of the bureau's Regulation 73, which requires a clinical and very technical examination to establish tuberculosis.

You have adopted by unanimous vote, on the recommendation of the committee, a provision requiring that bureau regulations in the future must give real effect to lay testimony. It was that report of the committee that led me to draft this amendment, in order that we could, at least, point out meritorious cases where effect could be given to legal testimony.

Take a case where shortly after 1925 active tuberculosis has developed. The veteran had no clinical examination prior to 1925, but submits the testimony of reputable physicians who examined him before 1925 and who state under oath that, in their opinion, the veteran had active tuberculosis prior to 1925. Their opinion is reinforced and shown to be true by the fact that shortly thereafter active tuberculosis was found from a clinical examination. I submit that there is not a Member on the floor who has not had cases of that character. The gentleman from New York on yesterday told us, as a physician, that tuberculosis is a progressive disease, and this only seeks to authorize—not to require—a presumption of service connection on the showing of facts such as I have discussed.

Mr. O'CONNELL of New York. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. O'CONNELL of New York. Would not the gentleman be willing to add the word "incipient" as well as "active"?

Mr. OLIVER of Alabama. The amendment is so drawn as to cover that.

Mr. RANKIN. Will the gentleman yield?

Mr. OLIVER of Alabama. Yes.

Mr. RANKIN. The minority members of the committee who are present are willing to accept the gentleman's amendment.

Mr. OLIVER of Alabama. I want to say this: That if the gentlemen who made this report on the Johnson bill really wish to give some meaning to the language they have used in reference to lay testimony they could not object to it, because I have only suggested proof that any court, State or Federal, would admit as lawful testimony to establish tuberculosis. [Applause.]

Mr. GARBER of Oklahoma. Mr. Chairman and members of the committee, in view of the limited time at my disposal it will be impossible for me to yield in my discussion of the pending

measure, and I must request that I be allowed to proceed without interruption.

In my judgment, the people of this country desire to extend relief to every needy disabled veteran, whether his disability is service connected or not. They want that relief so apportioned as to help the veteran who served in the ranks in equal degree with the veteran who served in command. The equitable apportionment so as to include all the disabled veterans in need is their first concern, and their second is the efficient and economic administration of the law so as to give the maximum degree of relief for the moneys expended.

It is clearly evident that the pending measure and proposed amendments will not meet these requirements. They will afford additional relief, but will fall far short of including all who are justly entitled to it. If the proposed legislation is enacted, it means a continuance of the existing inequalities and discriminations, aggravated and intensified as never before. It also means that they will continue for a period of three years, and no additional relief will be afforded to the needy disabled veterans not included until the expiration of that time. It will make the problem more difficult of solution later on. This is the frank admission of the proponents of all measures in their discussion.

In his analysis of the pending bill Director General Hines said:

> If it is the desire of Congress to depart from the policy by compensating veterans for injuries or diseases regardless of whether they are due to service or not, then the provision should be made to do it. It has been my thought, however, that it was not the intention of Congress to award compensation except for service-connected disabilities. While it is true that by the adoption of the original presumptive clause certain inequalities have been brought about, and this amendment will tend to eliminate some of the inequalities, nevertheless, its further extension will create greater inequalities. It will not take care of many of those uncompensated veterans who are now sick in the Government hospitals and who have made a determined effort to obtain compensation for their disabilities. It is simply compensating by presumptive evidence for disabilities not due to service, and in the final analysis we must admit that if this provision becomes a law we have adopted a disability pension.
>
> It seems to me that we are at a critical point in the matter of legislating for veterans, and it would be my desire to suggest to the Congress that they give careful consideration to a thorough study of this entire problem in order that the veterans may not be placed upon the compensation rolls for disabilities not due to service at such high rates that they will stand out as discriminating against other veterans whom the Congress at some future time, undoubtedly, will have to consider.

The imperative need of a thorough revision of existing laws and the embodiment of a broad national policy in a comprehensive act to include all the needy disabled veterans upon an equality, one with the other, is too apparent to even suggest argument in its support. It is admitted upon all sides and by all who have made a study of the questions involved. It is to be regretted that we are not afforded an opportunity to support such a measure at this time. The Johnson bill will correct many deficiencies in the existing law. Its administrative provisions will remove many technicalities employed to defeat its administration to carry out the spirit and purposes of Congress. The distinguished chairman and the members of the committee are to be commended for doing as well as they have without a revision of existing laws.

The estimated relief of the pending bill by its distinguished author will include 177,000 disability cases at an estimated cost of $76,028,000, the total cost of the bill, including its administrative provisions, reaching $100,000,000 annually. This was as far as the committee thought it would be justified in going.

On September 30, 1929, there had been filed 1,138,015 claims for death and disability compensation. Of that total, 564,240 had been allowed, leaving as of that date 573,775 active claims. According to the estimate of its author, the present bill will afford relief to between 30 and 40 per cent of the rejected claims filed before January 1, 1925, and will not exceed a total of 177,000. This would leave 396,775 remaining possible claims for which no relief will be provided.

On April 11, 1930, there were 17,695 possible claims pending in the regional office in Oklahoma, of which 6,251 are now drawing compensation. What about the 11,444 cases remaining? Assuming that the pending bill would take care of 30 per cent, there would still remain 8,000 possible cases uncared for in my State, and this same proportion of noninclusion of such cases would exist in every State.

Surely our sense of common justice requires us to make some provision for these disabled veterans outside the provisions of the proposed bill. The Rankin amendment extending the presumption to January 1, 1930, in tubercular and neuropsychiatric cases would not do this. It would take care of 23,205 deserving neuropsychiatric cases and 18,986 tubercular cases, at an estimated cost of $31,750,000 per annum. In his letter to Mr. RANKIN of April 16, 1930, the director general said:

> There is also transmitted, in accordance with your request, draft of an amendment which would leave the Johnson amendment to section 200 as it now stands in H. R. 10381 and add thereto the amendment proposed by H. R. 7825. The effect of this would be to place all disabilities which developed prior to January 1, 1925, on a par and give to disabilities resulting from the diseases specified in H. R. 7825 the benefit of a presumption of service origin which would extend to January 1, 1930.
>
> As you have heretofore been advised, the estimated cost of the amendment to section 200 proposed by H. R. 10381—to wit, $76,033,000—would be increased approximately $31,750,000 per annum by superimposing upon it the provisions of H. R. 7825. The estimated cost of H. R. 7825 standing alone is $44,250,000.
>
> As you have heretofore been advised, all estimates heretofore prepared by the bureau bearing upon the extension of the presumption of service origin are based upon claims which have heretofore been presented to the bureau and disallowed. This being the case, the figures represent the minimum cost in all cases. However, in connection with H. R. 10381 a study has recently been made which projects the cost of the presumption therein contained year by year for a period of five years, were it to be extended beyond 1925. This study has been made on three different bases, the first basing the estimate on the number of claims filed in the bureau heretofore and disallowed, the second based on the experience of the Pension Bureau in permanent cases, and the third based upon the experience of the Pension Bureau increased to include temporary cases.

Of the $500,000,000 expended annually the veterans and their dependents are only receiving $196,000,000 in compensation, about $163,000,000 going to living ex-service men for disabilities and about $33,000,000 to dependents of deceased ex-service men. While much of the difference is expended for needed hospitals and necessary hospitalization, yet the mere statement of a $300,000,000 annual difference, in which is included an item of $40,000,000 for salaries alone, is significant to say the least.

In referring to relief for disabled veterans, President Hoover said:

> The Government must not be extravagant, but it must be just.

Who will say that we are meeting that requirement in the appropriations that we have made and in the policy that we have been pursuing and in the legislation now proposed? We have been and will continue to be if we enact the proposed legislation both extravagant and unjust beyond justification.

Under such circumstances and conditions what is the plain, unmistakable duty of this committee? With one accord it should be to recommit this bill with instructions to report a comprehensive measure revising existing law and providing for a disability pension based upon service, disability, and need, not extravagant to the Government and not unjust to the disabled veterans. Such a course would result in saving millions and millions of dollars annually to the Government and the extension of commensurate, adequate, and deserving relief to all our disabled veterans.

If the proposed bill is enacted, it means that the existing discriminations and inequalities will continue for a period of three years and no additional relief to those not included will be afforded until the expiration of that time, whereas if this bill is recommitted with the necessary instructions, the immediate utilization of the information developed by the hearings already had and the discussions of these measures would greatly facilitate the preparation of a bill that would meet the requirements of the people and afford the relief needed by the disabled veterans.

But in the event such a motion to recommit should not prevail, I shall support the Johnson bill with the Rankin amendment extending the presumption clause to January 1, 1930, for tubercular and neuropsychiatric diseases which is the extent of the relief which can be secured from the pending measures. This is in accordance with the attitude of the American Legion of Oklahoma as stated in telegram to me from B. G. Patton, the department commander, dated April 18, and which reads as follows:

> Retel April 17. American Legion of Oklahoma prefers Rankin bill if it can be passed. Do not want to endanger veterans' legislation if there is danger of deadlock lasting until Congress adjourns. Our second choice would be amendment to Johnson bill extending presumption period to January 1, 1930. I appreciate greatly your interest.

In the brief time allotted me I shall confine myself to consideration of only a few of the 25 sections of the Johnson bill.

Probably the most controversial section of the measure is that amending section 200 of the World War veterans' act, as amended, which reads, in part, as follows:

Provided, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amœbic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amœbic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of sec. 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim.

The Johnson bill would amend this "presumptive-service" clause of the existing law to bring into the presumptive period all types of diseases developed to a degree of 10 per cent disability prior to January 1, 1925. This presumption would be rebuttable by clear and convincing evidence in all cases, except those of tuberculosis, spinal meningitis, paralysis, paresis, blindness, and veterans permanently helpless or bedridden. Payments as a result of these new presumptions would not be retroactive and would continue only for a period of three years following the enactment of the bill, the purpose being to place all cases, wherein a disability of 10 per cent or more is shown prior to January 1, 1925, on a parity and to pay them for three years.

It is expected that during this period a joint committee of Congress proposed to be appointed under the provisions of H. R. 222 could make a study of all matters affecting dependents and service men and formulate a definite future policy of the Government with respect to veterans' relief. In restricting the operation of this provision to a 3-year period it is recognized that it is essentially emergency legislation. Experience has shown the injustice of limiting this section of the law. Disability from one cause is equally as real as from another, and to grant compensation to certain types of cases and deny it in others developing in the same period and possibly disabling to a greater extent is not predicated on the broad basis of sympathy and justice.

The objection still remains to the arbitrary fixing of a specific date as the limit of the presumptive service period. Is there any basis in reason for presuming that a man developing a disability in November, 1924, for instance, should have incurred it in service and for denying that same benefit of doubt to the man who developed a like disease a short time after January 1, 1925? Eventually, and the sooner the better, we must remove this arbitrary "dead line" altogether and provide pensions for our World War veterans on a strict basis of disability service and need, regardless of whether or not it is of service origin. Our primary concern should not be how or when these men incurred their disabilities. The fact that we accepted their sacrifices, that in their country's service they were liable to the exaction of the supreme sacrifice, constitutes a distinct obligation on our part for their welfare now. If one of them is ill, in need of assistance, why should we demand that he show that disability to have been a direct result of his service before we extend to him the aid of a grateful Government? He accepted his obligation to his Nation. Let us accept ours to him, to every man like him, who may now be suffering from disease or disability and in need, whether or not it is a result of his service.

I believe and earnestly hope that within a comparatively short time Congress will enact disability pension legislation, but in the meantime there are many outstanding injustices under the existing law which must be rectified and at once.

The World War veterans' act was amended in 1926 to provide $50 for service-connected arrested tubercular cases. Section 202 (7) entitles any man who has had a compensable tubercular rating to a statutory award of $50 per month. As a result of this amendment, 41,336 veterans whose tuberculous disease has reached a condition of complete arrest are drawing payments of $50 monthly. By a decision of the Comptroller General, however, "compensable" was interpreted to mean "active" and compensation was stopped in all cases unless it could be shown that there was a definite degree of activity within the presumptive service period. Clearly this is not a defect of the law but of its interpretation but as Congress finally enacted the statutory award amendment when it was already within the jurisdiction of the director to make adequate provision for tubercular cases, so it is imperative that we correct by protective legislation this administrative injustice which constitutes a travesty on the purpose and intent of the law.

The bill under consideration provides for the statutory award of $50 monthly in all cases where tubercular disease, either active or otherwise, is shown to have existed to a degree of 10 per cent or more within the presumptive service period. I introduced a bill in this Congress to correct this administrative discrimination and I am glad indeed to see it incorporated in substance in the pending measure.

Another provision of the bill of outstanding significance and importance, in my opinion, is that providing for dependency allowance for families of veterans hospitalized for more than 30 days where they make affidavit to the effect that their actual income is less than $1,000 per year. The purpose of this amendment is to take care of the dependents of the uncompensated veterans in hospitals or those veterans in receipt of a small amount of compensation who may be hospitalized for nonservice-connected disabilities.

Gentlemen, we are dealing with the finest type of American manhood when we legislate in behalf of our veterans. They are self-respecting, honorable, and proud. And in our concern over less important things, we have neglected them—many of them—who, with their families, are in actual need and in a helpless condition. I am speaking now of those men disabled but not service connected, or with small compensation allowances, whose crying need and only salvation is hospitalization! What will become of their families if they give up their jobs and enter the hospitals? There is no provision for caring for their dependents under such circumstances. No; our World War veterans must die of service-connected disabilities to warrant that consideration! And so, many of them, preferring to stand by their families and carry on in the bit of support they are able to manage, definitely set aside the hope of recovery through proper care, and elect to die rather than to desert their loved ones! That is the fine type of men with which we are dealing. They are not asking for charity. We have no need to fear that a generous Government will be imposed upon. In 1924 the Government offered every ex-service man hundreds of dollars and the record shows that on the 1st of January, 1930, a half a million men, or one out of every ten, had never asked for it. It is a stain upon our national honor that men characterized by such a fine sense of honor and patriotism should be denied the common decencies and comforts for their families when they are unable on account of physical disability to provide them!

Every Member of Congress has had personal experience with the difficulties of service connection in certain cases because of the strict requirement for medical evidence. The bill under consideration would amend the law to provide that due regard shall be given to lay and other evidence not of a medical nature. The provision of existing law has been in many cases a penalization of those veterans who, for one reason or another, have been unable to produce actual medical evidence of disability sufficient to establish service connection. Our experience has been that in many cases these service men defer to the last possible time consultation with a physician, sometimes through carelessness or ignorance—often for financial reasons and because of unwillingness to give up to the idea of illness. They may have evidenced unmistakable symptoms of disease since discharge; their records may be filled with affidavits of those closely associated with them who have had occasion to observe their condition under all circumstances and who can describe it in detail; yet, in the absence of medical evidence, their cases are not compensable under existing law. This section alone would bring relief to thousands of worthy cases.

An additional rate of $25 monthly, independent of any other compensation that may be payable, would be allowed under the pending bill to any person who suffered an amputation in active service in line of duty, and removes the necessity for showing the constant need of a nurse or attendant where claim for nurse or attendant allowance is made. It will surely not be questioned that these men who suffered a disability in line of duty during the period of actual warfare are entitled to this additional consideration. In the amendment regarding nurse or attendant allowance we would overcome the ruling of the bureau that prohibits the payment of this allowance in certain bed cases simply because there is not a "constant" need for such attendance, while there may be actual need for all practical purposes.

Then there are liberalizing provisions in regard to insurance, making insurance incontestable from the date of issuance instead of only after it has been in force for six months, as in existing law; extending the time in which to file suits on insurance claims, which expired in May, 1929, for a period of

one year after date of passage of this amendment; providing for refund of premiums in cases where they have been paid in by the veteran on account of erroneous rating; providing, in return for a slight increase in premium, an additional $5.75 per month per thousand of insurance in case of total and permanent disability, not deductible from the face of the policy, and therefore payable during the term of such disability. Under the present law a veteran totally and permanently disabled, after such disability has been in existence 12 months, draws $5.75 per month per thousand of insurance, deducted from the face of his policy. Under this system in 240 months the policy would be eaten up by monthly payments, and the veteran left without any insurance allowance whatever. The amendment in the pending bill would provide $11.50 per month instead of $5.75, and in case the permanent total disability existed more than 240 months the additional $5.75 proposed in the bill would continue to be paid during the term of such disability, since it is not deducted from the face of the policy. Where an insured whose yearly renewable term insurance has matured by reason of permanent and totaly disability is found and declared to be no longer totally disabled and is required to renew payment of premiums on said term insurance, and this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there would be given an additional period of two years in which to renew payment of premiums and to convert said term insurance. During that same two years he would also have the right to reinstate his term insurance should it lapse. The records of the bureau show that there are at present 100 cases in which insurance has been allowed to lapse after recovery from a disability rated permanent and total, 48 of which lapsed for the nonpayment of the first premium due after the rerating and 52 for the nonpayment of premiums subsequent to the first. In many cases the remittance came only a few days too late.

The sections of the law limiting the filing of claims and proof thereon would be repealed; payment of compensation to wife, child, or children of compensable incompetent veteran who disappears would be authorized, at the discretion of the director, and many other important changes made which experience has shown to be advisable and necessary in fulfilling the original intent of the law.

These administrative provisions of the bill are meritorious, but the presumptive period establishing a dead line will prevent relief being extended to thousands of disabled veterans in need, and who in equal degree are entitled to relief. The requirement of proof to establish service connection of disability has proven unworkable and unjust. Proof of service, disability, and need should meet the requirements to invoke necessary relief.

The Johnson bill is a step in the right direction, but should not preclude the prompt enactment of a comprehensive act making provision for all in equal degree—to the veteran who served in the ranks and the veteran who served in command. [Applause.]

Mr. CRISP. Mr. Chairman——

The CHAIRMAN. The gentleman from Georgia is recognized for five minutes.

Mr. JOHNSON of South Dakota. If the gentleman from Georgia will yield for a minute, unless there is some amendment pending——

Mr. CRISP. I am going to move to strike out the last word, and say a few words in support of the Oliver amendment.

Mr. OLIVER of Alabama. I do not think there is any opposition to the amendment.

Mr. JOHNSON of South Dakota. I have no desire to stop the gentleman from Georgia. Mr. Chairman, I ask unanimous consent that all debate on this section, and all amendments thereto, close in 10 minutes.

Mr. FITZGERALD. Mr. Chairman, I object.

Mr. CRISP. I understand the Chair has recognized me.

Mr. JOHNSON of South Dakota. I will withhold my request for the moment, but if we are going to have 15 or 25 minute speeches on something that is purely academic we will never pass the bill. However, I withdraw my request.

Mr. CRISP. Mr. Chairman, this is the first moment of time I have taken during the consideration of this bill, and I have risen rather unexpectedly, at Mr. OLIVER's request, to support his amendment, because I think it is in the interest of the veterans and will expedite the consideration of meritorious cases now pending in the bureau. I do not intend my remarks to be considered as criticism of the bureau, for I am sure it is deciding cases as best it can under existing law; but this amendment will clarify the situation.

All of us have had such cases, and many of them have been referred to in this debate. I desire to call your attention briefly to a case I have been handling for 5, 6, or 7 years, a case of arrested tuberculosis. The facts in the case are that in 1921 or 1922 two reputable doctors said the man had active tuberculosis. In 1922 the New York Life Insurance Co. rejected him for life insurance because he had tuberculosis. Evidence of this is in the record, furnished by the insurance company. Two or three reputable physicians certified prior to 1922 the soldier had active tuberculosis, and one physician in an affidavit stated he had examined him and the sputum was positive. An X ray was made in this case in 1924 for the Veterans' Bureau and showed scars. My secretary once argued that case several years ago before the board of appeals. I argued it myself a second time this year, over one month ago, and the case is still pending before the board awaiting decision. So far as I can find, there is nothing in the record to dispute this positive testimony of active tuberculosis in 1921 or 1922, except that along in 1924 or 1925 he went to a Veterans' Bureau hospital and upon examination they did not find active tuberculosis then and they say they can find no scars on his lungs.

I understand, just as Doctor SIROVICH has said, that 90 per cent of all persons subjected to a post-mortem examination show tubercular scars, and I am also informed by reputable physicians that frequently a man has tuberculosis and the X ray will not demonstrate any such scars on the lungs.

This man I spoke of I had at Mount Alto early this year and I think an examination there, while not as positive as to the fact he had had tuberculosis in 1921 or 1922, corroborated in many respects the testimony of those doctors who examined him in Georgia in 1921 and 1922. In those days many doctors in rural communities did not keep up-to-date records and could not make affidavits meeting the requirements exacted by the bureau to-day.

I think the amendment of the gentleman from Alabama [Mr. OLIVER] clarifies this situation and will expedite decision in many meritorious cases pending in the bureau, and I am in favor of it.

Mr. JOHNSON of South Dakota. Mr. Chairman, I really do not like to oppose the amendment of the gentleman from Alabama [Mr. OLIVER], because I know his sincerity in all of these matters, but I do not believe the amendment is sound. It provides with reference to a tuberculosis patient that if he submits an affidavit by a reputable physician, based on a personal examination prior to January 1, 1925, giving it as his opinion that the ex-service man at the time of such personal examination had active tuberculosis, that will settle the whole question. He will have tuberculosis and he and his dependents will go on the pay roll for life.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. JOHNSON of South Dakota. I am always pleased to yield to the gentleman from Alabama.

Mr. OLIVER of Alabama. I am sure the gentleman would not for a moment mislead the House as to what the amendment provides by taking only a part of it and not reading the whole amendment. The part the gentleman read follows a positive finding of active tuberculosis after January 1, 1925, and prior to January 1, 1930.

Mr. JOHNSON of South Dakota. Prior to 1930.

Mr. OLIVER of Alabama. Yes; prior to 1930. Now, if in that connection a reputable physician gives it as his opinion from a personal examination made of that veteran prior to 1925 that he then had active tuberculosis, then you are giving some weight to legal testimony which your bill seeks to require, and the amendment only provides that it shall authorize a finding of service connection on such facts.

Mr. JOHNSON of South Dakota. Of course, the amendment is not necessary since the Connery amendment has been adopted, but I call attention to the fact that a further reason this is not necessary is that under the provision of the bill as now written, the bureau is authorized to consider lay testimony, and when they consider lay testimony, they certainly can consider medical testimony.

Mr. ALLGOOD. Mr. Chairman and gentlemen of the committee, I rise for the purpose of speaking in favor of a liberalization of our law pertaining to disabled veterans of our country as proposed by the amendment offered by the gentleman from Alabama [Mr. OLIVER].

Capt. Watson B. Miller, chairman of the national legislative committee of the American Legion, testified before the Veterans' Committee of the House of Representatives that thousands of veterans whose disabilities are actually the result of service and thousands more who believe them to be, will never be reached by our present law.

Mr. CONNERY. Will the gentleman yield?

Mr. ALLGOOD. I yield to the gentleman.

Mr. CONNERY. I think the chairman of the committee held that under my amendment which has been adopted, this will be taken care of, and I am glad that my distinguished colleague

from Alabama [Mr. ALLGOOD], who has always fought so hard for veterans' legislation, is favoring such an important provision in this law.

Mr. ALLGOOD. I thank Mr. CONNERY, who is a valuable member of the veterans' committee, for the tribute he pays me. I want to emphasize the ineffectiveness of our present laws in the treatment of veterans. As all the Representatives in Congress know, in helping our veterans with their cases we have had many technical questions confront us. I represent some agricultural or country sections, and the affidavits that the veterans living in the rural sections furnish are obtained from rural doctors. In cases of tuberculosis the Veterans' Bureau in most instances will not accept such affidavits because they do not show that sputum tests and the other tests required have been made, and, as a consequence, under the present laws we are not able to get favorable action from the Veterans' Bureau on these cases.

Mr. GREEN. Will the gentleman yield?

Mr. ALLGOOD. Yes.

Mr. GREEN. I have noticed in many instances when we submit certificates to the Veterans' Bureau, when they find they are not based upon records of physicians, they are not inclined to give any consideration to them.

Mr. ALLGOOD. That is the fact.

Mr. GREEN. And in my own district I do not believe 1 country doctor out of 25 for the past 10 years has kept an accurate daily record of all the patients he has treated, giving his detailed diagnosis, and so forth, which was made at the time. So it is almost a physical impossibility for the average doctor residing in a rural district and doing a general practice to produce such certificates as the skilled technicians in the bureau require.

Mr. ALLGOOD. Certainly; and this is an advantage to the veterans who live in the cities, because the city doctor is able to keep such records; but we know that it is physically impossible for the doctor who lives in the country and does a general practice to keep records like a specialist in the city. Under our present laws, in many instances there is an injustice to the veterans who live in the country.

Capt. Watson Miller says furthermore:

> The proposition of effecting service connection and presenting veterans' claims to the United States Veterans' Bureau is an extremely difficult one. It has become a highly specialized effort, as you must know yourself, and one of the continuing mysteries to me is how many of them have the courage to go through to the end with it.

Gentlemen of the House, this presents a condition that is quite unfair to the ex-service man suffering with a disability.

Mr. EDWARDS. Will the gentleman yield?

Mr. ALLGOOD. I yield.

Mr. EDWARDS. The gentleman is trying to make some provision whereby we can get somewhere without being required to furnish further additional proof?

Mr. ALLGOOD. Yes; I am.

Mr. SIROVICH. Will the gentleman yield?

Mr. ALLGOOD. I yield.

Mr. SIROVICH. The contention of the gentleman is that in the small towns and small villages the local physician has no X-ray facilities, no laboratory facilities, where he can give the veterans the benefit of such examination?

Mr. ALLGOOD. That is true.

Mr. GREEN. What we want the bureau to do is to give credit to these country doctors, many of whom are the best doctors in the United States.

Mr. ALLGOOD. Mr. Chairman and gentlemen of the committee, as my time is limited I wish to speak without further interruption, and therefore must decline to yield to further questions.

I am not unmindful of what has been done for the ex-service men by Congress through the Veterans' Bureau. I realize that 128,000 men suffering from disabilities received in the service have been given vocational training at an expense of $600,000,000 to the Government. This money was a splendid investment, because it placed these men, with handicaps, on their feet, so that instead of them being a charge on the Government they can earn a livelihood. Since I have been in Congress we have liberalized the law so that there are now 356,774 veterans and dependents receiving disability compensation as against 183,000 seven years ago.

Yet there is a great deal of dissatisfaction among the ex-service men themselves with the World War legislation now on the statute books. Especially as it has been administered. The records in the Veterans' Bureau show that on September 30, 1929, claims for death and disability compensation had been filed to the number of 1,138,015. Of this number 564,240 claims had been allowed with only 356,774 active and drawing compensation at the time; 574,000 who applied and who evidently believed that they had some disability growing out of their service in the Army were denied compensation. A greater number have been denied compensation than have been awarded it. I believe that the law should be liberalized so that many of those who have tried to make proof and who in my opinion are entitled to compensation can get it.

Each year since I have been in Congress I have advertised that I would be at the courthouse towns in my district for the purpose of meeting with the soldiers and their families or dependents to help them with their claims. In this way I have made personal contact with many ex-service men and have made a record of their condition, together with a statement of their disabilities, and each year I have in person presented their claims to the regional office of the Veterans' Bureau and in many instances have been able to connect their claims with the service, but in a great number of cases I could not help them because, as I have already stated here to-day, they could not secure affidavits from their doctors which would be accepted by the rating board and the Veterans' Bureau. I have had many cases turned down on this account and I am pleading for a liberalization of the law.

It does not require a genius, a scholar, or a highly technical lawyer to find out that injustice has been done to hundreds of claimants. The record is so plain that anyone who can work fractions can understand that hundreds of mistakes have been made and are being made in the regional offices throughout the United States. In this connection I want to cite some statistics where appeals have been taken from the decisions of the regional office to the central board of appeals at Washington. The records show that five cases out of a hundred were reversed from the regional office at Hartford, Conn.; it further shows that nine cases out of a hundred were reversed from the Boston regional office by the central board of appeals; eight out of a hundred were reversed from Charleston, W. Va.; ten out of a hundred were reversed from Philadelphia; twenty-two out of a hundred were reversed from Birmingham; twenty-five out of a hundred were reversed from Jacksonville, Fla.; twenty-five out of a hundred were reversed from Cleveland, Ohio; thirty-five out of a hundred were reversed from Fargo, N. Dak.; fifty-one out of a hundred were reversed from Salt Lake City, Utah; sixty-six out of a hundred were reversed from Reno, Nev.

Thus we have a variance of from 5 per cent at Hartford, Conn., to 66 per cent from Reno, Nev. This indicates that the officers in the regional office at Hartford, Conn., more clearly understand the law and the rulings of the central office at Washington and have come nearer giving justice to the ex-service men than any other regional office in the country. It clearly shows that the officials in the regional office at Reno, Nev., either know the least or care the least about the law and its interpretations or are either hard-boiled and prejudiced against rendering justice to the ex-service men in their section. The rulings by the regional offices have been so unsatisfactory that year before last 6,000 men who were dissatisfied with the decisions on their individual claim took an appeal to the central office at Washington. Last year this number more than doubled, and 12,946 men appealed from the findings of the regional offices to the control board of appeals. If this gross and unjust inequality continues to show up in the regional offices I will vote for a measure to discontinue the regional offices and consolidate the Veteran's Bureau at Washington. I see where Mr. WOOD, chairman of the Appropriations Committee, advised the President to veto this measure because it will require a few million dollars more to carry out its provisions. I think that his feeling for the Treasury comes at an inopportune time, especially so since this Congress has already voted millions of dollars for almost every known cause and has left the wounded, diseased, sickened, helpless soldiers with their dependents in thousands of cases unprovided for.

This bill will cut the red tape and enable soldiers who are sick and suffering from more than a 10 per cent disability to be compensated, and it will also compensate the wife and children of a needy sick soldier while he is in a Government hospital. If the President wants to cut expenses and veto some extravagant measures, and measures which I voted against, I would recommend that he veto the Cramton bill which passed the House appropriating $23,000,000 for the purchase of lands along the Potomac to Mount Vernon for building a highway. These lands are rough and swampy and almost without value, and $23,000,000 would purchase more than one-half of the farms in my entire district, and I represent the best agricultural district of the State. And there are many more appropriations of this same nature which he could veto and which would not affect the lives of thousands of our people. If the President vetoes this veterans' bill, he will back his veto up with a statement from Mr. Mellon, the Secretary of the Treasury, to the effect that the

bill will be a burden upon the Treasury in its present condition, and yet Mr. Mellon has passed back into the hands and the pockets and the coffers of the millionaires of this country since he has been Secretary of the Treasury more than $3,000,000,000 of tax refunds, and if the Treasury is in a depleted condition, Mr. Mellon and the recipients of these tax refunds are responsible for it.

There is such a great need and so much merit and justice in this measure that we should assume our responsibility here in the House and pass it, and after we have done our duty if the President vetoes the measure, the responsibility will be his and not ours. [Applause.]

Mr. LOZIER. Mr. Chairman and members of the committee, much of the debate on the pending veterans' bill relates to compensation of World War veterans who are suffering from tuberculosis. This malady has scourged the human race from the beginning of time. It has ruthlessly taken toll from rich and poor, prince and peasant, humble and exalted. Every vocational group, every class, caste, and station in life has contributed to swell its spectral, phantom host.

May I mention a few illustrious men and women who suffered from this plague? John Calvin, Voltaire, Rousseau, Richelieu, Balzac, Irving, Hawthorne, and Alexander Pope; the gold-throated Cicero, the profound Milton, the artistic John Ruskin, and Sir Walter Scott; Edward Gibbon, Ralph Waldo Emerson, Francis Thompson, and Elizabeth Barrett Browning; Goethe, Schiller, Moliere, and Robert Louis Stevenson; Raphael, Mozart, Chopin, and Descartes; the French painters, Bastien Le Page and Jean Antoine Watteau; Keats, Shelley, Hood, and Thomas DeQuincey; Prosper Merimée, the French novelist and historian; Charlotte and Emily Bronte, Jane Austen, Charles Kingsley, Samuel Butler, Spinoza, John Locke, and Immanuel Kant; these and thousands of other eminent persons have been immolated on the altar of this dread, insidious, and relentless disease.

Under existing law, when a World War veteran developed active tuberculosis prior to January 1, 1925, it is presumed that the disease was contracted in the service or that the conditions out of which the malady grew were of service origin. I think it will not be denied that tuberculosis may be traced to primary or secondary causes; that is to say, there may be an immediate, direct, or quick infection, and following the onset, the disease may run a rapid course, with a normal and natural symptomatology.

In other cases, the symptoms of the disease may be exceedingly obscure, the onset gradual, and its progress halting and slow. Something occurs to lower the vitality of the system, reduce its power of resistance, and create pathological conditions favorable to future infection by the tubercular bacillus. In the first class of cases to which I have referred, the diagnostician has no difficulty in determining the disease, because the symptoms are typical. But in the latter class of cases the symptoms are often vagrant, hidden, and intermingled with conditions tending to indicate the existence of some other disorder.

Inasmuch as the World War subjected soldiers in camp and in combat to a stress, strain, and ordeal hitherto unknown in warfare, and developed new maladies, and new and exceedingly strange and unusual phases of old ailments, physicians and surgeons faced many new and hitherto unheard-of conditions, which, to a very considerable degree, overturned or modified the well-established principles of diagnostics, and in the administration of the present compensation act, all cases of tuberculosis that become active prior to January 1, 1925, are conclusively presumed to have been contracted in the service, or resulted from the soldier's physical condition having been injuriously affected by his service to such an extent as to cause the onset of tuberculosis at a later and, in many instances, at a far distant date. This was on the theory that the hardships and strain incident to service, or resulting from illness during service, had lowered the vitality and impaired the soldier's power of resistance to such an extent as to create conditions favorable for future tubercular infection.

Following the World War came a multitude of strange and vagrant maladies that amazed the most skillful semeiologists. Common diseases appeared in new forms and accompanied by manifestations hitherto unobserved by therapeutists and diagnosticians. Constitutional and functional disorders were often attended by such unusual signs as to baffle eminent diagnosticians and pathologists.

The experience of physicians and surgeons during and since the World War has in many respects revolutionized the medical science, brushed aside many hitherto universally accepted rules relating to the diagnosis, pathology, prognosis, and treatment of certain diseases. The medical profession, alert and progressive as it always is, quickly recognized that it was facing new and hitherto unheard-of conditions.

Let it be said to the everlasting praise and credit of the medical profession that under these new conditions it did not quibble or equivocate; it did not tenaciously hold to old theories and practices, the inaccuracy of which was being demonstrated by the logic of events with which they stood face to face; they did not hold fast to a theory simply because it was old and had in the past been generally accepted and unchallenged, but they were receptive to new thought, new methods, new conditions, and unhesitatingly accepted these new truths that unhappily were torn from the bloody womb of war.

Following the war it became quite evident to the medical profession that the insidious seeds of disease that found lodgment in the soldier's system during the stress of combat had in many cases lain quiescent and dormant for years before incubating and becoming active in a body in which the power of resistance was materially reduced and the susceptibility or predisposition to future infection substantially increased.

The medical science was unable to fix a date and definitely declare that tuberculosis developing after that date could not be of service origin. So the arbitrary date of January 1, 1925, was fixed and the presumption established that tuberculosis, neuropsychiatric diseases, and certain other maladies that developed prior to January 1, 1925, were of service origin. Obviously, it can not be established that January 1, 1925, marks a hard-and-fast date beyond which no tubercular or neuropsychiatric case developing thereafter can be considered as having been contracted in the service.

Now, by the amendments offered to the pending bill it is proposed to extend this presumptive period to January 1, 1930, on the theory that there are instances where tubercular or neuropsychiatric disorders developed or became active after January 1, 1925, which are obviously traceable to the soldier's service in the World War. There are cases where the infection was undeniably quiescent for years; where the soldier's vitality was so reduced by disease, shell shock, poison gas, stress, strain, mental disorders, or other causes that his power of resistance was impaired, thereby creating a soil for the subsequent infection and incubation of the tubercular bacilli, and because this lowered vitality rendered the subject more predisposed or susceptible to disease in after years.

I have taken the position that there are many cases where the soldier's vitality has been impaired and his power to resist disease so reduced that in after years when he develops tuberculosis it is not unreasonable to conclude that the disease is either the direct or the indirect result of his military service.

Experience may demonstrate that we are going too far when we extend this presumptive period to January 1, 1930. If so, the error may be corrected by subsequent legislation, but I am convinced that the 1925 deadline is unfair and denies compensation in many cases where the disease became active after that date, but the evidence showed the physical condition of the soldier was substantially impaired during his military service, his powers of resistance weakened, and his susceptibility to disease correspondingly increased. I grant you that in a majority of cases where tuberculosis resulted directly or indirectly from the military service, it would probably develop before January 1, 1925, but I am persuaded that in many instances tuberculosis becoming active after January 1, 1925, was in reality traceable to the military service.

On April 17, when the presumptive clause of the pending bill was being discussed, I made the following observation:

> The philosophy or reason for the presumptive clause is based upon the well-recognized theory in medicine, as well as in fact, that service, while it may not at the time incapacitate the soldier, and there may be no present evidence of disability resulting from service, frequently it will reduce the power of resistance in the individual and furnish soil for the incubation of the disease later on when conditions are favorable for the development of the disease; and for that reason the medical profession realizes that anything which reduces the power or resistance of the individual may be attributable to the service, although there may be no manifestations of that disease for years afterwards.

The distinguished gentleman from Massachusetts [Mr. LUCE], for whom I have a very high regard, and whose scholarly attainments, versatility, and outstanding ability are recognized and admired by his colleagues, arguing against the soundness of the presumptive clause, declared:

> There is no scientific evidence to show that active tuberculosis that does not show within a year of discharge can, from a scientific standpoint, be said to have originated in the service.

In reply I wish to assert there is no scientific evidence to show that tuberculosis will not develop more than a year after the soldier's discharge. Moreover, I contend that there is no scientific evidence to show that tuberculosis that developed after

January 1, 1925, may not be logically traced to and connected with the subject's military service in the World War. In short, medical science has as yet not been able to fix a hard and fast date and declare as a scientific proposition that tuberculosis developing thereafter was not caused, either directly or indirectly, by the subject's military service in the World War. The medical world has not yet reached a definite conclusion on this question. It is still an open question as to what length of time may elapse between the service and the onset of tuberculosis. In some cases the actual infection may be during the service, but owing to the vigor incident to a robust body, the germs may lie quiescent for a long time, and when the subject's vitality is lowered by other causes the slumbering germs awake and become virulent and active.

In other cases there is no actual infection during the service, but the soldier's vitality is substantially reduced from other causes, and as time goes on the debilitated condition becomes more and more pronounced until finally his power of resistance is broken down thereby, affording a favorable seed bed for the lodgment and incubation of the tubercular bacilli. Without this lowered vitality, the subject would no doubt have been able to resist infection or expel it from his system.

The gentleman from Massachusetts challenges the soundness of my contention that by reason of a lowered vitality and impaired power of resistance tuberculosis developing in a World War veteran years after his discharge may logically be traced to his military service. In the course of his remarks yesterday the gentleman from Massachusetts said:

To satisfy myself on that point, I have since the hearings consulted other medical testimony, and I think I am supported in what I am about to maintain and explain. To me the most dangerous argument so far, by reason of its pertinence, its brevity, and conciseness, was made by my friend from Missouri [Mr. LOZIER], whom I see at my right, who put into language what until these hearings were held had been my own belief. I was astonished at this testimony, because presumably, like most other men, I had always supposed that disease might originate far back in our lives. The gentleman from Missouri told you that the philosophy or the reason for the presumptive clause is based on the well-recognized theory in medicine that disease might start as far back as the period of the war. That had been my belief. I found it very hard to abandon that belief.

That had been my own belief until these hearings forced me to conclude that the popular common understanding is wrong. The new science of medicine, the study of bacilli—germs, as we call them—the scientific application of the bacteriological and physiological discoveries that have been made in recent years have combined to prove that many of our old beliefs about health, sanitation, and medicine were wrong; and here is one that is wrong. After my friend from Missouri had delivered what I thought the most dangerous argument presented on the floor in this matter, I went to a man of high standing in the medical world and I said, "How shall I answer that? This colleague of mine points out what I had thought was true, that service in the Army weakened resistance, that any man who served there under the hardships of battle conditions in the camps and the trenches had become less capable of resistance, that all through his life he would be more liable to be afflicted with disease, and that his days might be shortened because for a time he lived under the conditions of war."

He said that this is the answer: If a man's power of resistance has been weakened by the conditions of his life or by stress of any sort, then he is at once exposed to greater danger from the countless germs that are always threatening him. His resistance is weakened now. It is not weakened 10 years later but is weakened at once. If he succumbs to these germs by reason of weakened resistance, that will be shown within four or five years.

There was the justification for carrying this presumptive period up to 1925.

Answering my friend from Massachusetts, I will say that the "man of high standing in the medical world" whom he consulted merely stated his guess or offhand opinion, which was not based on any fact or scientific truth. He gave no reasons or evidence to support his conclusions. Certainly this scientific gentleman ought to know that in different soldiers there is not always the same degree of weakened resistance or lowered vitality. The decline may be either rapid or gradual. For weeks, months, or years the vital forces in the body may combat the weakening factors and desperately resist the encroachments of disease, the progress of which may be swift or tardy, depending, of course, on the extent to which the bodily vitality is lowered and its power of resistance impaired. When the forces of decay set it, nature in self-defense strenuously endeavors to repair the decay, rebuild wasted tissues, and halt the forces undermining the power of resistance. I repeat, the decline may be gradual and exceedingly slow. It may be measured by months or years.

The high medical authority consulted by the gentleman from Massachusetts is clearly in error when he says that the subject will succumb to disease "now" or "immediately." I assert that for weeks, months, or years these destructive forces that are undermining resistance may be held in check, or partially in check, by the forces of resistance and reconstruction with which nature meets each invasion. The weakening process may be and frequently is gradual, and the high medical authority consulted by the gentleman from Massachusetts cites no scientific fact or evidence to sustain his ipse dixit.

The gentleman says that if the soldier succumbs by reason of weakened resistance it will be within four or five years. I answer, why within four or five years? Why not within three or six years? Why not within two or seven years? Why does the gentleman establish the dead line at four or five years? What scientific evidence has been submitted to justify fixing an arbitrary date, after which no World War tubercular case can be considered?

In the instant case, my friend from Massachusetts has accepted a theory advanced by the man he consulted, without having called for the evidence which supports that dictum, and without having subjected such theory to the cold intellectual acid test that the gentleman from Massachusetts usually applies in reaching his well-considered opinions.

It is not disputed in the medical world that anything that reduces the vitality of the individual inevitably reduces his power of resistance, and furnishes a seed bed for the incubation of bacilli. When the bacilli enter the human system, according to all medical authorities, they may be inactive or quiescent for weeks, months, and years. Some authorities say that this dormant and inactive period may continue for 5, 10, 15, or 20 years. It is conceded that many children are infected with the tubercular bacilli when only 5 or 6 years of age, but frequently these germs lie dormant 10, 15, or 20 years until disease, malnutrition, or some other exciting cause stirs them into activity.

The medical profession now recognizes that tuberculosis most generally results not from primary but secondary causes or infection, there being first an infection in the lymphatic glands before the lung cells are affected. When the tubercular bacilli enter the system, if conditions are favorable, they incubate rapidly and become active within a comparatively short time; but if the subject's health is good and he has strong powers of resistance the germs may be expelled or remain inactive for a long period of time. No respectable medical authority will claim that 1, 2, or 10 years is the limit beyond which the tubercular bacillus may not be developed.

It is a well-known fact that the tubercular bacilli are omnipresent. They are in the atmosphere and in almost every environment. They are taken into the body, not only by inhalation through the respiratory system but by ingestion, or through the alimentary canal. A third but extremely rare source of infection is by inoculation through the skin. Very few, if any, men and women go through life without millions of tubercular bacilli passing through their bodies, and this is true, no matter how healthy and vigorous the individuals may be. But only in a few cases does the germ find permanent lodgment, or become active or virile, because in practically every case the forces of nature are sufficiently strong to neutralize the germs or expel them from the system. It is only where the subject is debilitated, where his powers of resistance have been reduced, that soil is found for the incubation of the germs of tuberculosis; and even when the bacilli become active the forces of nature desperately resist the extension of the disease. The process of infection may be long continued, depending upon the subject's power of resistance.

The progress of tuberculosis is never the same in any two cases. For months or years the system may be able to resist invasion, and after the tubercles have found lodgment and become active the strength of the attacking and resisting forces may be substantially equal, and while this equipoise lasts the infection can make no progress; and after the defensive forces give way the fight still continues and nature stubbornly resists every inch of advance. The greater the power of resistance the slower the advance of the relentless malady.

Actuated by a sincere desire to ascertain the truth and reach a proper conclusion in reference to the extent to which the presumptive clause should be extended, I have consulted numerous medical authorities and the opinions of men whose lives have largely been given to the study and treatment of tuberculosis. I have found in medical science ample support of and justification for the presumptive clause, and in favor of not limiting its scope to a few years, or to any particular arbitrary date.

I have been amazed at the multitude of instances where eminent physicians, long experienced in the treatment of tuberculosis, have found it exceedingly difficult, and frequently impos-

sible, to definitely diagnose tuberculosis until many months or years after its onset, and even while its fires were slowly and insidiously sapping the vital forces of the patients. In many thousand cases the symptoms have been so hidden and unusual as to defy the skill of expert diagnosticians.

In thousands of cases persons suffering from concealed tuberculosis have been told by their physicians that they were suffering from other diseases, because the symptoms were typical of such other diseases, and the patients have gone along for many months or many years believing they had these other distempers and absolutely ignorant of the distressing fact that they had been suffering from tuberculosis for years. Not until the long-smoldering fires of infection broke into angry flames did they or their doctors realize that they were victims of the white plague.

The tubercular infection is harmless in a majority of persons as long as the metabolic processes are normal, and only when certain disturbances occur in this regard can tuberculosis develop. Wheat will not grow on every soil, and the tubercular bacillus will not grow in every individual.

A vast majority of persons are quite insusceptible of tubercular infection, and generally an overwhelming dose of the organisms, repeated frequently, is necessary to overcome the resistance of the ordinary individual.

In the language of one medical writer:

All conditions necessary to produce susceptibility are unknown; yet it is empirically true (and could be with reason supposed) that any circumstance which tends to lower the general vital powers decreases the resistance to tuberculosis.

It is said that a seed bed for the incubation of the tubercular bacillus may be supplied by defective or insufficient food, overwork, worry, fatigue, loss of sleep, excitement, strain, unwholesome surroundings (like a damp, dark, or overcrowded dwelling), inhalation of gases, dust, or smoke, or any disease which tends to lower the vitality of the subject. While from 70 to 95 per cent of all the people have the tubercular bacillus implanted in them, only 1 per cent of the young men examined during the World War showed a tubercular condition.

There is much yet to be learned about tuberculosis. The bacillus, the actual cause of tuberculosis, was discovered by Robert Koch, a German scientist, in 1882, since which time we have acquired much information concerning this pestiferous germ, but much yet remains to be learned. To combat the destruction of the lung cells by these germs nature builds what is known as epiphaloid cells around the infected lung area. If these defensive forces win the battle, the bacilli are walled in. If they lose, the destruction of the lung cells continues until the entire cell structure is involved. Something has been said about arrested tuberculosis. In such cases the lesions of the lung are completely walled in by scar, fibrous, or fibroid tissue, and the advance of the destructive forces arrested, and in arrested cases no bacilli are found in the sputum. An arrested case of tuberculosis may become active at any time if the general health or vitality of the subject is impaired.

I desire to call your attention to some medical evidence bearing upon the presumptive clause under discussion. Dr. Edward O. Otis, of Boston, an eminent medical authority, in his work on pulmonary tuberculosis, says:

When the tubercle has gained entrance into the lungs by one or the other route they may (a) be destroyed and leave no evidence of their visit, or (b) remain inactive indefinitely or for the lifetime of the individual, or (c) they may produce certain inflammatory changes peculiar to their specific nature, just as other irritants or specific bacteria cause inflammatory phenomena peculiar to their specific influence.

The same authority says:

In quiescent cases, however, we may have extensive disease with little or no disturbance of the general health. The individual may have the appearance of perfect health, may be able to follow his usual mode of life, and feel as well as ever.

In other words, the infection may be active or quiescent. It may slumber for months or for years until there is an exciting cause to awaken the infection to an active or acute stage. This exciting cause may be a general debility resulting from military service in former years.

As to acquired predisposition to tuberculosis, Doctor Otis says:

In general one can predicate that whatever influence, long acting, which lowers the normal resistance, produces a favorable soil for the bacillus and acquired predisposition. Such influences are legion. Unwholesome conditions of living and working, dusty occupations, lack of sunlight and fresh air, overfatigue, underfeeding, insufficient rest and sleep are some of the chief of these influences.

And certainly the lowered vitality and the impaired powers of resistance that frequently follow the strain, stress, and disease incident to camp life and warfare would furnish a soil for the incubation of this disabling and destructive germ.

Doctor Otis makes a further statement:

How long after the implantation of the tubercle bacillus the acute manifestations of the disease occur, we do not know. We know, however, that the development of the infection is generally slow; months and years may elapse before active symptoms appear, or they may never appear.

Dr. Francis M. Pottenger, an eminent writer on clinical tuberculosis, says:

The patient suffering from early clinical tuberculosis, usually shows only a few of the many symptoms which may be found accompanying this condition and these may not be consistent. They are now present for a time and then may disappear, giving the patient the idea that they are gone. Variability is necessarily characteristic of symptoms and signs of this disease because conditions are so varied.

Doctor Pottenger further says that the tubercular infection is due to lack of specific resisting power on the part of the invaded organism, and that the resisting power of the patient is an important factor because this lowering of natural resistance invites infection and furnishes a seed bed for tuberculosis. Doctor Pottenger also says:

The insidiousness of tuberculosis is also a factor which makes real diagnosis difficult. If symptoms come at once after infection took place, it would be a comparatively easy matter to make an early diagnosis, but such is not the case. Infection in tuberculosis takes place weeks, months, or years before clinical symptoms are recognized, the lesion having gone through a succession of changes from quiescence to activity and extension. * * * As clinicians we are apt to forget the possibility of such symptoms being caused by hidden foci; and, failing to find tuberculosis in the lung, declare that it does not exist. We should never lose sight of the fact that, with clinical symptoms belonging to the toxic group suspicious of tuberculosis, and inability, by most painstaking examination, to find either a tubercular or other cause for the same, we have not ruled out the possibility of a hidden tuberculous focus.

In the International Cyclopedia we are told that "a predisposition to tuberculosis is acquired under conditions that seriously lower vital resistance."

Dr. Lawrence F. Flick, of Pennsylvania, an eminent authority on tuberculosis, in a recent work, Development of our Knowledge of Tuberculosis, in discussing this interesting subject, quotes extensively from Dr. J. A. Villemin, the eminent French physician, and probably the greatest tubercular expert the world has so far produced. He says:

Pathological changes in lungs do not always manifest themselves by physical signs; granulations may exist in considerable numbers without auscultation being able to bring them to light. * * * Hence, as observation has many times proven, discreet granulations located in healthy pulmonary parenchyma can remain silent for an indeterminate period of time. Besides autopsies have well confirmed this important fact.

He calls attention to the fact that many prominent authorities support the doctrine that latent tuberculosis may exist for years, and avers that tubercles often are unexpectedly found at autopsies, especially in military practice. Continuing, he said:

It is therefore incontestable that there exists a very large number of individuals with pulmonary tubercles in whom this change remains entirely undiscovered, either because the cough does not come on until very late or because auscultation is unable to make out the condition of the lung. In many cases a longer or shorter time elapses between the eruption of the first granulations and the clear manifestations of pectoral signs.

He further states:

The cough for the patient and often for the physician is usually the first sign of tuberculosis. Its appearance is regarded as the beginning of the disease, even when tubercles may have existed for years before it has attracted attention. * * * It happens quite often that the cough is entirely missing. There are people with pneumonia who cough little or not at all. There are individuals with whom the lungs are stuffed with tubercles and in whom the cough is completely missing.

In the Encyclopedia Americana it is said:

The onset of tuberculosis is insidious and the disease frequently progresses 5 to 20 years before the patient recognizes it.

Doctor Colin, a celebrated French physician and member of the Academy of Medicine of France, in discussing Doctor Villemin's findings in relation to tuberculosis, said:

The active agent of tuberculosis might lie dormant in the lymphatic glands for a long time before finding its way into other tissues of the body. This has been confirmed by investigators.

Those who are interested in the history of tuberculosis are referred to a volume published by Doctor Waldenburg in 1869, in which he gives a very interesting review of the history of and literature on the disease of tuberculosis from the time of the Greeks down to his day and discusses the various theories held and the doctrines promulgated during that time.

Dr. Lawrence F. Flick, an eminent Pennsylvania physician and medical writer, in his volume entitled "Development of Our Knowledge of Tuberculosis," gives a very elaborate review of the disease from the beginning of history, since the time of Hammurabi, whose code written about 2,250 years before the Christian era, in discussing fees which physicians might receive for their services, used language which can reasonably be construed to indicate that tuberculosis was one of the diseases referred to and which, even in the morning twilight of the human race, was recognized as a deadly plague.

Dr. Albert Philip Francine, of Pennsylvania, in his volume entitled "Pulmonary Tuberculosis," said:

Though modern studies are tending to show that the disease is of much longer duration than is commonly supposed, the probabilities are that in many cases infection takes place in infancy or childhood, though its manifestation in the lungs is not noted until much later. Flick thinks that the average duration of the disease is at least 10 years. With increased attention to this point, we will be able to place the beginning of infection much earlier in these cases than has been usual hitherto.

In the second annual report of the Henry Phipps Institute it is said:

Real scientific research into the duration of tuberculosis is only beginning. In the past, medical men have usually measured the duration of the disease by the period of mixed infection and to a very great extent this is still done. The correct duration of the disease, however, should be measured from the implantation, and this implies a long period of dormancy in most cases. The probabilities are that tuberculosis is always primarily a lymphatic disease and that the lymphatic period is always dormant except when the disease manifests itself by enlarged superficial glands.

I quote again from Pulmonary Tuberculosis, by Doctor Francine:

The patient has had tuberculosis for 10 years or longer, but neither himself nor his doctor nor his family suspect it. He gets an acute infection, which, by the introduction of these other pathogenic bacteria, lights up the primary infection and produces definite and easily recognized symptoms.

Doctor Francine holds to the theory—

That the primary lesion is in the lymph nodes, either thoracic or abdominal, the lungs being secondarily infected.

And he and other medical authorities hold that after the bacilli enter the lymph glands they may remain dormant and inactive for a long period of time, or they may be finally expelled or completely neutralized, or, after being latent for a long time, they may become active and thereafter pass to and infect the lung cells; and after this secondary infection takes place nature marshals her forces of resistance and endeavors to heal the lesions or isolate the infection by hedging it about with scar fibrous or fibroid tissue to prevent a spread of the cell destruction to other lung areas.

It has been my privilege to examine a very interesting little volume on "concealed tuberculosis" or "the tired sickness," by Dr. George Douglas Head. It is a very illuminating volume. The writer shows how difficult it is to recognize tuberculosis during the period of infection and while it is in an incipient stage. He gives numerous instances where the symptoms have been so concealed as to defy the skill of expert diagnosticians. He says:

For a number of years the writer has recognized in his hospital and private practice a form of long-standing physical and nervous exhaustion, associated with the presence of the tubercle bacillus tucked away in some organ or tissue of the body. This slow-burning fire of a low-grade tuberculosis infection manifests itself in such an insidious manner as to escape detection by the usual clinical methods of diagnosis employed; and the stamp of neurasthenia or nervous exhaustion is usually placed upon those persons so infected. This type of tuberculosis fails of recognition unless the special tuberculin tests are used to assist in establishing the nature of the infection * * *. In this group were many persons complaining of symptoms expressing lowered vital force and lack of endurance for which no satisfactory causal factor could be detected—no syphilis, no myocarditis, no endocarditis, no septic infection, no malignant disease, no exophthalmic goiter, no nephritis, no gastric ulcer, no anemia. I found, however, that when these patients with doubtful or negative clinical signs of tuberculosis were tested with tuberculin many of them gave positive reactions. This evidence clearly proved that many persons complaining of symptoms indicative of unstable physical and nervous states and diagnosed as neurasthenia carried a tubercular infection. Inasmuch as these persons harbored no organic disease the conclusion was forced home upon one that the tuberculous infection was the cause of their symptoms.

Doctor Head states that in a great many cases where the patients complain of being tired and "played out," they are suffering from a "concealed form" of tuberculosis, and that there is an intimate relationship between neurasthenia and clinically demonstrable tuberculosis; and he states that a large number of persons harboring the unrecognized silent forms of tuberculosis go along through weeks, months, and years unconscious of the fact that they have tuberculosis, all the while ascribing to other causes their fatigue, lack of endurance, and ability to stand up under the wear and tear of life.

Continuing, Doctor Head states:

One of the peculiarities of tuberculosis is the tendency which it often manifests to invade its host without causing much constitutional or local reaction and without producing pronounced symptoms indicative of its presence. This reaction on the part of the organism is often expressed only in terms of unstable physical force and nerve exhaustion, and not the recognized clinical picture too often considered as a "sine qua non" in order that a diagnosis of tuberculosis shall be made.

In elaborating the extreme difficulty in many cases of diagnosing tuberculosis in its early, concealed, or incipient stage, Doctor Head says:

I wish to emphasize this: Many persons carry tuberculous infection, in whom there can be found no distinctive objective focal evidence of the disease in the lungs, lymph glands, peritoneum, pleura, pericardium, kidneys, bones, or elsewhere. The clinical picture which is presented by tuberculosis (concealed) in those silent areas of the body where at best only obscure and uncertain objective signs can be detected to indicate its presence, and where the individual shows only the evidence of the slow-burning fires of toxemia, without the presence of symptoms and clinical signs expressive of the localizing ravages of the bacillus itself, is a common occurrence.

Doctor Head enumerates and gives the history of a large number of cases where the symptoms were so concealed as to defy accurate diagnosis, and where the symptomatology justified the conclusion that the patients were suffering from other maladies. Time will not permit me to review these cases, but it is sufficient to say that they clearly demonstrate that a person may have tuberculosis for many months or years and not show any objective symptoms from which he or his physician or family would be justified in concluding that the tubercular fires were already burning within him.

In many of these cases Doctor Head shows that the patients were suffering from tuberculosis, although there were no focal signs of the disease and the symptoms justified the conclusion that they were suffering from some other malady. In other words, the recognized clinical symptoms and physical signs are often so completely concealed that neither the patient nor his physician can detect the tuberculous condition, although subsequent developments conclusively demonstrated that the subject had been suffering for years from an insidious or concealed case of tuberculosis.

Doctor Head further states that in a great many cases no pathological evidence of the existence of tuberculosis is obtainable until the disease passes from a concealed to an active stage, and that in many instances patients suffer with tuberculosis for years, and sometimes recover without the subject or his physician ever having suspected the existence of tuberculosis. In other words, the human body can tolerate for years tuberculosis in a slow-burning form without producing serious illness or pronounced pathological changes.

Continuing, Doctor Head says:

Many persons harbor tuberculosis in a quiescent form for years, only to have the organisms die out in later life with the restoration of a fair degree of health.

Doctor Head states that frequently so-called neurasthenia, covering years of weakness and exhaustion, is in reality tuberculosis in a concealed, slow-acting, and, for the time being, nonmalignant form, and in many latent forms of tuberculosis, persons go through life carrying tuberculous infections in the pleura, many of them never consulting a physician or conscious that they have tuberculosis.

In discussing the difficulty of diagnosing many cases of tuberculosis, Doctor Head says:

When a man, woman, or child comes complaining of a long history of symptoms indicating a tendency to give out under the wear and tear of life and a lack of physical and nervous reserve under strain, worry, etc., tuberculosis in a concealed, slow-burning form should be the first disease to think of.

Dr. Charles E. Atkinson, of California, in his volume on Tuberculosis and Consumption, says:

In recent years a vast number of painstaking investigations conducted from widely different angles have proven beyond a doubt that in many (at least a majority) of the cases of tuberculosis, apparently originating in adult life, the seeds are in fact implanted in a body during childhood. There they rest in an inactive or latent state until some future date (ordinarily between the fifteenth and thirty-fifth year) some circumstance arises that weakens the protective forces of the body and invigorates the germs, permitting them to get so firm a grasp upon the individual that noticeable symptoms occur.

The author further states that the tubercular germs may slumber in the body for long periods, and—

Although the progress of the germs has been checked, the forces of nature prove inadequate to completely rout the enemy. Thereupon a truce—as it were—is declared, during which the germs lie slumbering or dormant for a longer or shorter time (latent tuberculosis). As a matter of fact, the infection frequently remains latent or dormant permanently * * * the individual himself entirely unaware that his body harbors a colony of the germs of tuberculosis, and the condition may be wholly indetectable.

Doctor Atkinson also said:

The fact should be impressed on the mind that far from seeming seriously ill, the person afflicted with early tuberculosis usually appears entirely well. * * * Careful investigations have disclosed the fact that in civilized countries approximately 75 per cent of the children have acquired in some part of the body at least a trace of infection by the time they have reached the age of 15, and that, roughly, 90 per cent of civilized persons harbor at least a slight infection during some part of their life's span. * * * Tuberculosis has a variable and irregular course, and its first noticeable effects vary widely in different cases. There is, however, one feature that is associated with nearly all cases—the slowness of its onset. The evidences of the disease appear very, very gradually—much more gradually even than is ordinarily supposed. There are, of course, a few cases in which the disease breaks upon one rapidly indeed (referring to galloping consumption), but in the great majority of instances it creeps in so slowly and its few manifestations are added so infrequently that quite commonly the individual entirely fails to heed them. * * * It should be remembered that exposure many years previously may be the cause of the present outbreak.

From my examination of the medical authorities and from my contact with numerous tubercular cases I assert the following propositions are incontrovertible:

(a) The seeds of tuberculosis do not take root unless the soil is fertile. The hardships, strain, stress, and even seemingly trivial diseases incident to military life provide the fertile soil for the growth of these fatal germs. Conditions that prevail in camp and combat sap the vitality of the soldier, thus providing within the body conditions favorable to the sprouting of the tubercular bacillus, thereby paving the way for the development of the disease, that sooner or later produces a harvest of death. And if these conditions exist the tuberculosis may not become active for 5, 10, or more years.

(b) Fatigue, excitement, nerve tension, minor diseases, and rigors incident to military service impair the robustness of the soldier, weaken his power of resistance, undermine his stamina, reduce his constitutional vigor, and make breaches in the citadel of his health, through which disease germs may easily enter and play havoc months and years thereafter.

(c) Military life leaves the system of many soldiers in such a condition that it is unable to resist the onset of disease in after life or to throw off an infection that has found lodgement in the subject's debilitated vital organs. The lowered vitality increases the predisposition to disease in afterlife, weakens the powers of resistance, and renders the subject less able to combat infection or prevent the spreading of cell destruction over the entire lung area.

(d) The man who is strong and vigorous is generally able to successfully resist infection, while the "run-down" man is not and falls a prey to malignant disease. Military service undoubtedly produces conditions in the human body that render it more predisposed or susceptible to infection and less able to successfully resist the destructive forces of disease.

The medical authorities frankly confess the difficulty and, in many cases, the impossibility of definitely diagnosing pulmonary consumption in many cases in its early stages, where the infection and progress of the disease are slow and the symptoms unusual, concealed, or typical of other maladies.

Medical writers and practitioners realize that tuberculosis in its early stages manifests itself in so many different forms and under such variant and diverse symptomatology and may indirectly result from such a variety of causes that they have as yet established no hard and fast rules to limit the time that may elapse between the primary infection and the appearance of normal symptoms; nor have they yet been able to list all of the pathological conditions from which tuberculosis may in after years result; and while agreeing that anything that impairs the health and lowers the vital powers of resistance may in after years be the indirect cause of tuberculosis by creating pathological conditions favorable to the lodgment and growth of tubercular germs, they have not been able to fix a time limit within which it can as a scientific fact be declared that tuberculosis will result, if at all, from such debilitated conditions or impairment of the subject's power of resistance.

In other words, the medical writers realize that these are still unsettled questions, and physicians are to be commended for assuming this reasonable and consistent attitude. At the present time medical science has not definitely determined the extent to which the presumptive clause may be extended. In attempting to apply a time limit we are invading the realms of speculation. Some time experience will justify a definite pronouncement on this perplexing question. Until medical science has reached a definite conclusion we must content ourselves with the philosophy of Emerson, who said:

God screens us evermore from premature ideas. Our eyes are holden that we can not see things that stare us in the face until the hour arrives when the mind is ripened, then we behold them, and the time when we saw them not is like a dream.

Why multiply authorities? All agree that tuberculosis may be implanted in the human system and remain dormant or quiescent for many months or many years, until some exciting cause transforms it from a latent to an active form; and even then it may develop so slowly and insidiously and in such a concealed form that expert diagnosticians are unable to discover the existence of the malady. Often the symptoms are so obscure, or indicative of some other disease, that neither the subject nor his physician is aware that the patient is suffering from concealed tuberculosis. And in many, many cases tuberculosis produces symptoms so typical of other diseases that the pathologist naturally concludes that the patient is suffering from these other maladies when, in truth and fact, the fires of tuberculosis are slowly burning within him.

There is still too much to be learned about tuberculosis for any medical authority at this time to declare that tuberculosis developing in World War soldiers after January 1, 1925, is not traceable to military service in the World War. Where a World War soldier's general health and vital powers of resistance were seriously impaired during his military service, by disease, fatigue, excitement, hardships, or nerve strain, and his vitality continued to decline until 1926, 1927, or 1928, when active tuberculosis developed, no respectable medical authority will hold that such tuberculosis was not either directly or indirectly caused by such military service.

It is not necessary that the actual infection must have been incurred during such military service. It is only necessary to show that such military service, whether in camp or in combat, produced a physical condition which, after discharge gradually deteriorated, thereby producing conditions favorable for the lodgment and incubation of the tubercular bacillus. That is to say, the debilitated condition of the soldier, resulting from his war activities, predisposed him to tubercular infection, and lowered his vitality and powers of resistance to such an extent that the opposing forces of nature were unable to resist the onset and progress of the tubercular infection.

I therefore repeat that there is no scientific basis of limiting the presumptive clause to January 1, 1925. In my opinion, based on medical authority, there are numerous cases where active tuberculosis developed in World War veterans after January 1, 1925, which, without doing violence to the well-established diagnostic laws, may be directly or indirectly traced to a lowering of the soldier's general health while in the service. The lowered vitality of the soldier created pathological conditions which undeniably rendered him more susceptible to disease. Had it not been for this general debility resulting from his military service the soldier would no doubt have been able to resist invasion by tubercular germs. If his health had not been impaired by his military service, there would not have been a seed bed favorable for the lodgment or incubation of the tubercle bacillus; and even though the actual infection occurred 5 or 10 years after the soldier's discharge, the soldier's reduced vitality resulting from the military service was undoubtedly the contributing cause of such infection.

For these reasons I favor the extension of the presumptive clause to January 1, 1930. I am not willing that any World War veteran now suffering from active tuberculosis should be denied compensation on the ground that his case did not become active until after January 1, 1925. I believe in giving the

soldier the benefit of the doubt in all cases where there is substantial medical or lay evidence tending to show that the soldier's tuberculosis was either directly or indirectly the result of his military service. [Applause.]

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

The question was taken; and on a division (demanded by Mr. OLIVER of Alabama) there were—ayes 54, noes 82.

So the amendment was rejected.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FITZGERALD: Page 12, line 19, strike out all of section 10, after line 18, pages 12, 13, 14, and 15, and insert in lieu thereof the following:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who, on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had prior to January 1, 1930, an active tuberculous disease, or prior to January 1, 1925, a disability of any character developing a 10 per cent degree or more in accordance with the provisions of subdivision (4) of section 202 of this act shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting disability in such service between said dates, and said presumption shall be conclusive in cases of tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability of more than 10 per cent degree (in accordance with the provisions of subdivision (4) of section 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further*, That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act, nor for more than three years after such approval pending a further study of veterans' relief by the Congress, and the rate of compensation in such cases shall be 60 per cent of the compensation hereinafter provided: *Provided further*, That from and after the date of this amendment any veteran who is entitled to receive compensation for a disability resulting from injury incurred in action involving actual conflict with the enemy shall be paid an additional allowance in an amount equal to 10 per cent of the compensation otherwise payable."

Mr. FITZGERALD. Mr. Chairman, the main purpose of this amendment is to cut the rates of payment to 60 per cent on all the new cases which we add to this bill, resting for their service connection on the arbitrary presumption alone. At least 90 days of service is required of a Civil War veteran before he can receive a pension. The same 90 days of service is required of those who served in the Spanish War, and our committees will not consider special bills for relief unless there has been a service of at least 75 or 80 days. By this bill, under the term "presumption," we are extending a relief in the form or under the name of compensation, which is, in fact, a service pension to veterans who suffer from no disability or loss by reason of any service in the war, and we are proposing to pay them such pensions at rates far in excess of anything that has ever been done for the veterans of other wars—Indian, Philippine insurrection, China campaign, Spanish, Civil War—up to this time.

We can not pass such a bill as this without realizing that we owe a further responsibility to those soldiers of the Civil War who are still with us, to those soldiers of the Spanish War who are still with us, and we must realize that we can not do this thing for these men of the World War unless we are prepared to do the same for the veterans of the Civil War and the war with Spain.

I understand that this bill, in its present condition, will add some $400,000,000 to $450,000,000 a year in a few years to the expense of this Government. We are now paying out over $500,000,000 a year, and that means that in a few years we are to have a budget which must include provision for a billion dollars a year for ex-service men. I begrudge them nothing, but I ask the House before they pass this legislation to-day to consider whether we are now prepared to treat all our veteran soldiers alike? Should the same full rate of compensation be given to those who suffered nothing by reason of their service in the war and treat without distinction those who actually suffered by reason of their service in the war?

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

Mr. FITZGERALD. Yes.

Mr. CONNERY. The gentleman, under this amendment, would offset what would happen in my amendment to give them all equality, and would give only 60 per cent to men whose cases are those of presumption.

Mr. FITZGERALD. That is it.

Mr. CONNERY. In other words, if a man could connect his casé with the service before this——

Mr. FITZGERALD. Then he gets the full rate.

Mr. CONNERY. But if he comes in now, you are only going to give him 60 per cent, although he may be just as much connected with the service as the other.

Mr. FITZGERALD. He may be, but the gentleman knows, and I know, that although there are a number of those cases on the border line, the great mass of them never suffered a disability in the Army or because of their service. I want them to get something, and under the form of this bill as it stands now it is obvious that they will get nothing.

Mr. CAMPBELL of Iowa. Does the gentleman allow that 60 per cent up to 1925 or 1930?

Mr. FITZGERALD. There is a provision that tuberculosis alone shall be recognized as a basis for presumptive service connection up to 1930.

Mr. CAMPBELL of Iowa. Mr. Chairman, I have an amendment that I would like to have read.

Mr. FITZGERALD. And I may say that in anticipating that amendment, in so far as it cuts the rate on presumptive cases alone, which will become first compensated by this bill to 50 per cent, I shall not oppose it.

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

Mr. FITZGERALD. Yes.

Mr. ARNOLD. Does this reduce any of those who are now on the rolls?

Mr. FITZGERALD. No.

Mr. ARNOLD. Does it include those who hereafter become service connected as a matter of fact, rather than by presumption?

Mr. FITZGERALD. No; they will get their full rate. Only those whose cases rest on presumption alone and who come in under this bill on that basis will be compensated by the reduced rate of 60 per cent. I may say, as my good friend from Mississippi [Mr. RANKIN] knows, he and I got together to this point before the committee.

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

Mr. RANKIN. Mr. Chairman, I rise in opposition to the amendment. In reply to the gentleman from Ohio [Mr. FITZGERALD], I desire to say that I voted with him on the 60 per cent amendment in the committee only after a majority of the committee had turned down all other amendments that would have given these men full benefits.

The gentleman from Ohio talks about treating them all with equality, cutting down these tubercular men and these neurotic, helpless men to 60 per cent of the compensation now paid to others similarly affected. He is the author of the so-called emergency officers' retirement bill, which puts those ex-officers on the roll for as much as $300 a month; men who have an alleged 30 per cent disability, while many of them are holding better positions now and drawing better salaries than they

did before the war, thousands of whom never saw Europe. Where is the consistency in that? Is that treating all the men alike?

All this talk about this bill costing $400,000,000 is bosh. Under the Connery amendment, according to the Veterans' Bureau in the report submitted here the other day, taking the records of the Veterans' Bureau as a basis, the bill will probably amount to $108,000,000 a year. If you were to take the figures of the Pension Bureau, it might be spread out, but the indications are that it will not cost more than $108,000,000; and I am not going to follow the leadership of a man who says it is unjust to pay an ex-service man who is dying from tuberculosis more than 60 per cent of the amount now paid to other disabled enlisted men who at the same time would pay ex-officers $300 a month and who announces that it is a pension based on rank and calls it doing justice.

Those men on the so-called emergency officers' retirement roll are on for life, whether they recover or not.

I sincerely hope that this amendment will be voted down, and that the bill will pass with these men properly taken care of; and then in the three years, as provided by the resolution which passed the House to-day, we can work out a policy to treat them all alike, both officers and men.

But when you undertake to pay them 60 per cent on the ground that it is a pension, I want to remind the gentleman from Ohio that the bill we are enacting here is a bill on behalf of private soldiers or enlisted men of the Army and Navy and Marine Corps, whereas the gentleman from Ohio wrote or helped to write upon the statute books the so-called emergency officers' retirement bill, which violently discriminates against enlisted men. Unless it is repealed or changed it will produce dissension and dissatisfaction among the ex-service men of the United States until the last one of them goes to his grave. [Applause.]

Mr. CAMPBELL of Iowa. Mr. Chairman, may I have my amendment read?

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. CAMPBELL of Iowa to the amendment offered by Mr. FITZGERALD: After the words "January 1," where they occur the second time, strike out all the matter down to and including the words "*Provided further,*" and insert in lieu thereof the following: "1930, if the facts in the case substantiate his claim: *Provided further,* That in any case where service connection is granted solely on the basis of a new presumption created by this amendatory act, no compensation shall be paid for any period prior to the approval of this act nor for more than three years after such approval, pending a further study of veterans' relief by Congress, and the rate of compensation in such cases shall be 50 per cent of the compensation hereinafter provided."

Mr. CAMPBELL of Iowa. Mr. Chairman and ladies and gentlemen of the committee, if you will give me your attention for five minutes I shall endeavor to tell you what I mean by this amendment.

The question arises as to the loading down of this bill. It has been brought to my attention that if it costs too much money this bill will be vetoed.

I followed the Rankin bill all through the committee in the hope that we might extend to the World War veterans that relief that has been granted them under present amendments, so far as the present bill is concerned. But from what I can learn and from what the chairman of the committee says, it appears that if we go through with this bill in the condition it is in now, we shall have no bill at all.

As I said on the day before yesterday, it is now the middle of April, and if this bill does not go through, the chances are that the veterans will have no relief at all.

What I propose to do is just this: I propose to take it up to 1930, so far as presumption is concerned, and then I propose that those who come under this act will get 50 per cent as much as those who prove that their disabilities are connected with the service.

Day before yesterday I gave you the illustration of two men who came to your back door and asked for food. Suppose you had in your humble home just one loaf of bread. Would you give that loaf of bread to one of those men or would you give it to the two? You would cut it exactly in the middle and give each one half.

That is exactly like the situation we are up against here to-day. I say the thing we should do is to give relief to the veterans, and the way to do that is to spread it out. I do not like to go home—and I do not want to go home—and immediately find out that from 1925 to 1930 my buddies there will get nothing by this legislation. They tell us, and the record corroborates them, that in three years' time we are to remedy the present situation.

I wish we could know that the bill with the Connery amendment could pass just that way and in the years to come it would take care of those who have served in the World War in the same manner and with the same compensation as those who are now service connected.

Mr. CONNERY. Will the gentleman yield.

Mr. CAMPBELL of Iowa. I yield.

Mr. CONNERY. Does the gentleman not think that any country than can remit $10,000,000,000 to foreign nations can spend $150,000,000 or $200,000,000 or $300,000,000 for the disabled men of the United States?

Mr. CAMPBELL of Iowa. The gentleman from Massachusetts [Mr. CONNERY] knows that I absolutely agree with him, and the gentleman knows very well why I am offering this amendment.

Mr. CONNERY. Yes; I do. But I will say that the gentleman went along with the Rankin bill and that his heart is in the right place. The only trouble is the gentleman has been conjured and kidded and has been made to believe that President Hoover is going to veto this bill when he is going to sign it.

Mr. CAMPBELL of Iowa. All that I am afraid of is that these men are telling me the truth. That is what bothers me.

Mr. KVALE. Will the gentleman yield?

Mr. CAMPBELL of Iowa. I yield.

Mr. KVALE. Does the gentleman know that under the provisions of his amendment a man who is totally disabled from arthritis, nephritis, or these other connected diseases, will only have $45 or $50, while the tubercular totally disabled man will get double that amount? That will not make for satisfaction for them.

Mr. CAMPBELL of Iowa. I know that there are all kinds of inequalities and iniquities as far as our pension legislation is concerned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JOHNSON of South Dakota. I yield the gentleman two additional minutes.

The CHAIRMAN. The gentleman is recognized for two additional minutes.

Mr. CAMPBELL of Iowa. We have one question before us, and that is the question whether we are going to pass this bill or whether we are going to try to fix it up. I think it is too late to try to do that. I think we should adopt my amendment and pass the bill, because I am confident that will not cost a penny more than the present Johnson bill. We should use common sense. I realize that there is not a man here but who desires to go home to his American Legion post and say, "I just voted for the top notch." I want to do that myself, but at the same time I do not want to jeopardize this present bill. If I was sure it would pass and be signed I would vote for it just as it is at the present time; but I am afraid it will not be finally adopted.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in five minutes.

The CHAIRMAN. The gentleman from South Dakota [Mr. JOHNSON] asks unanimous consent that all debate on this section and all amendments thereto close in five minutes. Is there objection?

Mr. KVALE. Reserving the right to object, I have two amendments at the desk which I would like the privilege of explaining briefly.

Mr. JOHNSON of South Dakota. How much time will the gentleman from Minnesota [Mr. KVALE] need to present his amendments?

Mr. KVALE. Not more than one minute.

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from South Dakota [Mr. JOHNSON] modifies his request and asks that all debate on this section and all amendments thereto close in eight minutes. Is there objection?

There was no objection.

Mr. CONNERY. Mr. Chairman, I rise in opposition to the amendment. I am opposed to both the Fitzgerald amendment and the Campbell amendment. If we want to give real equality to all these men up to 1930, we will vote against both of these amendments, because the Fitzgerald bill confines a man to 60 per cent of his compensation and the Campbell amendment confines him to 50 per cent. There are men between 1925 and 1930 who are going insane, who have gone insane as the direct result of their service in France, who had no service connection

that they could prove, and who will be discriminated against if the House should support the Fitzgerald or Campbell amendments. There are men with tuberculosis and chronic diseases, and the Fitzgerald amendment and the Campbell amendment would cut those men from the regular compensation which they will get under the Connery amendment down to 60 per cent and 50 per cent.

I hope the House will vote down both of these amendments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. CAMPBELL] to the amendment offered by the gentleman from Ohio [Mr. FITZGERALD].

The question was taken; and upon a division (demanded by Mr. CAMPBELL of Iowa) there were—ayes 57, noes 86.

So the amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. FITZGERALD].

The amendment was rejected.

Mr. KVALE. Mr. Chairman, I offer an amendment, which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Minnesota [Mr. KVALE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 15, line 8, after the word "Congress," strike out the period and insert in lieu thereof the following:

"*Provided further*, That in the adjudication of all claims under the provisions of this act, as amended, the benefit of reasonable doubt shall be resolved in favor of the claimant."

Mr. KVALE. Mr. Chairman, I yield to the chairman of the committee and ask if he will oppose the amendment, which proposes to provide that the benefit of the doubt shall be resolved in favor of the veteran?

Mr. JOHNSON of South Dakota. I would say at the present time I would oppose it because as this bill is drawn there will not be any doubt.

Mr. KVALE. There will be very much doubt. There are several provisions of the act, among them the rebuttal reservation in certain cases, that we can not go into at this time. My amendment only proposes in lieu of what is said in the regulations, and in the preamble to the schedule of disability ratings, but which has been disregarded, to make it mandatory in the law itself.

Mr. JOHNSON of South Dakota. I would say to the gentleman from Minnesota [Mr. KVALE] that I have some sympathy with his position, but that there is already in the law a provision that it must be liberally construed in favor of the claimant, and that the amendments that have been adopted by the House will cover the situation, and I oppose the amendment offered by the gentleman because I do not think the law could be liberalized any more than it is.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. KVALE].

The amendment was rejected.

Mr. KVALE. Mr. Chairman, I offer an amendment which I have sent to the Clerk's desk.

The CHAIRMAN. The gentleman from Minnesota [Mr. KVALE] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KVALE: On page 15, line 8, after the word "Congress," strike out the period and insert ", *Provided further*, That statements by claimants as to soundness of physical conditions or previous disabilities, made either at time of enlistment or time of discharge, shall not be considered as determinative evidence in the adjudication of claims."

Mr. KVALE. Does the chairman of the committee wish to express himself on this amendment?

Mr. JOHNSON of South Dakota. I do not think it is necessary.

Mr. KVALE. As a matter of fact, those unsworn statements are accepted and are used to rebut any number of sworn statements that appear subsequently on the part of the veteran and those who testify for him.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. KVALE) there were—ayes 55, noes 61.

So the amendment was rejected.

The Clerk read as follows:

SEC. 11. That section 201, subdivisions (f) and (l), of the World War veterans' act, 1924, as amended (secs. 472, 475, title 38, U. S. C.), be hereby amended to read as follows:

"(f) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. Such compensation shall be payable, whether the dependency of the father or mother or both arises before or after the death of the person: *Provided*, That the status of dependency shall be determined annually as of the anniversary date of the approval of the award, and the director is authorized to require a submission of such proof of dependency as he, in his discretion, may deem necessary: *Provided further*, That upon refusal or neglect of the claimant or claimants to supply such proof of dependency in a reasonable time the payment of compensation shall be suspended or discontinued.

"(l) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed $100, as may be fixed by regulation. Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director, in his discretion and with due regard to the circumstances of each case, shall pay, for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding $107 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, or in a national military home, the above benefits shall be payable in all cases: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment, or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, or in a national military home, the above benefits shall be payable in all cases and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories, or possessions, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *Provided further*, That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed: *Provided further*, That the director may, in his discretion, make contracts for burial and funeral services within the limits of the amounts allowed herein without regard to the laws prescribing advertisements for proposals for supplies and services for the United States Veterans' Bureau: *Provided further*, That section 5, title 41, of the United States Code, shall not be applied to contracts for burial and funeral expenses heretofore entered into by the director so as to deny payment for services rendered thereunder, and all suspensions of payment heretofore made in connection with such contracts are hereby removed, and any and all payments which are now or may hereafter become due on such contracts are hereby expressly authorized: *Provided further*, That no deduction shall be made from the sum allowed because of any contribution toward the burial which shall be made by any State, county, or municipality, but the aggregate of the sum allowed plus such contribution or contributions shall not exceed the actual cost of the burial.

"Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director shall furnish a flag to drape the casket of such veteran and afterwards to be given to his next of kin, regardless of the cause of death of such veteran."

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

Mr. JOHNSON of South Dakota. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that all debate on this section and all amendments thereto close in 10 minutes. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ALMON: Page 15, line 14, strike out "$20" and insert in lieu thereof "$25," and strike out "$30" and insert in lieu thereof "$35."

Mr. ALMON. Mr. Chairman, this bill might properly be entitled a bill to repeal the strict and rigid rules of the United States Veterans' Bureau in requiring medical testimony in behalf of the ex-service men who live in the small towns and in the country. The physicians in small towns and in the country do not keep records of treatment given the veterans as required by the bureau. They are not prepared to make laboratory tests as they are in the cities. The bureau has 22,896 admitted tubercular cases which have been denied because the claimants could not show that the disability existed prior to January 1, 1925, and 18,900 mental and nervous cases produced by shell shock and nervous strain on the battle fields.

Under the provisions of this bill, as amended, it will be presumed that all of these disabilities are the result of military

service and will be allowed, if this bill becomes a law. This bill also removes the time for filing claims for compensation and application for the same may be made at any time. It also provides, since the Rankin amendment, for which I voted, was adopted, that all diseases contracted prior to January 1, 1930, are presumed to be service connected. And this presumption can only be overcome by clear and convincing evidence offered by the Government. It also provides for home treatment and the consideration of claimant's evidence.

I have heard many speeches since the debate on this bill commenced about what it would cost the Government. When we passed the draft law we did not stop to consider what it would cost. We stated that those who were drafted into the service would be taken care of by the Government and if they were injured or contracted disease while in the service that they would be taken care of by the Government, and if they were killed or died in the service their dependents also would be given proper aid by the Government; so I have but little patience with all this talk about what it will cost the Government. Some have said that it would bankrupt the Government. I deny this. We had better have financial bankruptcy than moral bankruptcy. We owe the ex-service men of the World War and their dependents a duty, and this is the time to pass a law that will provide proper compensation. It provides that it is only to continue for three years. During that time it is expected that Congress will revise all of the provisions of the United States veterans law and make just provision for all. [Applause.]

Another good feature of this bill is that when a veteran of the World War is receiving hospitalization, and who has no service-connected disability, his wife and minor children will be allowed compensation in the amount stipulated in the bill if he remains in the hospital as long as 30 days and files affidavit with the commanding officer of the hospital to the effect that his annual income, inclusive of compensation or pension, is less than $1,000 per annum. This supplies a long-felt want, as I know of a great many cases where hardships have been suffered by the wife and children while the veteran was in the hospital for treatment. It has also kept many from entering a hospital when in need of treatment.

This bill also makes provision for the payment of $8 per month to those who are in the hospital with service-connected disability in addition to the compensation granted them.

I have worked and will continue to use my best efforts to secure the passage of a law that will enable the soldiers of the World War, who offered their lives and sacrificed their health for our country, to secure the relief they are justly entitled to. This bill will come more nearly extending the proper aid to the veterans of the World War than has any bill heretofore introduced, and I am glad to give it my hearty indorsement and sincerely hope that it will be enacted into law, regardless of what it costs the Government. Our first duty is to make proper provision for the welfare and comfort of the veterans of the World War and their dependents. Congress will then make provision for the payment of whatever it may cost. This is a duty we owe the ex-service men. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

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

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. PATMAN: Page 15, line 14, after the figures "$30," strike out "The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75."

Mr. PATMAN. Mr. Chairman, ladies and gentlemen of the committee, under the present law if a deceased veteran leaves a wife and one child his dependent father and mother may draw the full amount of $30 compensation, provided, of course, the veteran dies by reason of a service-connected disability. But, if the deceased veteran leaves a wife and two children, then the father and mother can not receive the $30. Their compensation is reduced in proportion to the number of children the deceased veteran left surviving him. That is certainly not a fair policy for the law to pursue. Why should the Congress discriminate against a father and mother as against other people in the same position because they have too many grandchildren? That is the substance of the present law. You say to the dependent father and mother, "If your son leaves 5 or 6 children you can not get anything, whereas your neighbor across the street, who died and left only 1 child, may have his father and mother draw the full amount of $15 each."

My amendment is to strike out that limitation of $75 and let it apply to everybody alike, and not discriminate against any father or mother.

I respectfully request that the chairman of the committee accept this amendment. It certainly could not cost a great deal of money. I have talked with some of the officials in the Veterans' Bureau about it and they tell me it will cost only a small amount. So I ask the members of this committee to adopt the amendment and not carry on further the policy of discriminating against a father and mother because their son left too many children.

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

The amendment was rejected.

The Clerk read as follows:

SEC. 12. That subdivisions (3) and (5) of section 202 of the World War veterans' act, 1924, as amended (secs. 473, 478, 479, title 38, U. S. C.), is hereby amended to read as follows:

"(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month: *Provided, however,* That the permanent loss of the use of both feet, or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further,* That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *Provided further,* That for double total permanent disability the rate of compensation shall be $200 per month.

"That any ex-service man shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not, in the judgment of the director, feasible for training, shall, upon his request, be discharged from hospitalization and rated as temporarily totally disabled, said rating to continue for the period of three years: *Provided, however,* That nothing in this subdivision shall deny the beneficiary the right, upon presentation of satisfactory evidence, to be adjudged to be permanently and totally disabled: *Provided further,* That in addition to the compensation above provided, the injured person shall be furnished by the United States such reasonable governmental medical, surgical, and hospital services, including payment of court costs and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for care and treatment of the insane, and shall be furnished with such supplies, including wheel chairs, artificial limbs, trusses, and similar appliances as the director may determine to be useful and reasonably necessary, which wheel chairs, artificial limbs, trusses, and similar appliances may be procured by the bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided,* That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service: *Provided further,* That where any person entitled to the benefits of this paragraph has heretofore been hospitalized in a State institution, the United States Veterans' Bureau is hereby authorized to reimburse such person, or his estate, where payment has been made to the State out of the funds of such person, or to reimburse the State or any subdivision thereof where no payment has been made for the reasonable cost of such services from the date of admission.

"There shall be paid to any person who suffered the loss of the use of a creative organ or one or more feet or hands in the active service in line of duty between April 6, 1917, and November 11, 1918, compensation of $25 per month, independent of any other compensation which may be payable under this act.

"(5) If the disabled person is so helpless as to be in need of a nurse or attendant, such additional sum shall be paid, but not exceeding $50 per month, as the director may deem reasonable."

Mr. JOHNSON of South Dakota. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of South Dakota: Add an additional proviso at the end of line 23, page 20, as follows: "*Provided, however,* That if such disability was incurred while the veteran was serving with the United States military forces in Russia, the dates herein stated shall extend from April 6, 1917, to April 1, 1920."

Mr. JOHNSON of South Dakota. Mr. Chairman, the proposed amendment simply places on a parity the groups of soldiers that were fighting in Russia up until 1920. Those of you who will read this section of the bill commencing in line 18,

page 20, will see what we have been trying to do in taking care of battle casualties.

Mr. RANKIN. We will accept the gentleman's amendment.

Mr. JOHNSON of South Dakota. But I want to call attention to the amendment.

It was suggested to me by the distinguished gentleman from Michigan [Mr. VINCENT]. Most of these men came from Michigan and from California, and it is manifestly unfair that we take care of the men who were injured in France in line of duty if we do not give the same treatment to those who were forced to fight in Russia long after the war.

The amendment was agreed to.

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

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NOLAN: Amend by striking out everything after the word "however," in line 17, page 18, up to and including the word "month," in line 1 on page 19, and inserting in lieu thereof the following:

"That the permanent loss of the use of one foot, or one hand, or one eye, or the organic loss of speech, or the loss of hearing of both ears, shall be deemed to be total, permanent disability: *Provided further,* That the permanent loss of the use of both feet, or both hands, or both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or becoming permanently helpless, or permanently bedridden, shall be deemed to be double total, permanent disability."

Mr. NOLAN. Mr. Chairman, in offering this amendment I do so on behalf of a group of ex-service men who are not considerable in number and who may possibly be overlooked. They are not a group of men who are in a position to always speak for themselves, and these are the men who wear the badge of honorable and heroic service in the fact they are battle casualties, men who have lost their limbs or their eyesight on behalf of their country.

The amendment simply provides that the men who have lost one arm or the use of one arm or of one foot or of one leg or of one eye be compensated as permanently disabled, and those who have lost two limbs or both eyes or an eye and a limb be compensated as double-permanent disability at $200 a month.

I offer this amendment for your consideration. It has been before the committee in the form of a bill introduced by myself. I feel it is just and fair to these men who are entitled to this consideration and that the people of the Nation as a whole feel that anything that is done for the men who have made such a sacrifice upon the actual field of battle as these men have made ought to have our very generous consideration.

Mr. CONNERY. Will the gentleman yield?

Mr. NOLAN. Yes.

Mr. CONNERY. I am in sympathy with the gentleman's amendment and I would like the gentleman to allow me to ask the chairman of the committee in his time whether it would cost very much if we put through the amendment.

Mr. JOHNSON of South Dakota. In my judgment, this would put the compensation rates out of line. I have always thought that battle casualties ought to get more than some others where there is any question about it, and if the gentleman will look on page 20, line 18, he will see we give these men compensation of $25 a month added to everything they now receive, because they are battle casualties. I think the provision is fair as it is now in the proposed law.

Mr. NOLAN. Mr. Chairman, in this connection I will say that the present basis of compensation upon which these men are compensated is based upon their earning capacity before they went into the service. This has been changed considerably and this is merely an amendment to provide that every man who made this sacrifice shall be entitled to the same consideration.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. NOLAN].

The question was taken; and on a division (demanded by Mr. NOLAN) there were—ayes 17, noes 38.

So the amendment was rejected.

Mr. KVALE. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 20, line 23, after the word "act," insert a new paragraph to read as follows:

"There shall be paid to any person who is determined by diagnosis to be a constitutional psychopathic, inferiority state, a minimum of" and insert in lieu thereof the following: "Compensation of $25 per month: *Provided, however,* That in the event that payments of compensation for any veteran shall equal or exceed this amount, this provision shall be imperative."

Mr. KVALE. That will take care of a small group which have been left out of consideration for 10 years. It proposes to give them minimum compensation of $25 a month, and I do not think it will involve an expenditure of but a very small amount. I discussed this rather fully during the course of my remarks yesterday, and gave notice then that I would offer it to-day. For that reason I shall take no more time now. This amendment needs to be adopted.

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

The question was taken, and the amendment was rejected.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 13. That subdivision (7) of section 202 of the World War veterans' act, 1924, as amended (secs. 480, 481, title 38, U. S. C.), be hereby amended to read as follows:

"(7) Where any disabled person having neither wife, child, nor dependent parent shall, after July 1, 1924, have been maintained by the Government of the United States for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be $20 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however,* That in any case where the estate of such veteran derived from funds paid under the war risk insurance act, as amended, and/or the World War veterans' act, 1924, as amended, equals or exceeds $3,000, payment of the $20 per month shall be discontinued until the estate is reduced to $3,000: *Provided further,* That if such person shall recover his reason and shall be discharged from such institution as competent, such additional sum shall be paid him as would equal the total sum by which his compensation has been reduced or discontinued through the provisions of this subdivision.

"All or any part of the compensation of any mentally incompetent inmate of an institution may, in the discretion of the director, be paid to the chief officer of said institution to be properly accounted for and to be used for the benefit of such inmate, or may, in the discretion of the director, be apportioned to wife, child, or children, or dependent parents in accordance with regulations.

"That any ex-service person shown to have had a tuberculous disease of service origin, whether active or otherwise, shall receive compensation of not less than $50 per month: *Provided, however,* That nothing in this provision shall deny a beneficiary the right to receive a temporary total rating for six months after discharge from a one year's period of hospitalization: *Provided further,* That no payments under this provision shall be retroactive, and the payments hereunder shall commence from the date of the passage of this amendatory act or the date the disease reaches a condition of arrest, whichever be the later date.

"The director is hereby authorized and directed to insert in the rating schedule a minimum rating of permanent partial 25 per cent for arrested or apparently cured tuberculosis."

Mr. FISH. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

Page 24, line 2, add a new paragraph to read as follows:

"That the veterans hospitalized under the provisions of the World War veterans' act as amended shall be paid a hospital allowance in addition to any other benefits to which they may be entitled at the rate of $8 per month during the period of hospitalization in the event they certify that they are financially in need, unless they are entitled to compensation or pension equal to or in excess of that amount."

Mr. FISH. Mr. Chairman and gentlemen, my proposal is not in conflict with the Rankin amendment or the Connery amendment. If these veterans are entitled to compensation under the Rankin or the Connery amendment it does not apply. But if, on the other hand, they are not entitled to compensation under those amendments then they would receive $8 a month during the period of hospitalization.

The fact is that many of these veterans are virtually paupers and have not got money enough to pay for postage stamps, cigarettes, or to telephone home. I am asking you as a wholesome thing, for the benefit of decent administration of the Government bureau of hospitals, to adopt this amendment providing for $8 a month for uncompensated veterans during hospitalization, and it will cease immediately after the hospitalization is over.

Mr. RANKIN. Does this apply to those in the soldiers' homes?

Mr. FISH. No; only to those in the Veterans' Bureau hospitals. The reason for offering the amendment is to relieve a very unhealthy situation in the hospitals where some of these boys are receiving compensation and others receive none, and as a result there is a good deal of discontent and dissatisfaction.

Mr. SCHAFER of Wisconsin. How about these boys that are suffering disabilities in the national homes?

Mr. FISH. I am willing to accept such an amendment.

Mr. RANKIN. All the gentleman needs to say is to include the soldiers' homes.

Mr. FISH. I am perfectly willing to modify my amendment, if necessary, but this includes all the gentleman wants, because it reads "during the period of hospitalization," so that that includes all Government hospitals.

Mr. LUCE. Mr. Chairman, this amendment would mean the payment of spending money of between $2,000,000 and $2,500,000.

Mr. FISH. Mr. Chairman, will the gentleman yield there before he goes further?

Mr. LUCE. Yes.

Mr. FISH. General Hines informed me in writing that my amendment would cost $800,000 a year and not $2,000,000.

Mr. LUCE. There are in hospitals at this moment about 14,000 noncompensated cases which, at $8 a month, amounts to $1,344,000. Acceptance of an amendment by the gentleman adding the soldiers' homes will put the total payment under this provision up to the same $2,000,000 and $2,500,000.

Mr. FISH. But I do not accept that amendment.

Mr. RANKIN. If this bill, the Johnson bill, passes the House with either the Rankin or the Connery amendment, there will be very few men that will come under this amendment, for the reason that they will be compensated.

Mr. FISH. If these amendments go through, my amendment will not cost more than $100,000.

Mr. LUCE. The gentleman is quite mistaken if he supposes the effect of either the Johnson bill or the Rankin bill will be to eliminate nonservice-connected cases, hospitals.

Mr. RANKIN. But these men will be compensated, and the Fish amendment applies to only those not drawing compensation.

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

The question was taken; and on a division (demanded by Mr. FISH) there were—ayes 64, noes 53.

So the amendment was agreed to.

Mr. KVALE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KVALE: Page 24, line 2, after the word "Navy," insert a new section, to read as follows:

"SEC. 15. That the first paragraph of subdivision (3), section 202, of the World War veterans' act, 1924, as amended, is hereby amended to read as follows:

"'(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month if the disabled person has neither wife nor child living.

"'(a) If he has a wife but no child living, $110 per month.

"'(b) If he has a wife and one child living, $115 per month, and $5 for each additional child.

"'(c) If he has no wife and one child living, $110 a month, with $5 additional for each child.

"'(d) If he has a mother or father, either or both dependent on him for support, then, in addition to the above amounts, $10 for each parent so dependent: *Provided*, That the status of dependency shall be determined as of the first day of each year, and the director is authorized to require the submission of such proof of dependency as he, in his discretion, deems necessary: *Provided further*, That upon refusal or neglect of the claimant to supply such proof of dependency in a reasonable time, the payment of such additional compensation as herein provided shall be suspended or discontinued.

"'(e) If and while the disability is rated as partial and permanent, the monthly compensation shall be a percentage of the compensation that would be payable for his total and permanent disability, equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than 10 per cent: *Provided, however*, That the permanent loss of the use of both feet or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or the organic loss of speech, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further*, That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *Provided further*, That for double total permanent disability the rate of compensation shall be $200 per month.'"

Mr. KVALE. Mr. Chairman, the purpose of my amendment is to extend allowances for dependents to permanently disabled as well as to those temporarily disabled. That has always been an inequality in the law and no satisfactory explanation has been given for it. I submit the amendment to cure that and ask its adoption.

Mr. JOHNSON of South Dakota. Mr. Chairman, this is merely an attempt to further increase the pensions which under the law as it is now will be in some cases $250 a month. It further gets the bill out of line.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The amendment was rejected.

The Clerk read as follows:

SEC. 18. That section 210 of the World War veterans' act, 1924, as amended (sec. 499, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 210. That no compensation shall be payable for any period more than one year prior to the date of claim therefor, nor shall increased compensation be awarded to revert back more than six months prior to the date of claim therefor: *Provided*, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924. Except in case of fraud participated in by the beneficiary, no reduction in compensation shall be made retroactive. This section, as amended, shall be effective as of June 7, 1924."

Mr. TARVER. Mr. Chairman, I move to strike out the last word. In the course of the discussion relative to this bill I have thought it important that the legislative construction of the proviso contained in section 18 should be made clear. For that reason, heretofore, on April 8, I inserted in the RECORD certain correspondence with the Director of the Veterans' Bureau concerning his construction of the existing law and a new rule modifying his former construction, and subsequently propounded certain questions to the chairman of the committee in the course of the debate. The part of the proviso to which I refer reads as follows:

Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924.

The question at issue is whether or not that proviso should be construed to apply to the payment of compensation to men whose rights accrued under the original war risk insurance act, who filed claims under that act, but who were not able to submit their proof until after June 7. It is not the opinion of the director nor of the chairman of the committee that the proviso applies to them. In connection with the general proposition involved, I ask unanimous consent to insert in the RECORD a letter from the director of the bureau giving his construction of the effect of this proviso, which must be considered in connection with the correspondence and rule referred to, appearing on page 6719 of the RECORD.

The CHAIRMAN. Without objection, it will be so ordered.

There was no objection.

The letter referred to is as follows:

UNITED STATES VETERAN'S BUREAU,
Washington, April 14, 1930.

Hon. M. C. TARVER,
House of Representatives, Washington, D. C.

MY DEAR MR. TARVER: Reference is made to your letter of April 8, 1930, relative to the recent modification of the bureau precedents relating to retroactive payments of compensation under the war risk insurance act, as amended, and the World War veterans' act, as amended. You inquire whether section 18 of H. R. 10381, which is now pending before the Committee of the Whole House on the state of the Union, will in any way affect the ruling referred to.

Section 18 of H. R. 10381 reads as follows, the italic showing the amendatory language:

"That no compensation shall be payable for any period more than one year prior to the date of claim therefor, nor shall increased compensation be awarded to revert back more than six months prior to the date of claim therefor: *Provided, That nothing herein shall be construed to permit the payment of compensation under the World War veterans' act, as amended, for any period prior to June 7, 1924. Except in case of fraud participated in by the beneficiary, no reduction in compensation shall be made retroactive. This section, as amended, shall be effective as of June 7, 1924.*"

In reply to your inquiry, you are advised that it is my opinion that this amendment will not, in any way, affect the ruling in cases similar to the case of Eugene T. Tracy, C-1121137. It will, however, as explained in the report of the committee (Report No. 874) place the stamp of approval on the interpretation of the World War veterans' act, 1924, by the bureau to the effect that in cases first brought within the purview of the law by the act of June 7, 1924, no compensation may be paid for any period prior to that date.

A copy of this letter is inclosed for your use.

Very truly yours,

FRANK T. HINES, *Director.*

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

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Florida.

The Clerk read as follows:

Amendment offered by Mr. GREEN: Page 26, line 16, after the period, add: "*Provided*, That in the case of the death, from any cause, of any person receiving compensation under section 202, compensation shall be payable, without regard to the provisions of section 206, to the dependents of such person in the same manner and to the same extent and subject to the same conditions and limitations as if the death of such person resulted from injury incurred in the military or naval service after April 6, 1917, and before July 2, 1921."

Mr. GREEN. Mr. Chairman and fellow Members, I would particularly like to have the attention of the members of the committee relative to the adoption of this amendment.

Under existing law it is possible for a World War veteran who has a wife and three children dependent upon him to draw, say, $50 a month compensation. Of that amount possibly $30 is paid to him; the other $20 is paid on account of his dependents. If this veteran dies in consequence of a disability other than that for which he is compensated his dependents will not receive compensation or even the allowance previously received.

I know of a veteran who received $50 a month, who had a wife and four children. He died. After his death his widow came to me and asked what she would receive from the Government. She asked if she would still receive the $50 per month, or if she would continue to draw $20 a month as heretofore. Of course, under existing law she was not entitled to compensation. This amendment will take care of such cases and should not take additional amount from the Treasury beyond that already provided. The compensation is paid to the veteran on account of his disability. The allowance will be made if the veteran lives, but if the veteran should die there is no additional burden placed upon the Treasury, and the expenditure will not be enlarged; but this amendment will carry relief to the veteran's children and dependent wife after his death.

Funds are appropriated to provide his own compensation and for his dependents during his lifetime, therefore no additional burden would be placed upon the Treasury by adoption of the amendment, but its adoption will carry continued relief where it is sorely needed. If a soldier's dependents need allotment during his lifetime surely it is needed worse immediately after his death. I hope the amendment will be adopted.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. GREEN. Mr. Chairman, I ask for a division.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 7, noes 41.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 20. That a new section be added to Title II of the World War veterans' act, 1924, as amended (sec. —, title 38, U. S. C.), to be known as section 214, and to read as follows:

"SEC. 214. Where an incompetent veteran receiving disability compensation under the provisions of this act disappears, the director, in his discretion, may pay to the wife, child, or children of such veteran the amount of compensation provided in section 201 of the World War veterans' act, 1924, as amended, for dependents of veterans."

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

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Page 26, line 13, strike out the words "wife, child, or children" and insert the word "dependents."

Mr. HANCOCK. Mr. Chairman, this amendment simply extends the benefit of the law to the dependent mothers and fathers. It is consistent with the policy of the law and with the intention of the committee. It was omitted by oversight. I will ask the chairman of the committee if he will accept that amendment?

Mr. JOHNSON of South Dakota. I shall be glad to accept it. It is a matter of equity.

Mr. LAGUARDIA. It will not go to the grandaunts, will it?

Mr. HANCOCK. No.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 23. That section 307 of the World War veterans' act, 1924, as amended (sec. 518, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 307. All contracts or policies of insurance heretofore or hereafter issued, reinstated, or converted shall be incontestable from the date of issuance, reinstatement, or conversion, except for fraud, nonpayment of premiums, or on the ground that the applicant was not a member of the military or naval forces of the United States, and subject to the provisions of section 23: *Provided*, That the insured under such contract or policy may, without prejudicing his rights, elect to make claim to the bureau or to bring suit under section 19 of this act on any prior contract or policy and, if found entitled thereto, shall, upon surrender of any subsequent contract or policy, be entitled to payments under the prior contract or policy: *Provided further*, That this section shall be deemed to be effective as of April 6, 1917, and applicable from that date to all contracts or policies of insurance."

Mr. JONES of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES of Texas: Page 29, line 9, after the word "policy," insert the following:

"Such suit may be brought either as an original action or by alternative plea in the same suit with the subsequent contract or policy, but recovery shall not be had on both such contracts or policies."

Mr. JOHNSON of South Dakota. Mr. Chairman, we accept that amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 24. That section 311 of the World War veterans' act, 1924, as amended (sec. 512b, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 311. The director is hereby authorized and directed to include in United States Government life (converted) insurance policies provision whereby an insured, who is totally disabled as a result of disease or injury for a period of four consecutive months or more before attaining the age of 65 years and before default in payment of any premium, shall be paid disability benefits at the rate of $5.75 monthly for each $1,000 of converted insurance in force when total disability benefits become payable. The amount of such monthly payment under the provisions of this section shall not be reduced because of payment of permanent and total disability benefits under the United States Government life (converted) insurance policy. Such payments shall be effective as of the first day of the fifth consecutive month, and shall be made monthly during the continuance of such total disability. Such payments shall be concurrent with or independent of permanent total disability benefits under the United States Government life (converted) insurance policy. In addition to the monthly disability benefits the payment of premiums on the United States Government life (converted) insurance policy and for the total disability benefits authorized by this section shall be waived during the continuance of such total disability. Regulations shall provide for reexaminations of beneficiaries under this section; and, in the event that it is found that an insured is no longer totally disabled, the waiver of premiums and payment of benefits shall cease and the United States Government life (converted) insurance policy, including the total disability provision authorized by this section, may be continued by payment of premiums as provided in said policy and the total disability provision authorized by this section. Neither the dividends nor the amount payable in any settlement under any United States Government life (converted) insurance policy shall be decreased because of disability benefits granted under the provisions of this section. The payment of total disability benefits shall not prejudice the right of any insured, who is totally and permanently disabled to total permanent disability benefits under his United States Government life (converted) insurance policy: *Provided*, That the provision authorized by this section shall not be included in any United States Government life (converted) insurance policy heretofore or hereafter issued, except upon application, payment of premium by the insured, and proof of good health satisfactory to the director. The benefits granted under this section shall be on the basis of multiples of $500, and not less than $1,000 or more than the amount of United States Government life (converted) insurance in force at time of application. The director shall determine the amount of the monthly premium to cover the benefits of this section, and in order to continue such benefits in force the monthly premiums shall be payable until the insured attains the age of 65 years or until the prior maturity of the policy. In all other respects such monthly premium shall be payable under the same terms and conditions as the regular monthly premium on the United States Government life (converted) insurance policy."

Mr. DENISON. Mr. Chairman, I move to strike out the word "policy" in the last sentence.

The CHAIRMAN. The Clerk will report the pro forma amendment offered by the gentleman from Illinois.

The Clerk read as follows:

Amendment offered by Mr. DENISON: Page 31, line 22, strike out the word "policy."

Mr. DENISON. Ladies and gentlemen of the committee, I have risen for the purpose of making a brief statement before the vote on the bill is taken, or, rather, as the gentleman from Missouri said, just to make a few observations.

It has been stated several times that this is the first time a bill for veterans' relief has been considered under the general rules of the House, so that it would be subject to amendment on the floor of the House. Heretofore, if I remember correctly, every bill that has been considered for the relief of World War veterans has been considered under suspension of the rules, so that the bill was not open to amendment on the floor of the House. The Veterans' Committee, the Rules Committee, and the steering committee of the House have been subjected to criticism from various sources because we have always considered this kind of legislation under suspension of the rules, not allowing amendments to be offered on the floor of the House.

I think the proceedings in the House to-day have shown the wisdom of that course, and if it has done no other good it will show the American Legion and their friends over the country that legislation of this kind can not wisely be written on the floor of the House. [Applause.] Every paragraph of legislation of this kind ought to be carefully considered by the committee, which has made a special study of the matter, before it is considered in the House. There have been very important amendments to this bill offered and defeated to-day that were meritorious, and, perhaps, after having been considered by the committee and reported to the House, would have been accepted and should have been accepted. On the other hand, there have been a number of amendments offered and accepted without careful consideration, and the Members of the House, in the confusion, could not tell what they contained.

The bill as now amended contains important provisions that many of the Members of the House do not understand, because it has been impossible to even know what they contained in the confusion of the debate.

As far as I am concerned, I am glad the bill has this time been considered in this way in order that our friends in the American Legion may know that if legislation of this kind is ever again considered on the floor of the House, subject to amendment, we will not get the kind of legislation that should be passed. We have loaded this bill down with amendments to-day, which, of course, will result in the bill not being approved by the President, if it is approved by the Senate. We have made no progress. We have done the veterans no good, and some day the ex-service men will learn that those who make the most noise here, who talk the loudest, and who load bills of this kind down with impossible amendments are not their best friends.

Mr. RANKIN. Will the gentleman yield?

Mr. DENISON. No. I intend to speak for only five minutes, and then I am through. My friend from Mississippi [Mr. RANKIN] has been talking most of the day. I simply want to make this further observation, that we are not doing the unfortunate ex-service men any real service by considering legislation for their relief under the general rules of the House and loading it down with political amendments which everyone knows will not be approved by the President, nor bring any relief to those who need relief quickly.

I hope the gentleman from South Dakota [Mr. JOHNSON] will make a motion to recommit the bill with instructions to bring back the Johnson bill and let us pass it.

Now, let us see what has been done to the bill by the adoption of the Rankin and Connery amendments. Every man who entered the Army between the declaration of war in April, 1917, and the declaration of peace in 1921, and who becomes disabled by illness of any kind before January 1, 1930, 12 years after the armistice, will be entitled to the presumption that his illness and disability were caused by his military service, and will be entitled to compensation, which, with the cost of hospitalization, will amount to from $200 to $250 per month in some cases.

I venture the estimate that this bill as it has now been amended will add additional burdens to the taxpayers of the country amounting to over $300,000,000 a year.

Now, the ex-service men do not ask for that. The American Legion has not asked for it. The Johnson bill as it was reported to the House would have dealt fairly and generously with the ex-service men by treating them all alike and giving relief where relief is most needed.

If anyone thinks the bill with these amendments will be approved by the President, he does not know the President, in my humble judgment. The President will have some regard for the Public Treasury and the taxpayers of the country if Congress will not, and he will veto this bill.

We can not pass it over his veto. Then what have we accomplished? Why, we will have given those who are disposed to play politics with the ex-service men an opportunity to do so, and we will have given the ex-service men no relief.

I want to give the deserving and suffering veterans as much relief as I can. I want to pass a bill that will be approved by the President and become a law. I had hoped we could pass the Johnson bill.

I shall vote for the motion to recommit the bill in order that we can have a bill the President would approve.

If the motion to recommit is defeated I will vote for the bill with the hope that the Senate will rewrite it and make it something near what it should be. If the Senate should pass the bill as the House has amended it, I shall urge the House leaders to hold Congress in session until we can again consider and pass some other bill that will meet the approval of the President and give substantial relief to the ex-service men who are now needing relief so seriously.

The CHAIRMAN. Does the gentleman from Illinois withdraw his amendment?

Mr. DENISON. Yes; I withdraw my pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word.

I would like to say to the excited gentleman from Illinois [Mr. DENISON] that he is mistaken if he thinks we have not a splendid bill for the benefit of the veterans. He appears to dread a veto a great deal more now than when he voted to pass the so-called emergency officers' retirement bill over the veto of President Coolidge, and to put men on the rolls at $200 to $350 a month for life, whether they recover from their disabilities or not, and now opposes a bill to take care of the disabled men in the rank and file. The gentleman from Illinois [Mr. DENISON] need not get excited. We will pass this bill, and if the President vetoes it, we can pass it over his veto, as the gentleman helped to do with the so-called emergency officers' retirement bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 25. This amendment shall not affect rights which have accrued under the World War veterans' act, 1924, as amended, prior to the approval of this amendatory act, but all such rights shall continue and may be enforced in the same manner as if said amendatory act had not been approved.

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

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FISH: Amend by adding a new section, as follows:

"SEC. 26. Under the provisions of sections 581 and 582, Title XXXVIII, United States Code, provisional officers shall be included as persons eligible if otherwise found entitled, but no provisional officer shall be entitled to benefits by reason of this amendment except he make application and his application is received in the United States Veterans' Bureau within 12 months after the passage of this amendatory act."

Mr. RANKIN. Mr. Chairman, I make the point of order that this amendment is not germane to the bill.

The CHAIRMAN. The Chair sustains the point of order.

Mr. FISH. Mr. Chairman, I will not debate the point of order.

The CHAIRMAN. The gentleman concedes the point of order, as the Chair understands?

Mr. FISH. Yes. I would like to have one minute to explain the amendment.

The CHAIRMAN. The gentleman from New York moves to strike out the last word, and is recognized for one minute.

Mr. FISH. Mr. Chairman, I admit this amendment is clearly out of order. There is no question about that; but I am sorry that anyone saw fit to raise an objection against it. However, it served to call the attention of the committee to the plight of the provisional officers who are not included under any provision of the World War veterans' act or under the emergency officers' retirement act. I particularly want to call attention to the Cochran amendment, and if it is in order I propose to ask for a separate vote on that amendment. The Cochran amendment is an absolute absurdity in this bill. It does not permit the Veterans' Bureau to refute any of the evidence in cases under the presumptive provisions of the law. It should never

have been allowed to creep into the bill, and opens the road for an almost unlimited raid on the Treasury.

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

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last two words. Mr. Chairman, ladies and gentlemen of the committee, in five minutes we are going to vote on this bill. [Applause.] I intend to offer a motion to recommit. [Applause.] If the motion to recommit is not adopted, I intend to vote against the bill.

The bill as it is amended provides a straight pension of as much, in some cases, as $265 a month for men who did not enlist until three years after the war and received their disability in 1929.

No President of the United States can sign any such bill. I shall offer a motion to recommit, which, if adopted, will take care of the service men of this country with a degree of equality. It will provide that where an ex-service man is shown to have a disability of 25 per cent or more, in accordance with the provisions of section 202 of the law, and has been denied service connection for any and all disabilities from which he is suffering and whose annual income from all sources for the year next preceding the passage of this act, or date of application, whichever is the later date, did not exceed $1,000, shall be entitled to compensation for such disability; that is, nonservice disability, in an amount equal to 50 per cent of that which would be payable if such disability had been incurred in or aggravated by the service, without any allowance for dependents. No retroactive payments shall be made, and payments shall only continue for three years following the approval of the act or until such time as we can have a survey made and decide upon a permanent policy. During any period of hospitalization by the Government—which will cost the Government $120 a month in addition to what the veteran now receives—the amount of compensation payable may be apportioned to a wife, child, or children. This provision will cost approximately $40,000,000 a year. It will provide that any service man in the United States who has a 25 per cent disability will be able to receive this pension—and that is all it is—for total disability up to the amount of $50 a month.

Now, you must meet this situation in this way or the President is going to veto the bill. If the motion to recommit is adopted, it will give them something; if not, the responsibility will be yours, because without this bill they will receive nothing. I shall make that as a motion to recommit.

Mr. RANKIN. Mr. Chairman, I move to strike out the last paragraph. In reply to the gentleman from South Dakota I desire to say that he keeps repeating that this bill will put men on the roll at $250 or $265 a month. As a matter of fact, the Director of the Veterans' Bureau said before the committee that the average compensation is about $43 a month. That is what these men will get, and those you put on the roll by this bill, as amended, would not receive any more money than they would under the original Johnson bill.

Mr. HUDSON. That is the average.

Mr. RANKIN. The average is about $43 a month, as I said.

Now, as to the gentleman's suggestion that he proposes to offer a motion to recommit. We just voted down such a proposition by an overwhelming vote. There may be some amendments in this bill which ought to be corrected, but there is another body at the other end of the Capitol also interested in these veterans. Then we will have a conference, and those distinguished-looking gentlemen over there at the table, the gentleman from New Jersey [Mr. PERKINS] and the gentleman from South Dakota [Mr. JOHNSON], will probably be two of the conferees, and they will have two-thirds of the vote of the conferees on the part of the House. I submit it is not necessary to recommit this bill to the committee. If that is done, we are likely to bring out the Rankin bill and you would have to vote on it without being bothered with the Johnson bill.

The pro forma amendments were withdrawn.

The CHAIRMAN. If there are no further amendments to be offered, under the rule the committee automatically rises and reports the bill back to the House with the amendments that have been adopted.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MAPES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, pursuant to House Resolution 205, had had under consideration the bill H. R. 10381, and that he reported the same back to the House with sundry amendments.

The SPEAKER. Under the rule, the previous question is ordered. Is a separate vote demanded on any amendment?

Mr. FISH Mr. Speaker, I ask for a separate vote on the Cochran amendment.

Mr. STAFFORD. There is no such amendment, Mr. Speaker.

The SPEAKER. The Chair understands that the so-called Cochran amendment was incorporated as a part of the so-called Rankin amendment, and therefore is not an amendment that can be voted on separately.

The question is on agreeing to the amendments.

The amendments were agreed to.

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

Mr. JOHNSON of South Dakota. Mr. Speaker, I offer a motion to recommit, which is at the Clerk's desk; and to save time I ask unanimous consent that the first two pages of the motion, which are existing law, be not read but that the new matter, commencing with the words "*Provided further*" on the last page of the amendment, be read:

Mr. RANKIN. We will agree to not read any of it.

Mr. JOHNSON of South Dakota. I would like to have the new language read.

The SPEAKER. The gentleman from South Dakota offers a motion to recommit and asks unanimous consent that the part which is existing law be omitted from the reading and only the new matter read. Is there objection? [After a pause.] The Chair hears none, and the Clerk will read.

The Clerk read the matter referred to.

The entire motion to recommit is as follows:

Mr. JOHNSON of South Dakota moves to recommit the bill, H. R. 10381, to the Committee on World War Veterans' Legislation with instructions to report the same to the House at once with the following amendments:

Strike out section 10 of the bill and insert in lieu thereof the following:

"SEC. 10. That section 200 of the World War veterans' act, 1924, as amended (sec. 471, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered or contracted in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female), or of the Navy Nurse Corps (female), or women citizens of the United States who were taken from the United States by the United States Government and who served in base hospitals overseas, or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, or blindness shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this act every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease and spinal meningitis, an active tuberculosis disease, paralysis agitans, encephalitis lethargica, or amœbic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section 202 of this act, shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease and spinal meningitis, tuberculosis, paralysis agitans, encephalitis lethargica, or amœbic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculosis disease and spinal meningitis, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the

provisions of subdivision (4) of sec. 202 of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim: *Provided further*, That where an ex-service man is shown to have a disability of 25 per cent or more, in accordance with the provisions of subdivision (4) of section 202 of this act, and has been denied service connection for any and all disabilities from which he is suffering, and whose annual income from all sources for the year next preceding the passage of this amendatory act, or date of application, whichever is the later date, did not exceed $1,000, shall be entitled to compensation for such disability in an amount equal to 50 per cent of that which would be payable if such disability had been incurred in or aggravated by the service, without any allowance for dependents. No retroactive payments shall be made under this proviso, and payments shall continue for not more than three years following its approval. During any period of hospitalization by the Government, the amount of compensation payable may be apportioned to a wife, child, or children."

On page 23, section 14, of the bill, strike out lines 5 to 21 inclusive.

The SPEAKER. The question is on the motion of the gentleman from South Dakota [Mr. JOHNSON] to recommit the bill with instructions.

Mr. JOHNSON of South Dakota. On that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 230, not voting 53, as follows:

[Roll No. 26]

YEAS—145

Ackerman	De Priest	Jenkins	Shaffer, Va.
Adkins	Eaton, Colo.	Johnson, Nebr.	Short, Mo.
Aldrich	Elliott	Johnson, S. Dak.	Simmons
Allen	Ellis	Johnson, Wash.	Simms
Andrew	Fenn	Johnston, Mo.	Sloan
Arentz	Fish	Kahn	Snell
Ayres	Fitzgerald	Kearns	Snow
Bacon	Fort	Ketcham	Sparks
Baird	Foss	Lambertson	Speaks
Barbour	Frear	Lankford, Va.	Sproul, Ill.
Beedy	Free	Letts	Sproul, Kans.
Bohn	Freeman	Luce	Stafford
Bolton	French	McCormick, Ill.	Stalker
Bowman	Garber, Okla.	McLaughlin	Stobbs
Brand, Ohio	Garber, Va.	Mapes	Strong, Kans.
Brigham	Garner	Martin	Summers, Wash.
Buckbee	Gibson	Merritt	Taber
Burdick	Gifford	Michener	Temple
Burtness	Graham	Miller	Thatcher
Butler	Guyer	Moore, Ohio	Tilson
Cable	Hadley	Nelson, Me.	Timberlake
Campbell, Iowa	Hale	Niedringhaus	Treadway
Campbell, Pa.	Hall, Ill.	O'Connor, Okla.	Underhill
Christopherson	Hall, Ind.	Palmer	Vestal
Clague	Hall, N. Dak.	Parker	Vincent, Mich.
Clarke, N. Y.	Hancock	Perkins	Wainwright
Cole	Hardy	Pratt, Harcourt J.	Wason
Colton	Hawley	Pratt, Ruth	Watres
Coyle	Hess	Purnell	Watson
Cramton	Hickey	Ramey, Frank M.	Williamson
Crowther	Hoch	Ramseyer	Wolverton, W. Va.
Culkin	Hogg	Ransley	Wood
Dallinger	Holaday	Reed, N. Y.	Woodruff
Darrow	Hooper	Rogers	Yates
Davenport	Hope	Sanders, N. Y.	
Dempsey	Hudson	Seger	
Denison	Hull, Morton D.	Seiberling	

NAYS—230

Abernethy	Connolly	Gavagan	Kincheloe
Allgood	Cooke	Glover	Kinzer
Almon	Cooper, Ohio	Golder	Knutson
Andresen	Cooper, Tenn.	Goldsborough	Kopp
Arnold	Cooper, Wis.	Goodwin	Korell
Aswell	Corning	Granfield	Kunz
Auf der Heide	Cox	Green	Kurtz
Bankhead	Craddock	Greenwood	Kvale
Beers	Crail	Gregory	LaGuardia
Bell	Crisp	Griffin	Lampert
Black	Cross	Hall, Miss.	Langley
Blackburn	Crosser	Halsey	Lanham
Bland	Cullen	Hammer	Lankford, Ga.
Bloom	DeRouen	Hartley	Larsen
Box	Dickstein	Hastings	Lea
Boylan	Dominick	Haugen	Leech
Brand, Ga.	Doughton	Hill, Ala.	Lindsay
Briggs	Douglass, Mass.	Hill, Wash.	Linthicum
Browne	Doutrich	Hoffman	Lozier
Brumm	Dowell	Howard	Ludlow
Brunner	Doxey	Huddleston	McClintock, Ohio
Buchanan	Drane	Hull, William E.	McCormack, Mass.
Busby	Drewry	Hull, Tenn.	McDuffie
Canfield	Driver	Hull, Wis.	McFadden
Cannon	Dunbar	Igoe	McLeod
Carley	Dyer	Irwin	McReynolds
Carter, Calif.	Edwards	Jeffers	McSwain
Carter, Wyo.	Englebright	Johnson, Ind.	Maas
Cartwright	Eslick	Johnson, Okla.	Manlove
Chalmers	Estep	Jonas, N. C.	Mansfield
Chase	Esterly	Jones, Tex.	Mead
Christgau	Evans, Calif.	Kelly	Michaelson
Clancy	Evans, Mont.	Kemp	Milligan
Clark, Md.	Finley	Kendall, Ky.	Montague
Clark, N. C.	Fisher	Kendall, Pa.	Montet
Cochran, Mo.	Fitzpatrick	Kennedy	Mooney
Cochran, Pa.	Fuller	Kerr	Moore, Ky.
Collier	Gambrill	Kiefner	Moore, Va.
Connery	Gasque	Kiess	Morehead
Morgan	Pittenger	Schneider	Turpin
Mouser	Porter	Sears	Underwood
Murphy	Pou	Selvig	Vinson, Ga.
Nelson, Mo.	Prall	Shott, W. Va.	Walker
Nelson, Wis.	Pritchard	Sinclair	Warren
Nolan	Quayle	Sirovich	Welch, Calif.
Norton	Quin	Somers, N. Y.	Welsh, Pa.
O'Connell, N. Y.	Ragon	Stone	Whitley
O'Connor, La.	Ramspeck	Strong, Pa.	Whittington
O'Connor, N. Y.	Rankin	Sullivan, N. Y.	Williams
Oldfield	Rayburn	Sullivan, Pa.	Wilson
Oliver, Ala.	Reece	Sumners, Tex.	Wingo
Oliver, N. Y.	Robinson	Swanson	Wolfenden
Owen	Romjue	Swick	Wolverton, N. J.
Palmisano	Rutherford	Swing	Woodrum
Parks	Sabath	Tarver	Wright
Patman	Sanders, Tex.	Taylor, Tenn.	Yon
Patterson	Sandlin	Thompson	
Peavey	Schafer, Wis.	Thurston	

NOT VOTING—53

Bacharach	Eaton, N. J.	McKeown	Stedman
Bachmann	Fulmer	McMillan	Stevenson
Beck	Garrett	Magrady	Taylor, Colo.
Britten	Hare	Menges	Tinkham
Browning	Hopkins	Newhall	Tucker
Byrns	Houston, Del.	O'Connell, R. I.	White
Celler	Hudspeth	Rainey, Henry T.	Whitehead
Chindblom	James	Reid, Ill.	Wigglesworth
Collins	Johnson, Ill.	Rowbottom	Wurzbach
Curry	Johnson, Tex.	Shreve	Wyant
Davis	Kading	Smith, Idaho	Zihlman
Dickinson	Leavitt	Smith, W. Va.	
Douglas, Ariz.	Lehlbach	Spearing	
Doyle	McClintic, Okla.	Steagall	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Houston of Delaware (for) with Mr. Shreve (against).
Mr. Lehlbach (for) with Mr. Wyant (against).
Mr. Hopkins (for) with Mr. Tucker (against).
Mr. Tinkham (for) with Mr. Menges (against).
Mr. Eaton of New Jersey (for) with Mr. Johnson of Texas (against).

General pairs until further notice:

Mr. James with Mr. Henry T. Rainey.
Mr. Curry with Mr. Garrett.
Mr. Bacharach with Mr. Byrns.
Mr. Kading with Mr. Hare.
Mr. Reed of Illinois with Mr. McKeown.
Mr. Wurzbach with Mr. Steagall.
Mr. Newhall with Mr. Whitehead.
Mr. Britten with Mr. McMillan.
Mr. Beck with Mr. Stevenson.
Mr. Bachmann with Mr. McClintic of Oklahoma.
Mr. Leavitt with Mr. Smith of West Virginia.
Mr. Magrady with Mr. Taylor of Colorado.
Mr. Wigglesworth with Mr. Davis.
Mr. Smith of Idaho with Mr. Browning.
Mr. Zihlman with Mr. Douglas of Arizona.
Mr. Rowbottom with Mr. Collins.
Mr. White with Mr. Fulmer.
Mr. Dickinson with Mr. Celler.
Mr. Johnson of Illinois with Mr. Spearing.
Mr. Chindblom with Mr. Hudspeth.
Mr. O'Connell of Rhode Island with Mr. Steadman.

Mr. CULLEN. Mr. Speaker, my colleague, Mr. CELLER, was present in the House up to 3 o'clock this afternoon. He received a telegram bringing him home on account of the serious illness of his wife. If here he would have voted "no."

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the passage of the bill.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 324, nays 49, not voting 55, as follows:

[Roll No. 27]

YEAS—324

Abernethy	Buchanan	Copper, Ohio	Dyer
Adkins	Buckbee	Cooper, Tenn.	Eaton, N. J.
Allen	Burdick	Cooper, Wis.	Edwards
Allgood	Busby	Corning	Elliott
Almon	Butler	Cox	Ellis
Andresen	Cable	Craddock	Englebright
Arnold	Campbell, Iowa	Crail	Eslick
Aswell	Campbell, Pa.	Cramton	Estep
Auf der Heide	Canfield	Crisp	Esterly
Ayres	Cannon	Cross	Evans, Calif.
Baird	Carley	Crosser	Evans, Mont.
Bankhead	Carter, Calif.	Culkin	Fenn
Barbour	Carter, Wyo.	Cullen	Finley
Beers	Cartwright	Dallinger	Fish
Bell	Chalmers	Darrow	Fisher
Black	Chase	Dempsey	Fitzgerald
Blackburn	Christgau	Denison	Fitzpatrick
Bland	Clague	De Priest	Foss
Bloom	Clancy	DeRouen	Frear
Bohn	Clark, Md.	Dickstein	Free
Bowman	Clark, N. C.	Dominick	Fuller
Box	Clarke, N. Y.	Douglass, Mass.	Gambrill
Boylan	Cochran, Mo.	Doutrich	Garber, Okla.
Brand, Ga.	Cochran, Pa.	Dowell	Garber, Va.
Brand, Ohio	Cole	Doxey	Gasque
Briggs	Collier	Drane	Gavagan
Browne	Connery	Drewry	Gibson
Brumm	Connolly	Driver	Gifford
Brunner	Cooke	Dunbar	Glover

Golder	Kennedy	Murphy	Simms
Goldsborough	Kerr	Nelson, Mo.	Sinclair
Goodwin	Ketcham	Nelson, Wis.	Sirovich
Graham	Kiefner	Niedringhaus	Sloan
Granfield	Kiess	Nolan	Snell
Green	Kincheloe	Norton	Somers, N. Y.
Greenwood	Kinzer	O'Connell, N. Y.	Sparks
Gregory	Kopp	O'Connor, La.	Sproul, Ill.
Griffin	Korell	O'Connor, N. Y.	Sproul, Kans.
Guyer	Kunz	O'Connor, Okla.	Stafford
Hadley	Kurtz	Oldfield	Stalker
Hall, Ill.	Kvale	Oliver, Ala.	Stone
Hall, Ind.	LaGuardia	Oliver, N. Y.	Strong, Pa.
Hall, Miss.	Lampert	Owen	Sullivan, N. Y.
Halsey	Langley	Palmer	Sullivan, Pa.
Hammer	Lanham	Palmisano	Summers, Wash.
Hardy	Lankford, Ga.	Parker	Sumners, Tex.
Hartley	Lankford, Va.	Parks	Swanson
Hastings	Larsen	Patman	Swick
Haugen	Lea	Patterson	Swing
Hawley	Leech	Peavey	Tarver
Hickey	Lindsay	Pittenger	Taylor, Tenn.
Hill, Ala.	Linthicum	Porter	Temple
Hill, Wash.	Lozier	Pou	Thatcher
Hoffman	Ludlow	Prall	Thompson
Hogg	McClintock, Ohio	Pratt, Harcourt J.	Thurston
Holaday	McCormack, Mass.	Pritchard	Timberlake
Hooper	McCormick, Ill.	Quayle	Treadway
Hope	McDuffie	Quin	Turpin
Howard	McFadden	Ragon	Underwood
Huddleston	McLaughlin	Ramey, Frank M.	Vestal
Hudson	McLeod	Ramseyer	Vincent, Mich.
Hull, William E.	McReynolds	Ramspeck	Vinson, Ga.
Hull, Tenn.	Maas	Rankin	Walker
Hull, Wis.	Magrady	Ransley	Warren
Igoe	Manlove	Rayburn	Watres
Irwin	Mansfield	Reece	Watson
Jeffers	Mapes	Reed, N. Y.	Welch, Calif.
Jenkins	Martin	Robinson	Welsh, Pa.
Johnson, Ind.	Mead	Romjue	Whitley
Johnson, Nebr.	Michaelson	Rutherford	Whittington
Johnson, Okla.	Michener	Sabath	Williams
Johnson, Wash.	Miller	Sanders, Tex.	Wilson
Johnston, Mo.	Milligan	Sandlin	Wingo
Jonas, N. C.	Montague	Schafer, Wis.	Wolfenden
Jones, Tex.	Montet	Schneider	Wolverton, N. J.
Kahn	Mooney	Sears	Wolverton, W. Va.
Kearns	Moore, Ky.	Seger	Woodruff
Kelly	Moore, Ohio	Selvig	Woodrum
Kemp	Morehead	Shaffer, Va.	Wright
Kendall, Ky.	Morgan	Short, Mo.	Yates
Kendall, Pa.	Mouser	Shott, W. Va.	Yon

NAYS—49

Ackerman	Eaton, Colo.	Letts	Speaks
Aldrich	Fort	Luce	Stobbs
Andrew	Freeman	Merritt	Strong, Kans.
Arentz	French	Moore, Va.	Taber
Beedy	Garner	Nelson, Me.	Tilson
Bolton	Hale	Perkins	Wainwright
Brigham	Hall, N. Dak.	Pratt, Ruth	Wason
Burtness	Hess	Purnell	Wigglesworth
Christopherson	Hoch	Rogers	Williamson
Colton	Hull, Morton D.	Sanders, N. Y.	Wood
Coyle	Johnson, S. Dak.	Seiberling	
Crowther	Knutson	Simmons	
Davenport	Lambertson	Snow	

NOT VOTING—55

Bacharach	Douglas, Ariz.	Lehlbach	Spearing
Bachmann	Doyle	McClintic, Okla.	Steagall
Bacon	Fulmer	McKeown	Stedman
Beck	Garrett	McMillan	Stevenson
Britten	Hancock	McSwain	Taylor, Colo.
Browning	Hare	Menges	Tinkham
Byrns	Hopkins	Newhall	Tucker
Celler	Houston, Del.	O'Connell, R. I.	Underhill
Chindblom	Hudspeth	Rainey, Henry T.	White
Collins	James	Reid, Ill.	Whitehead
Curry	Johnson, Ill.	Rowbottom	Wurzbach
Davis	Johnson, Tex.	Shreve	Wyant
Dickinson	Kading	Smith, Idaho	Zihlman
Doughton	Leavitt	Smith, W. Va.	

So the bill was passed.

The following additional pairs were announced:

Mr. Bacon (for) with Mr. Hancock (against).

General pairs until further notice:

Mr. James with Mr. Henry T. Rainey.
Mr. Curry with Mr. Garrett.
Mr. Bacharach with Mr. Byrns.
Mr. Kading with Mr. Hare.
Mr. Menges with Mr. McKeown.
Mr. Wurzbach with Mr. Steagall.
Mr. Newhall with Mr. Whitehead.
Mr. Houston with Mr. McMillan.
Mr. Bachmann with Mr. McClintic of Oklahoma.
Mr. Leavitt with Mr. Smith of West Virginia.
Mr. Smith of Idaho with Mr. Browning.
Mr. Beck with Mr. Stevenson.
Mr. Zihlman with Mr. Douglas of Arizona.
Mr. Rowbottom with Mr. Collins.
Mr. White with Mr. Fulmer.
Mr. Dickinson with Mr. Celler.
Mr. Johnson of Illinois with Mr. Spearing.
Mr. Chindblom with Mr. Hudspeth.
Mr. Shreve with Mr. O'Connell of Rhode Island.
Mr. Wyant with Mr. Stedman.
Mr. Hopkins with Mr. Tucker.
Mr. Tinkham with Mr. Johnson of Texas.
Mr. Lehlbach with Mr. Taylor of Colorado.
Mr. Reid of Illinois with Mr. Davis.

Mr. PATMAN. Mr. Speaker, my colleague, Mr. JOHNSON of Texas, who is absent attending the funeral of the late R. Q. Lee, of Texas, has authorized me to state that if he were here he would have voted against the motion to recommit this bill, and would have voted "aye" on the final passage of the bill.

The result of the vote was announced as above recorded.

On motion of Mr. RANKIN, a motion to reconsider the vote whereby the bill was passed was laid on the table.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. STEVENSON, at the request of Mr. DOMINICK, for two weeks, on account of illness in his family.

ORDER OF BUSINESS—THE TARIFF

Mr. GARNER. Mr. Speaker, may I ask the gentleman from Connecticut a question in order that the RECORD may show the situation with reference to the tariff bill? Will the gentleman make a statement about what he expects to do with the conference report on the tariff bill, so that those who examine the RECORD may know what is going to happen with reference to it?

Mr. TILSON. After consultation with the chairman of the Committee on Ways and Means and also with the chairman of the Finance Committee of the Senate, I am of the opinion that it will take until about Tuesday of next week at best before the conference report on the tariff bill will be ready for printing. If this happens as expected, and the bill is ready at that time, it is my purpose to ask that it be called up for consideration on Thursday of next week.

Mr. GARNER. Does the gentleman expect to get through with the conference report on Thursday, Friday, and Saturday of next week?

Mr. TILSON. It is difficult to tell. It is not possible to forecast just how much debate there should be on each amendment.

Mr. GARNER. I say for the RECORD that I would like to see the conference report disposed of at the earliest possible moment.

Mr. TILSON. I think we agree as to that.

Mr. GARNER. With a proper debate upon the conference report in essentials—that is to say, on what we have agreed on and on amendments still to be voted on. If the gentleman would have the House meet at 11 o'clock on Thursday, Friday, and Saturday, it will be possible to get through with the consideration of the conference report on Saturday, and I think that would accommodate the membership of the House; otherwise I think we will have to take it over into the following week.

Mr. TILSON. I think that we ought not to attempt to cross that bridge until we at least approach it, but I shall be glad to consider the suggestion of the gentleman from Texas.

Mr. GARNER. And it is the intention of the gentleman from Connecticut to give us ample opportunity to discuss this matter so that the House may be thoroughly informed?

Mr. TILSON. I think there is no disposition whatever to unreasonably restrict debate. There has not been on any matter, so far as I know, during this session.

Mr. GARNER. I can not say so much.

Mr. TILSON. I doubt if the gentleman can cite a case.

Mr. GARNER. Nevertheless, as I understand it, it is the purpose of the gentleman to give us ample opportunity to discuss this conference report, to discuss each amendment, so that the House may have the viewpoint of the various Members of the House on these amendments upon which we must vote?

Mr. TILSON. In this matter, as in all matters, the House itself in the last analysis decides these things. The gentleman understands the temper of this House that when the Members wish to finish a bill, as they did the bill considered to-day, he knows that they will go on until they finish it. I have no doubt that reasonable time, of which no one can justly complain, will be allowed on the conference report.

Mr. GARNER. I am very glad to hear the gentleman say that. Under the rules of the House if a minority of as much as 80 Members should desire a roll call, we could get 100 to 150 roll calls, and I think that that would be a very silly performance.

Mr. TILSON. It would be obstruction.

Mr. GARNER. I have no desire to indulge in it, but I do insist that we should have ample opportunity to discuss not only the conference report but the various amendments the House will be called upon to vote on and that is all I ask.

Mr. TILSON. There will be no disposition to unduly limit debate.

Mr. GARNER. And the matter will be called up Thursday?

Mr. TILSON. If the report is ready and it is expected by those in charge of preparing it that it will be ready by Tuesday, we shall call the matter up on Thursday.

EXTENSION OF REMARKS—WORLD WAR VETERANS' LEGISLATION

Mr. GREENWOOD. Mr. Speaker, the World War veterans' compensation legislation should be liberalized, and I am going to support the pending bill. Believing that the so-called Rankin bill would be more liberal and just, I shall also support this measure as an amendment to the present bill. I feel there is no inconsistency in taking this position. It is my desire to obtain the best legislation possible for the benefit of the veterans of the World War.

The Rankin bill, among other provisions, would extend the date of presumption as to disabilities being of military origin from the date in the present law down to January 1, 1930. I never could see any logic or justice in fixing the date arbitrarily as in the present law, and thereby placing the burden of proof often unjustly upon the soldier. In many cases the disabilities did not develop or reach a compensable degree until after January 1, 1925, and often the medical and hospital records were short and incomplete upon the soldier's actual condition. Thus the soldier was defeated because of failure on the part of the Government. It has been my desire to see these barriers removed and the soldier treated liberally.

There are provisions in the pending bill curing those cases that have been denied by executive-made law. There are many cases for the permanent award of $50 per month which fell under the ban of the technical and arbitrary ruling of the comptroller. He thought he knew better than Congress what the law should be. The law recites that the $50 per month award should be given to "any ex-service person where he is shown to have tuberculous disease of a compensable degree." The Veterans' Bureau, claiming to follow the comptroller, decreed that even though the soldier had been paid compensation for arrested tuberculosis, nevertheless this was not considered as being of a compensable degree and the soldier would have to prove activity of the disease. This insertion of the word "activity" into the law was not only tyrannical but was equally unjust. This instance is but one among many where the department seeks to use every technicality against the soldier.

There appears to be many employees in the Veterans' Bureau whose chief ambition is to deprive the soldier of compensation, rather than to administer the law with the liberality and sympathy which the Congress intended that it should be administered. We hope that the pending bill will impress upon many of these high-salaried administrators that Congress desires above everything else, that the soldier and his dependents shall be compensated and assisted for what they contributed to our country's cause in time of war. We want an administration that does not seek to obstruct, but rather one that sympathizes and assists the soldier in getting compensation.

Like my colleagues, I have found the Pension Bureau much more satisfactory in adjusting claims. It seems that the Veterans' Bureau in shifting claims from boards to superboards, seems to think that time is not of the essence of a soldier's claim. I have had many a soldier die or give up in despair waiting for some one in the Veterans' Bureau to get ready to act. My colleague [Mr. RANKIN] has performed a service to the soldier of the World War and also the country by showing the long list of employees in the Veterans' Bureau who are drawing a fat compensation amounting to a pension under the emergency officers retirement act. A private of the World War with 30 per cent disability must accept $30 per month temporary award. An officer retires with a permanent retirement of from five to ten times that amount. In many instances the officer pulls down another handsome salary for sitting in a swivel chair and blue penciling and denying the soldier his meager compensation. These inequities are a disgrace and a travesty on justice.

Sooner or later we will have to adjust these inequities by a pension system, and I reach the conclusion that the pension will prove a more just and equal system. If the Government does not save money in pensions, there will at least be more of the funds appropriated finding their way into the hands of the men who did the fighting and are now in the greatest need. In this connection, I had hoped that the Swick bill would be given consideration at this session of Congress.

In the pending bill I am glad to note an added liberality toward the widows, children, and other dependents of the soldiers of the World War. The country will have to assume an added burden for the support of these derelicts of war.

Also, I believe the present law has been too harsh in the treatment accorded those cases arising from the soldier's misconduct. We sent these soldier boys into a foreign land where moral conditions were deplorable. Many of them fell into the whirlpool of temptation. They have suffered physically from combined causes. But back of it all, the war is responsible. It is a casualty and a tragedy of the conflict that I believe the country will have to assume. These soldiers guilty of misconduct fought as valiantly as others. In many cases our country took them from clean and pure surroundings of their homes and threw them into social cesspools of the cities of Europe. To drown out the monotony and nerve-racking experiences of the trenches, they indulged in immoral pursuits. Nevertheless, they offered their lives as a sacrifice for their country in time of peril. I am not in favor of making these finely drawn distinctions.

On the question of medical evidence I am convinced that scant consideration is given the statements of local physicians. The bureau listens with more sympathy to the medical staff of the bureau. This is part of the system to use the machinery of the bureau to deny the soldier his compensation in every instance where they can find a peg upon which to hang an excuse. If soldiers of the Civil War and the Spanish-American War can be granted pensions for life by the examination of local reputable physicians, why, then, should the soldier of the World War be made to travel miles in order to go through the stereotyped performance of an unsympathetic examination by the medical examiner of the bureau, whose chief ambition is to find a reason why the soldier should be denied compensation? The traveling expenses of the soldier and the aggregate salaries of these bureau doctors would more than pay the small fee charged by a local examining board. The soldier would feel that more uniform justice was being provided by the Government if the local physician was allowed to examine the soldier. When these soldier boys enlisted the local doctor was capable and honorable enough to pass upon his physical qualifications. When it comes to compensation shall we say that the local physician should not also be permitted to examine?

In that connection I also insist that more credibility and weight should be given to lay evidence. Such witnesses know more about the soldier's disabilities than some bureau doctor who examines hundreds and often does not stop to consider one case more than another.

The soldier of all wars must not be considered as a charge of the Government. They are the defenders of our Nation. Whatever accrues to each of us in liberty, peace, and opportunity we not only owe to these men and women who wore the uniform but we also are indebted to them as a Nation in a material way. This compensation is not charity.

General Sherman describing war said, "War is hell." There are few of us who did not engage in actual battle, unless we had sons or near relatives who sacrificed their lives, that can appreciate the terrible tragedy of the truth of that statement.

We as a Nation can not restore the life that has been taken for the service of the country but we can help to comfort the mother, the widow, and the orphan. We can not always rehabilitate the body broken for the honor of the flag but we can provide sufficient hospitalization in an effort to restore to the soldier what he lost by physical hardship, exposure, and casualty of battle. It is more than a mere privilege for us to make these provisions, it is a stern duty. Then, let the Nation respond to this duty not only liberally but cheerfully. The pending bill is in the right direction and I shall be glad to join my colleagues by enacting it into law.

Mr. LUDLOW. Mr. Speaker, war, especially such a cataclysm as the World War, is not an ephemeral affliction. The world holds no magic that on the instant can transmute war's splurge of hate into a feast of love. War is not merely a temporary burst of hell that passes away, leaving society unscathed, smiling, and serene. It does not engulf nations with its hideous woes for a while and then vanish like a ghastly nightmare. War does not operate that way. The scourging effects of war endure over a long stretch of time and those who tread the wine press of the battle field are not the only sufferers. Their widows and children and children's children, down to remote generations of posterity, are affected by war's awful blight.

When the Committee on World War Veterans' Legislation was considering these pending measures a member of the committee brought up the case of an unfortunate veteran in his district and, speaking not in derision but in kindly sympathy, he said that the poor afflicted fellow "does not yet know what the World War was all about." And then a member of the committee, himself a distinguished World War veteran, beloved by his comrades and a wide circle of acquaintances, interrupted to remark: "Some of the rest of us do not know that much, either."

Fervently I pray that wars and the desire to war may vanish forever from the earth and that the naval reduction conference now going on in London may illumine the way, but I am not prepared to agree that human beings have as yet reached such a state of Utopian perfection. I do contend that when we go to war, whether impelled by frenzied mass psychology or a genuine purpose to save civilization, or by whatsoever driving power, we should be willing to pay the price, and by that I

mean not only the expense of conducting the war, monumental as it may be, but all of the staggering costs that the future entails, including compensation and hospitalization of the survivors and loving care for the widows and orphans.

We can not draw a line after a war and say: "Thus far shall the cost go and no farther." The Nation's debt to its defenders is its greatest debt of honor.

We have a duty to pay, and keep on paying, until justice is done to the last one of these men. When we snatched them from their homes and families and threw them into the holocaust across the sea we made rosy promises of what we would do for them when they returned victorious from the fields of war. I am not going to cheat the soldiers now. They did their part grandly, and it is our turn to pay. I am for a 100 per cent fulfillment of those pledges. While I hope I may always be mindful of the burdens that war places on the backs of the taxpayers I regard our promise to the soldiers as an obligation made in simple good faith which must be redeemed to the uttermost farthing if we value truth and honor, and I know by reading history that the heart of America always responds most generously to the fulfillment of our duty to our veterans. I will economize along all other lines until it hurts. In every other field of governmental relations I will stint but not in this one. I will never skimp the soldiers and their dependents. As a Member of Congress I will vote to build hospitals for the sick and disabled veterans until every one who needs hospital treatment has a bed and the services of a competent consulting staff. I will vote to compensate veterans liberally for their service-connected disabilities, and I will vote to throw the cloak of service-connection presumption over all disabilities that have arisen prior to January 1, 1930.

That is the essence of the bill introduced by my friend, Representative RANKIN, a World War veteran, of Mississippi. I stood for the Rankin bill in our committee and I was one of the Old Guard that went down in defeat, but not in dishonor, when we were outvoted. I do not think anyone on earth would claim the Rankin bill is a scientific piece of legislation. If enacted, it would be nothing more nor less than a stop gap, but I believe a very necessary and proper one, pending the day when pensions must and will be granted. I concede that in some instances the service connection which it would establish would be a legal fiction, but the doubt has been resolved so often against the veteran in adjudicating claims that it would be nothing more than poetic justice to occasionally resolve the doubt in his favor. Besides, the power of rebuttal would always rest in the Veterans' Bureau, and by exercising that power judiciously the bureau could ward off impositions on the Government.

The committee charged with initiating World War veterans' legislation spent many days of sober, serious consideration in trying to find where the path of duty lies. All were imbued with the sacredness of the task. There was a common interest in doing the best for the veterans, consistent with our obligations to the country, but as was inevitable where so many minds met there were honest differences of opinion. The bill reported by the majority of the committee, H. R. 10381, undoubtedly is an excellent measure as far as it goes. I believe it should go further and that is why I supported the Rankin bill.

I am for the Rankin bill, frankly, because it would bring 80,000 veterans into a compensable status who are now beyond the pale of the law. It would do this clumsily and illogically, perhaps, but I believe it would do it effectively. It is better, in my opinion, that now and then a worthy disabled veteran should receive compensation by a legal fiction than that a thousand who are entitled to service connection should be shut out, and there is comfort in the reflection that under this plan no man would receive compensation who did not serve his country honorably and who does not have a disability, even though in instances the disability may not, in fact, be service connected. I am for the Rankin bill because it would drive despair and want from the homes of 80,000 disabled veterans and substitute gladness there. I am for it because it would throw the encircling arms of the Government around 80,000 sick and suffering men who served the Nation well in the darkness of the worlds most awful night, when no one knew or could tell whether the morn would bring liberty or despotism.

Mr. SLOAN. Mr. Speaker, my mingling in the debate will little prolong it. Much has been said and well said. If there has been some acrimony, it was due to a pardonable zeal of all to do well for the veterans, within our income now and with an eye to that comprehensive measure which speeding on its way will brook no long delay. Were we prepared now with a well-matured pension plan and a means to meet it were provided, I should be pressing every means within my power to effect its passage.

At this time memory and gratitude are still bright and unblunted. The almost brutal sneer written in life to be published after death by the leading character of France, the greatest beneficiary of American aid and sacrifice, should emphasize our own appraisal of the American Army and its superb leadership. We can do that now under our present lights and immediate prospective means.

I do not like the almost authoritative statement of a nation through Clemenceau who demeans our soldiers, sneers at our great commander, discredits our diplomats, and holds up to the world as the one American entitled to credit a man whom no people elected, no authority appointed, whom the public did not know, but who with the assumption of a fly on the engine masterwheel called attention loudly to its control of all the machinery, furnished all material, and production of the finished product. An individual to whom the swimming apple, and the dawn-announcing chanticleer were but humble circumstances.

This praise by Clemenceau of the mysterious colonel who never buckled sword was thinly veiled sarcasm indicative that the sacrifice of American blood and treasure could all be found in that alleged animated multum in parvo.

I feel like answering the aspersions, expressed or implied, by doing more in honor and materially for the boys whom Greek could not teach grandeur nor Roman nobility.

This bill has been said by many to be imperfect. Yes, drawn by imperfect men, with imperfect means, and in imperfect language, to be voted upon by imperfect Members. The nearest thing to perfection involved in this problem was the 4,000,000 units of young manhood constituting the American Army, examined and accepted as types of military perfection.

Paraphrasing in a way an address I made upon another occasion, permit me to say that into this struggle went the American soldier as the intelligent and vigorous composite of all that was best of the races with or against which he battled. Because for 300 years the best had been coming from Europe to America to aid in developing free institutions and representative government. Their manner of life had been of that free and independent character which developed along brook and in forest, with rod and gun, on grounds of manly sport, where individual effort and teamwork combine to develop initiative and teach discipline; and in field and shop their work has been of that varied character which combine activity of hand with freedom of brain. These, combined with that high general mental discipline possessed by the soldiers of no other country, made our soldier in the final analysis, the warrior of emergency whether in the final grapple of men or the ultimate clash of armies.

They were farther from home than were the battling legions who followed Alexander, Cæsar, or Napoleon. They mingled with and against more different peoples than did the followers of the Macedonian, the Roman, or the Corsican. They may not have had the steadiness born of long discipline, which, fixed in the famous phalanx of Macedonia, withstood the shock or broke the lines of the oriental myriads. They did not have the lust of conquest nor the appetite for adventure which carried the great Julius through the barbarous north and west. They did not have that mingling of fatalism with human idolatry which recovered at Marengo, charged Lodi, crossed the Alps, ventured Moscow, and rallied at Waterloo. But in fine physique, clean limb, and bright eye they were the cynosure of the world's soldiery. In mental grasp they surpassed those of any other battling host. In those fine qualities of chivalry, courtesy, and manliness they had no equals. Among and against those armies where rank and title stand forever at premium they were, in the eyes of all, the war's true nobility. And when the call for sacrifice and struggle came, none went more buoyantly to the task, none acquitted themselves more bravely, none accounted for more of their enemies. When the victory was won, in the book of merit and achievement they should be and are accredited first honors of the war. We can afford to be generous, we should be just.

I was pleased to support the resolution which provides for the appointment of a commission made up of Members of the House and Senate and certain executive officers to survey within the next year the whole field of our Government's relations to its soldiers of all the wars with the hope that resulting from that survey a general law may be passed recognizing substantially and equitably the obligations of this Government to the veterans of the Civil, Indian, Spanish-American, and World War.

Our legislation in behalf of these several classes has been necessarily haphazard and without that unity which can be wrought out, and I believe will be, under the legislation suggested.

The amended Johnson bill before the House and which received the support of four-fifths of our membership will, if left unamended, constitute a tremendous drain upon our Treasury.

But our Treasury has withstood many drains, and, generally speaking, those in behalf of our defenders have been commended rather than criticized.

Moreover, the diplomatic genius and courage of our great President delegated to and embodied in our national representatives at the recent London conference has caused to be taken a long step on the highway toward peace. It now appears that the United States will, through a wholesome public sentiment supporting our United States Senate, bring about ratification of that treaty. If this be accomplished, it will be relieved from the demands upon the Treasury probably half a billion of dollars, and part, at least, of that great sum may well be set aside for discharge of the obligations we owe the veterans. This is one of the reasons why so many of us, mindful of our duties to the United States Treasury, felt constrained to vote as we have more liberally for the temporary adjustment of the veterans' requirements.

Mr. BLACKBURN. Mr. Speaker, I believe I speak the sentiments of every Member of the House when I say that it is high time some really adequate provision is made for the disabled veterans of the World War. They did not stop to strike bargains with this country before they went overseas to fight the battle of democracy against the rampant forces of monarchism and despotism. They had the faith of true patriots in their country. If they had not been imbued with the highest ideals of faith and patriotism, they would not have leaped so readily to the defense of their country and the principles of freedom and justice for which it stands. If doubt ever entered their minds that this Nation for which they fought so bravely later would prove niggardly or unwilling to care for its battle-maimed and battle-scarred veterans, they did not show it. They were above such thoughts. To them there appeared only the vital need of patriots to fight, and, if need be, to lay down their lives, to uphold and maintain the glorious principles which had been bred into their very fiber through generations of freedom and justice loving people. A great social principle was at stake. They did not hesitate to offer their bodies and their brains to be used in defense of that great principle.

Are we going to prove less ready to defend and sustain another principle, equally fundamental and worthy as the principle for which they fought so honorably and so gloriously? They recognized the obligation which they owed their country. It is equally imperative that their country own and admit to the obligation which is owing to them. And we must carry out this reasoning to its logical conclusion. We must not halt at admitting our obligation. We must fulfill it. It devolves upon us, as the representatives of the people of this country, to show by deed rather than by word, that their country recognizes its enormous debt to these brave men and intends to pay that debt.

It is not something that should be exacted from us, nor is it an obligation which we should owe and pay only after being supplicated and implored. God forbid that we should continue to overlook the suffering and deprivation which prevails among the veterans of the World War as a consequence of the continued failure of Congress to provide adequately for them. It must be admitted that honest and just provision has not been made for thousands of veterans who are fully as deserving as those who are now drawing compensation. I dare say—and every Member knows it to be true—that there are thousands of sick and crippled veterans not now drawing compensation who are a thousand times more in need of compensation and a thousand times more deserving of it than are those veterans whose names were read into the RECORD just a short time ago—men who are drawing salaries of from $3,000 to $6,000 yearly, and are at the same time receiving compensation in the form of retirement pay, which in many cases ranges as high as $250 per month.

Surely it was not the intent of Congress when it enacted the World War veterans' act of 1924 to have it administered and have it construed as it has been. Surely it was not intended that the needs of thousands of veterans should be ignored and overlooked. Yet that has been done. I know that there are many Members of Congress whose files will reveal the rejected claims of scores of disabled World War veterans. I have numbers of these claims in my own files, many of them of the most pitiful description. Their pleas for assistance have been rejected on a numerous variety of grounds, often on the basis of the merest technicalities, and often because, being mere soldiers rather than doctors and physicians—and therefore unskilled in marshaling medical evidence—they have been unable to establish that their disabilities have resulted from their service in the World War.

The evidence they have produced has been rejected as incompetent; it has been rejected as inadequate; it has been rejected in short, for every imaginable reason except the reason that it is good and sufficient evidence of the truthfulness of their statements.

It has seemed to me many times, when presenting the claim of some World War veteran, that the particular claim was certainly a deserving one, and I have thought that a particular veteran would surely be compensated and assisted by the Government in whose service he was either maimed or rendered sickly and disabled. And almost as many times as I have thought this I have been brought up short by being informed that the claim was not a valid one, either for the reason that the disability could not be connected with the veteran's Army service or because it was beyond the pale of compensation on account of the lapse of time.

These disallowances are not just, even though they are prescribed by law. They are not what Congress and the American people wish to deal out to these World War veterans. Such treatment compares ill with the attitude shown by these soldiers when their country was in such desperate need. It may be said that it was their duty to act as they did when war was declared, without thought of compensation in the form which is now being considered; and that would be true. But it is equally true that they harbored no such lowly thoughts, and regardless of their attitude, our obligation to them—the obligation of their country—still exists.

I want very much to see this bill passed. There are thousands of soldiers in my own district who will benefit by it, many of them desperately in need of the benefits which this bill will confer on them. I want them to have the aid which this bill will give them and which they need, which they are entitled to, measured by any standard of justice, loyalty, duty, and decency. We are not giving or conferring any favors upon them. They will not receive any gift or emolument from us through the medium of this bill. We will be instruments through which is made available to them aid to which they have every honest right and title.

A measure such as this should be considered without thought of the political advantage which might accrue from it, and I sincerely believe that the Members who will vote on this bill are considering its various provisions in that light. I do not want to see this bill loaded down with amendments and expanded in its provisions beyond what is right and just and proper. The veterans of the World War themselves do not want to have that happen. They are alive—keenly alive—to the fact that this bill can be killed by placing in it things which will doom it to a presidential veto. I implore the Members to keep that fact always in mind; for some of us, in our zeal to heap benefits upon the veterans, may cause the destruction of the end toward which we are striving. We can not afford to do that; we owe it to our own sense of honor and justice to accomplish here and now what we have so long talked about and wished for—an even-handed distribution of aid, through the medium of such legislation as this—payment of the heavy obligation which is owing to them and which has thus far never been repaid.

Mr. IRWIN. Mr. Speaker, ladies and gentlemen of the House, I am taking this time to express my sentiments in reference to World War veterans' legislation or, rather, legislation in the interest and for the welfare of the disabled soldiers of the World War.

When Congress passed the act drafting the young men of our Nation into the military service of the United States, I was selected as medical member of the draft board in my home city of Belleville, Ill., and acted in that capacity until I was transferred to other medical activities of the war; and while acting in the capacity of chief medical examiner, I, with the assistance of several medical associates, examined and sent into the service some 8,000 young men, and I can recall, as if but yesterday, the trying ordeal and the incidents transpiring in connection with the transforming of young men from peace-time occupations to that of warfare. I will not take up the time of the House describing the events transpiring in those eventful hours. I merely wish to say that those eventful hours made a lasting impression on me, and then and there I resolved to do everything possible to aid the soldier boy and especially the disabled soldier boy.

In 1924 I was elected as a Representative to Congress from my district and this event gave me a splendid opportunity to render service to the disabled World War veterans. On entering the Sixty-ninth Congress I requested the Committee on Committees to assign me to the Committee on World War Veterans' Legislation, and in the Sixty-ninth and Seventieth Congresses I contributed my bit to the liberalization of the World War veterans' act. I continued on this committee until the beginning of the Seventy-first Congress, when I was relieved from this committee to take the chairmanship of the Committee on Claims.

Since the introduction of the Johnson bill (H. R. 10381) I have given that bill serious consideration and study and am convinced that its provisions will be extended to more disabled veterans than will the Rankin bill. If we can not amend the

Johnson bill so as to include some of the provisions of the Rankin bill that would bring the presumption clause up to 1930, and must choose between the two, as I understand it, the Johnson bill gives relief to the greater number of disabled veterans. I am ready to vote for any bill that will give relief to the greatest number of veterans. If the Johnson bill can be amended without jeopardizing the enactment of the bill into law, I will support such liberalizing amendments. I am heartily in accord with the provision of the bill recommending some agency to thoroughly go into the present compensation and pension laws, so as to not discriminate against any soldier, whether he be a veteran of the Civil War, the Spanish-American War, or the World War, because under our present pension and compensation laws there is some discrimination, and I believe there will be a discrimination until such time as the laws can be studied in relation to each other. It matters not whether a veteran defended his country in the Civil War, the Spanish-American War, or the late World War, the matter should be gone into thoroughly so as to give every disabled soldier adequate relief.

We are appropriating hundreds of millions for public buildings, for public roads, and for many other activities; and we should not economize when it comes to granting relief to our disabled veterans who gallantly and unselfishly sacrificed their health for their country.

In conclusion I wish to bring before the House a matter which I think causes the average Congressman more concern than anything connected with veterans' legislation, namely, that in many instances a different construction is placed on the provisions of veterans' legislation than was intended by Congress when such legislation was passed—such construction being placed either by the legal experts in the bureau or in the office of the Comptroller General. This fact leads to many controversies and gives the Congressman many worries and disappointment to the veterans who appeal to the Congressman for help in adjudicating their claims; and this is more reason why a joint committee of both Houses should be appointed not only to codify and recommend such laws as will remove all discrimination and inequalities in reference to pension and compensation laws but the committee should recommend the language to be inserted in the bill so as to simplify and clarify the purpose of the bills so as to not leave controversial language, the construction or intent of which may lead to different interpretations by the Comptroller General than was intended by Congress. When this whole matter of legislation, compensation, and pension can be written in a scientific manner, giving justice to veterans of all wars, just that soon will most of our troubles as Congressmen end, and we will not be placed in an embarrassing position as we are to-day.

Mr. JONAS of North Carolina. Mr. Speaker, the only fair, economical, and scientific method of dealing with the subject of World War veterans' relief is by providing reasonable disability, widows', and dependents' pensions. By this method only can equitable treatment among those entitled to relief be assured, with maximum benefits through minimum expenditure of public funds. The interests of the veterans and the Government can be protected properly by no other method.

The compensatory benefits that will accrue to those veterans not provided for under the present law by the terms of the Johnson bill, as amended, are temporary, covering only three years. House Joint Resolution No. 222, which has passed the House, and I trust will be finally adopted, provides for a joint committee of the two branches of Congress to study the whole question of veterans' relief, and to report with recommendations to Congress not later than March 1, 1931, as to the advisability of the consolidation of veterans' relief legislation and the adoption of a national policy with reference thereto. This should be done at the earliest practicable date, and the administration of all veterans' relief should be consolidated in one department or bureau. The wasteful, inefficient, cumbersome, and impractical administrative machinery of the Veterans' Bureau should be junked without unnecessary delay.

FRAUGHT WITH INEQUALITY

The present provision for compensation to disabled World War veterans and their dependents for "service-connected" disability is fraught with inequality, injustice, waste, and almost universal dissatisfaction. The administration of the law is unsatisfactory. The fault is primarily that of the system and not necessarily that of the director nor the personnel of the bureau.

Many veterans are drawing compensation to which they are not entitled, while scores of thousands are suffering and in want for lack of relief and compensation to which they are entitled, simply because they have been unable to prove to the satisfaction of technically minded members of rating boards and bureau officials that their disability is "service connected" 10 per cent in degree, whatever that may mean. Herein lies one cause of injustice of the present system. The reason we who compose the vast majority of the membership of the House favor the Johnson bill, as amended, with the extension of the period of service connection of all disability is that we know from bitter personal experience and general observation that misery, want, and dissatisfaction is general throughout the country among veterans and their dependents because they have been denied during years of suffering and fruitless effort what is rightly theirs under the law.

The enormous amount of money, time, worry, and effort that has been absolutely wasted by veterans and their friends and families and their Congressmen throughout the country and by officers and employees of the bureau in vain and hopeless endeavor to establish service connection for the disability of veterans entitled to compensation under the present law is nothing short of a national disgrace.

KNOWS OF SCORE OF CASES

I know of scores of cases in my own district that could be established readily in any court with the evidence in hand which have been pending for years without success. In many of them a degree of proof practically humanly impossible is required. The doubt seems to be resolved against the veteran instead of liberally construing evidence in his favor, as Congress intended. Lay evidence is practically ignored. Only medical theory is seriously considered. Claims of homesick, war-worn veterans who, in their anxiety to return to civilian life at the close of the war, failed to file complaint of their disability when they were mustered out of service, and whose physical impairment was not noted on their discharges, have been disallowed in first instances almost universally. Always in rejecting claims the helpless veterans are reminded that they are not in fact disabled from service-connected causes as shown by their discharges. Their own affidavits and those of their friends are apparently disregarded.

ASKS BENEFITS FOR THE MANY

If it appears that those of us who favor the Johnson bill, amended to make all claims where disability is shown to have existed prior to January 1, 1930, compensable, unless the Government can show by clear and convincing evidence that the disability is nonservice connected (thus placing the burden on the Government, where it belongs, and providing just compensation to scores of thousands of veterans, who have heretofore been denied unjustly what the Government was due them under the law), are unmindful of the condition of the Public Treasury, the answer is: We are for justice and equity among all the veterans, and it is an evil thing to so administer the law as to grant to a selected number of disabled veterans the public benefits that should in equity be distributed among them all. While I favor granting the highest amount of compensation the Government can afford, I would rather support a smaller amount fairly distributed among all the needy than a larger amount inequitably awarded to the fortunate few.

It is better to shift the burden of proof to the Government and secure for the neglected veterans what is theirs under the law than to continue a policy that requires the expenditure of enormous sums and the employment of hordes of public officers and employees in the consideration and reconsideration of their claims with no reasonable prospect of securing favorable action on any appreciable number of them.

Another source of untold economic waste and injustice in the administration of the present law is the policy of checking and rechecking allowed claims and reexamining compensated veterans to determine if their disability remains above the elusive and imaginary "10 per cent." When is a veterans' disability 10 per cent? Ten per cent of what? The present method of determining the degree of disability is to base it on the pre-war occupation of the veteran. The degree of disability should be based on the character and extent of the injury or seriousness of the disease. Like disability should insure like compensation, regardless of occupation. Under the present method two veterans of different occupations may have received similar injuries, yet one of them is granted generous compensation while the other is denied anything. Manifestly this is unjust. If two veterans each lost an arm or a leg or suffered any other identical injury, both should have the same compensation. Is it the policy of the Government to put the veteran in a groove and deny him the opportunity to rise, and after drafting him and impairing his ability to engage in gainful occupation refuse to compensate him so as to insure to him and his dependents the necessities of life? Such should not be the case. Neither did the Congress so intend.

WANTS BONUS PAID

This Congress should provide for the payment of the cash surrender value of the so-called bonus certificates at the option of the veteran. The Government acknowledged its indebtedness to the veterans in issuing to them "adjusted-compensation certificates," which are simply due bills or obligations to pay, and without the consent of the payees has borrowed their money at 4 per cent interest for a period of years, while generously

agreeing to lend them their own money back at 6 per cent interest. This is such a manifest injustice that it can not be defended. The Government can much better afford to finance this indebtedness to its war veterans than they can afford to lend it to the Government. They need it. It is worth 6 per cent or 8 per cent to them, while the Government can easily obtain the money to pay it off at 3 per cent. The payment of these certificates would put a large sum of money in circulation at a time when it would do much toward relieving financial depression. This money belongs to the veterans. Their Government should pay them. It can do so without any loss or inconvenience. I sincerely trust this Congress will not adjourn without providing for the immediate payment of the bonus certificates of all veterans who desire to surrender them. If it does not, then the joint committee provided for in House Joint Resolution No. 222 should study the subject and make recommendation for their redemption.

CONFEDERATE VETERANS

The Johnson bill contains a provision for contribution not exceeding $107 by the Government to the burial expenses of all veterans of all wars. This should be amended so as to include Confederate veterans of the Civil War. It is my purpose to offer such an amendment. There is at present provision for providing markers for unmarked graves of Confederate veterans. Its adoption was a wise, patriotic, generous, and gracious act on the part of Congress. We should without delay provide for the burial of the few heroic needy Confederate veterans who survive. The cost would be comparatively small. It would be a mere bagatelle when measured in comparison with the spirit of unity and friendship and brotherhood it would encourage among the people of our great united country.

For more than half a century the Confederate veterans and their descendants have contributed cheerfully toward pension funds rightly provided for veterans of all other American armies, while they have struggled against great odds and endured many hardships and much suffering to provide for themselves and their dependents the comforts of life. While their respective States have in most cases provided for their wants as liberally as they could under the circumstances, many of the comparatively few still remaining on this side of the great river are in want. They fought with heroism unexcelled in all history in a civil war to settle forever the question of the right of States to withdraw from the Union, a question that had been debated for more than a half century among the leading men of the Nation from all sections of our country. Those heroes of the South were not enemies of their country. They fought under the leadership of men who believed they were contending for a right under the Constitution. They lost. None believe more sincerely than they in the righteousness of the principle of the indissolubility of the Union under the Constitution, established by the Civil War. "Union and liberty, one and inseparable," is and ever will be the shibboleth of every man, woman, and child in America from the Lakes to the Gulf and from sea to sea. Not only was that issue settled forever but it is now recognized by all that Lee and Jackson and Lincoln and Grant were alike imbued with love of America, and their names are honored and their memories revered alike by those of the North and those of the South. We are one people. And in token of the fact the Government should grant pensions to the Confederate veterans of the Civil War. What a fine sentiment and what a noble spirit of union and brotherhood such an act of Congress would manifest! It is my purpose to introduce a bill for this purpose in the Seventy-first Congress.

OTHER PHASES OF THE JOHNSON BILL

The Johnson bill (H. R. 10381) as amended and passed by the House carries all the new benefits provided in the Rankin bill (H. R. 7825), and more. It extends the period of presumption of service-connected disability to January 1, 1930, with respect to all kinds of disability instead of the restricted few provided in the Rankin bill. The Johnson bill extends the time one year after the date of its passage for filing suit on war-risk insurance claims. It provides compensation for dependents of hospitalized veterans and for hospitalized veterans who have no dependents it provides a modest allowance for personal expenses. It authorizes due consideration to be given to lay evidence in adjudicating veterans' claims. It also makes compensable disabilities resulting from venereal and other non-service-connected diseases contracted during the war period. It may be contended that the bill as it passed the House is too liberal in its provisions, but it must be admitted that its benefits will be distributed fairly among the veterans, and that the new benefits provided are only temporary, pending the adoption by Congress of a national policy covering the entire subject of veteran relief. All together, in my judgment, it is a sane piece of legislation and its enactment is desirable.

Mr. THOMPSON. Mr. Speaker, I represent the rural fifth district in Ohio, which furnished a large number of young men to the American expeditionary forces during the World War. Those who did not pay the supreme sacrifice came back impaired in health, and many of them were maimed or crippled. A generous Congress early set up the Veterans' Bureau for the purpose of taking care of these disabled veterans. But it has proved a failure.

From the start difficulties were encountered in securing compensation for veterans and dependents, and these difficulties have increased since that time. I have continually experienced trouble as a Member of Congress in assisting the veterans of my district, and I know that I am not alone in that respect.

The provision of law demanding proof of service connection of the veterans' disability has been the root and center of all the dissatisfaction over these claims. Medical officers of the bureau have denied claim after claim under this provision, demanding bomb-proof evidence in each case; of course, the impossibility in so many cases of actual service-connected ailments, of proving that they were so, has caused incredible injustice all along the line.

We in Congress have been confronted with this sort of thing continually, and those of us who believe the Government should meet squarely and honestly its responsibility and duty to care for the unfortunates who are the aftermath of war, have been trying for a long time to loosen up this situation. Dependent families, who are just as dependent as though the deceased or injured veteran who should have provided for them, had been able to satisfy all technicalities, have been left to shift for themselves, or to depend on relatives, or the county charity. This burden the Nation must meet, as it is a direct result of the war. For that reason I voted for the Rankin amendment to the Johnson bill, because it will, up to 1930, provide for relief to veterans and dependents on the basis of disability, in a large measure, rather than service connection, which is presumed up to that date.

The Sixty-sixth Congress granted a charter to the American Legion. Almost immediately afterwards the American Legion asked Congress to enact a law decentralizing the Veterans' Bureau into a number of regional offices. I voted for this law, because the Legion wanted it and was sincere in its opinion that great benefits would result. But I did so under protest, as I feared dividing the responsibility among a number of officials, who would in the end pass it back to the director anyway. And so it has proved. Instead of providing more personal attention to veterans' claims, events have proved that the treatment of cases in the regional offices is just as impersonal as though no decentralization had taken place.

These regional offices should be abolished and the entire administration of the Veterans' Bureau should be centered in Washington. There is no longer any need for them, and they are costing the taxpayers $44,000,000 in overhead expense and salaries to managers and medical and rating boards, duplicated all over the country. That money might well be used for paying compensation to the veterans.

In the CONGRESSIONAL RECORD of May 24, 1928, page 9334, I set forth some of the faults of administration in these regional offices. On December 16, 1929, page 757, I again called attention to the failure of relief measures to soldiers in many cases, in a letter to the State adjutant American Legion of Ohio, and emphasized the need of relief to the veteran and family at home, rather than so much stress on hospitalization. I have called to the attention of officials of the Veterans' Bureau, and to the attention of some members of the House committee, what these conditions are, and the need for action along those lines, but to no avail.

In the House of Representatives on April 24, 1930, for the first time in the history of World War veteran legislation, the various Members of the House had a chance to express themselves, and they did not fail to rebuke those who have stood in the way of liberal legislation and administration of veterans' relief. The sentiment in favor of same bids fair to overtake those in legislative and administrative high places who have stood in the way. A thorough revision of the whole law is needed, and I submit that in the end it will be to the best interests of the taxpayers, as well as veterans and dependents, to institute just and comprehensive and uniform relief, under a fixed policy which will not be tampered with by either bureaus or legislative committees.

This is just one instance of government by bureaucracy. There is a resolution pending in Congress, fathered by Representative LUDLOW, of Indiana, to make war on bureaucracy, which has grown to alarming proportions.

Seventeen governors, 8 former governors, 17 judges of State supreme courts, and many others are backing this resolution,

as may be noted from the clipping herewith included from the Washington Star of April 27, 1930:

"BUREAUCRACY WAR" SUPPORTERS NAMED—LUDLOW CLAIMS HE HAS ENLISTED GOVERNORS AND JUDGES IN PROBE

In support of his resolution providing for creation of a commission by Congress to investigate centralization of government in Washington, Representative LUDLOW, of Indiana, claims that he has enlisted 17 governors, 8 former governors, 17 judges of State supreme courts, and other prominent persons.

In his "war against bureaucracy" Mr. LUDLOW quotes as allies Thomas A. Edison; Henry Ford; Owen D. Young; John W. Davis, candidate for President in 1924; Bernard M. Baruch; Samuel Untermyer; William Loeb; James A. Emery, general counsel of the National Association of Manufacturers; Rome C. Stephenson, president of the American Bankers' Association; Bishop James E. Freeman; ex-Senator John Sharp Williams, former Democratic leader of Congress; ex-Senator Atlee Pomerene, Government prosecutor in the Fall-Doheny case; George Barr Baker, author; Richard Washburn Child, author and diplomat; Ellery Sedgwick, editor of Atlantic Monthly; John R. Commons, economist; Nicholas Murray Butler, president of Columbia University; Dr. Robert J. Aley, president of Butler University; Dr. William Lowe Bryan, president of Indiana University; Dr. W. B. Bizzell, president of Oklahoma University; Mrs. Thomas R. Marshall, widow of Vice President Marshall; William C. Deming, president of the United States Civil Service Commission; Senator James E. Watson, Republican leader of the Senate; George B. Cortelyou, Will H. Hays, and Charles D. Hilles, former chairmen of the Republican national committee; Clem Shaver, former chairman of the Democratic national committee; William Allen White, Kansas editor; and many others.

Mr. CARTWRIGHT. Mr. Speaker, ladies and gentlemen of the House, as I listen to this debate I am reminded of that fateful period of our history 13 years ago when you voted to enter the World War and called upon the young manhood of America to mobilize its strength. From every section of America came the flower of manhood to make the necessary sacrifice for a victorious conclusion of that war. They endured the hardships of the camp and the rigors of the march and the dangers of the battle field. They were exposed to the cold and wet, they were under excessive strain, they were fatigued and worried. They were long away from home, they were homesick for the old fireside, and they were craving the embrace of the arms of their loved ones. They wanted to get back to the hearthstones from which they had been drawn by the strong arm of the Federal Government. Many of them never came back, and my heart bleeds because of the condition of some of those who did come back.

It is easy for me to conclude that of all the duties we have there is none more important, more urgent, more humane, or more patriotic than our duty to see to it that the veterans of the World War are given justice.

Mr. Speaker, ever since I came to Congress—1927—I have consistently supported all legislation which I felt would be beneficial to the veterans of the World War or their dependents. And God being my helper, so long as the good people of my district keep me here, I will so continue to vote, especially for the relief of the disabled war veteran.

I voted for the appropriation of $15,000,000 for additional hospital facilities for the Veterans' Bureau, which will mean more beds in Government hospitals, not only for World War veterans but for ex-service men of all other wars and expeditions. I have supported legislation to extend the time for filing bonus claims to January 1, 1930. Only to-day I was pleased to support the resolution (H. J. Res. 222) which provides for the appointment of a commission made up of Members of the House and Senate and certain executive officers to survey within the next year the whole field of our Government's relations to the soldiers of all wars with the hope that resulting from that survey a general law may be passed recognizing substantially and equitably the obligations of this Government to the veterans of the Civil, Indian, Spanish-American, and World Wars. A definite policy should be established recognizing all worthy cases.

To-day we have under consideration what is commonly called the Johnson bill (H. R. 10381) to amend and liberalize the World War veterans' act. It would liberalize the provisions of the presumptive clause to include all diseases other than tuberculosis up to January 1, 1925, but does not extend the presumptive period for tuberculosis. That bill is all right and I am for it so far as it goes, but it does not go far enough.

Representative RANKIN, early in this session, proposed a bill (H. R. 7825) to extend the presumptive period for tubercular veterans and those suffering from other constitutional diseases to January 1, 1930, and which I understand will be offered this afternoon in the form of an amendment to the Johnson bill.

I am glad the gentleman from South Dakota [Mr. JOHNSON] brought in this bill, because as I said before it is only a step forward. I am glad the gentleman from Mississippi [Mr. RANKIN] started his agitation, and a great deal of credit should be given to him.

I want to say that I will vote to extend the provisions of the Johnson bill five years. I will vote to add the Rankin bill, if the Johnson bill is not extended for five years, and supplement it for an additional five years. I will vote for either one of the measures which would extend it for an additional three years, pending which time there should be a scientific investigation as to the best means for this Government to treat all of its former soldiers. But frankly, I would go even stronger than Mr. RANKIN and extend the presumptive period to all disability cases to 1930. That is how I stand.

The expense is the least of my worries. Some of our guardian angels said we were not able to pay the soldiers' bonus. The Federal debt in the United States has been decreased in the last 11 years more than $9,000,000,000. Last year we reduced the Federal debt $734,000,000. We came out of the World War the richest Nation in all the world, with the other nations owing us $10,705,000,000. Do not talk to me about not being able to take care of the ex-service men who made it possible for the profiteers. I know you are more in favor of being generous to the ex-service men at home than to the foreign governments. Most of you voted to refund $190,000,000 to the large income-tax payers of this country who did not need it. Will you then be willing to vote against these disabled men by refusing to extend the presumptive clause to 1930? I do not believe you will do that. I do not believe you will harden your hearts and tie your purse strings.

The "service-connection" clause is a "snare and a delusion." Hundreds of thousands who gladly gave their services, youth, vitality, and blood when our country was in danger, are to-day denied help because of the "service connection" red tape. Many of these men might have received aid if they had sought it earlier, but they were too proud. Slowly but surely the hardships of the service began their inroads and before they hardly realized it many of these men were in bed. Now are they to be penalized because they tried to carry on too long without assistance?

Some are talking now about taxing wealth in the next war. I am for that and I am also in favor of taxing the fortunes made out of the last war now, if need be, to take care of these disabled men and their dependents. I am like Mr. RANKIN, I will read you what he said on this floor the other day:

I have long since stopped quibbling about whether or not they were really connected with the service. If a man served honorably and rendered worthy, patriotic service during the World War, and is now disabled and can not take care of himself and his family, I do not care whether his disability is service connected or not, I am willing to compensate him. I am not willing for this rich and powerful country to let him lie there and die and his wife and children beg for a livelihood.

The question of cost should not be a controlling factor in connection with veterans' relief. The soldiers of America's wars have earned the right to compensation and care for the disabilities incurred in or as a result of their service; whatever the cost may be, it is up to the American people to meet it.

These disabled boys did their duty when their country called for their service; let us in turn perform our duty toward them now. In the interest of greatest justice to the veterans, the Johnson bill, with the Rankin amendment, should pass.

Mr. HOPKINS. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following statement by myself, a member of the Committee on Veterans' Legislation, Tuesday, February 18, 1930:

Mr. Chairman and gentlemen of the committee, before we conclude these hearings I should like to make a short statement rather in the way of summing up the facts presented by the many excellent witnesses we have had before us during the past five or six weeks.

It seems to me that we owe a sincere vote of gratitude to the able representatives of the great service organizations who have appeared before us day after day and presented the arguments for their various bills so ably. The members of the American Legion, the Disabled American Veterans of the World War, and the Veterans of Foreign Wars are to be congratulated on having secured the unselfish service of these men.

We have heard all of the evidence. We have given thorough consideration to the needed amendments to the present veterans' law. It now becomes our duty to report a bill that will bring relief and do justice to our disabled veterans.

More than 10 years have passed since the close of the World War. Four million five hundred thousand veterans of that war have again become an integral part of our civilian and industrial life.

These veterans left their homes and families, able-bodied, healthy, and happy, young in body and hopeful in spirit, with a whole world of

opportunities before them. Many returned from the war with health, hopes, and ambitions eternally blighted. Due to disabilities received in the service, opportunities once open to them were now closed forever. Many who had left jobs, bright with future prospects, returned to find the jobs gone or themselves unfitted to fill the jobs.

The American people wanted to be fair to their veterans, and in 1924 the World War veterans' act was passed by Congress, providing compensation for those veterans who were suffering from disabilities received in the service. In addition to compensation the Federal Government has provided the best hospital facilities possible. Any veteran of any war may enter one of these hospitals and receive treatment entirely at Government expense.

On January 1, 1930, approximately 1,000,000 veterans had applied for compensation, due to disabilities. Of this number 500,000 have been granted compensation due to disability or injuries received in service.

In order that the members of the committee may know some facts not generally known about the care which has been given to our disabled veterans I want to insert some interesting figures at this point:

Expenditures of Veterans' Bureau up to June 30, 1929, and appropriations for 1930

	Total to June 30, 1929	Appropriated 1930
Vocational training	$707,860,000	
Term insurance (Government's share)	682,565,000	$123,000,000
Compensation	1,440,059,000	200,060,000
Family allowance (in service)	298,615,000	
Medical and hospital services, including hospitalization, etc	525,934,000	58,025,000
Hospital facilities	74,450,000	10,000,000
Adjusted-service certificates	560,000,000	112,000,000
Adjusted service and dependent pay	38,629,000	3,000,000
Administrative costs	248,845,000	20,125,000
Miscellaneous	137,000	
Total	4,577,096,000	529,210,000

NOTE.—By the close of this session the Federal Government will have spent for relief of its disabled veterans slightly over $5,000,000,000.

When General Hines testified before this committee he outlined two fundamental principles that the Congress should follow in enacting legislation for veterans of our wars. These were:

1. The Government is under a direct obligation to care and provide for disabled service men and their dependents, whenever the veteran is disabled and in need.

2. Veterans who received their disability as the result of their service should be paid at a higher rate.

These principles are fundamental, and, if followed, would alleviate many of the difficulties that are now being encountered.

Doctor McDermott brought out very clearly that a certain amount of reorganization within the bureau, eliminating many of the present technicalities, conflicting regulations, and so forth, would be a great step forward.

It seems to me that of the many excellent recommendations made during these hearings by the service organizations, the following are the most urgent and should be taken care of immediately:

a. Compensation for dependents of uncompensated veterans who are now in our hospitals or may come there in the future.

There are many veterans who need hospitalization badly, but due to lack of funds are unwilling to leave their families without means of support. These veterans take the viewpoint that they will not accept relief unless their families are also afforded relief.

b. Elimination of many of the technicalities now required in the bureau and allowance of "equity" evidence in lieu thereof.

c. Allowance of a longer period of presumption for the slowly developing constitutional and chronic diseases, as well as for tuberculosis, neuropsychiatric diseases, and spinal meningitis.

In addition to the above outstanding needs there are a number of changes needed in the insurance provisions of the law.

I can not urge too strongly on the members of the committee that we leave no stone unturned to get speedy action on this legislation, so that it might be passed through the House and given to the Senate in order to give that body time to pass on it.

Mr. HOPKINS. Mr. Speaker, more than 10 years have passed since the close of the World War. Four million five hundred thousand veterans of that war have again become an integral part of our civilian and industrial life.

The veterans left their homes and families, able-bodied, healthy, and happy; young in body and hopeful in spirit; with a whole world of opportunities before them. Many returned from the service with health, hopes, and ambitions eternally blighted. Due to disabilities received in the service, opportunities once open to them were now closed forever. Many who had left jobs bright with future prospects returned to find the jobs gone or themselves unable to fill them.

The proper care of these disabled veterans became the primary obligation of a grateful people whose Government had called them into the service of their country.

Under the present "compensation" law, veterans receive monthly payments from the Veterans' Bureau provided they are disabled and can prove that this disability was due to service rendered between April 6, 1917, and July 1, 1921. These disabilities may be the result of wounds, gas, exposure, disease, or accidents.

The monthly compensation for a man, who, due to his service, is totally and permanently disabled is $100 per month. A man who is temporarily and totally disabled receives $80 per month plus dependency allowances for his family as follows:

	Per month
Wife but no child	$90
Wife and one child	95
For each additional child	5
For each dependent parent	10

Men who are but partially disabled receive a proportionate share of the total allowances, equal in degree to the reduction in earning power as caused by the disability.

For exceptional disabilities the following statuatory awards are paid:

	Per month
Loss of use of both feet	$100
Loss of use of both hands	100
Loss of one hand and one foot	100
Loss of use of one hand and one eye	100
Loss of use of one foot and one eye	100
Loss of hearing—both ears	100
Loss of power of speech	100
Total helplessness	100
When bedridden	100
Blindness	150
Blindness and loss of any limb	200

A veteran, whose condition is such as to require the services of an attendant receive an additional $50 per month.

The good faith of the American people and Congress was shown when the Government undertook to train these disabled men for useful and remunerative occupations. Our Government recognized the fact that because of disabilities received during service many of these men would not be able to follow gainful occupations without great handicap, therefore there was furnished for disabled veterans, courses in vocational rehabilitation so that they might thereby at least partially overcome their vocational handicaps.

On this subject, General Hines, director of the bureau, said:

This was a tremendous experiment for any government to undertake, and while it is now finished, its results were far reaching not only in bringing to many veterans the means of a successful livelihood, but also in raising the educational standard of a large part of our veteran population; 179,000 veterans actually entered training, and the training of about 128,000 veterans was successfully completed. While the expenses incident to instruction were met in all cases, for the great majority also the Government provided maintenance and support allowance to the veteran and his dependents.

BONUS AND ADJUSTED COMPENSATION

Within a year after the armistice Congress provided a cash bonus of $60 to all veterans discharged from the service. This amount was plainly inadequate so in 1924 there was passed the adjusted compensation act which provided a 20-year paid-up insurance certificate for every veteran. The value of this certificate depended on the length of service, $1 being allowed for each day of service in the United States and $1.25 for each day overseas. These certificates were equivalent to regular insurance policies, with loan values and are payable in cash to the beneficiaries at any time following the death of the veteran or are payable in cash to the veteran at the end of 20 years.

FREE MEDICAL AND HOSPITAL SERVICE

One of the most effective and far-reaching services ever rendered by the Government for the disabled man is that of free hospitalization privileges accorded sick and disabled veterans. The Veterans' Bureau operates the largest medical organization in the world, having in its employ nearly 1,000 doctors, 2,100 nurses and dietitians, and 10,800 other personnel. Forty-seven hospitals are now in operation, and Congress has just recently provided appropriations amounting to $16,000,000 for additional hospitals. At the completion of this next capital addition, Congress will have spent over $100,000,000 for construction of veterans' hospitals. An average of close to 30,000 men can be handled daily at these hospitals.

INSURANCE AT COST

Under the present law all veterans are allowed to carry old line reserve life insurance at cost. The law goes so far as to

provide that in case a veteran has allowed his insurance to expire he can still purchase this insurance upon passing a physical examination.

RECOMMENDATIONS OF AMERICAN LEGION ADOPTED BY COMMITTEE AND REPORTED TO HOUSE IN H. R. 10381

So far in this discussion I have confined myself mainly to the provisions of the present law. There have just been reported out of the World War Veterans' Committee, of which I have the honor to be a member, the most far-reaching number of amendments ever adopted by one Congress since the passage of the original act. I am pleased to inform the members of this House that all of the major recommendations made by the American Legion at its last annual convention have been written into this bill. The committee has in most every case gone even further than was recommended in order to try to eliminate many of the objections and criticisms of the present law.

SUMMARY OF NEW BILL

Now, just what does this new Johnson or American Legion bill provide?

First. The most far-reaching change is in section 200. The law as amended would presume that a veteran's disabilities were incurred in the service, provided he could prove that such disabilities existed to a 10 per cent degree prior to January 1, 1925. In other words, any man who becomes disabled by January 1, 1925, nearly six years after the armistice, is considered to have incurred this disability in service and will be paid a monthly compensation commensurate with his degree of disability.

The present law provides that the disability must have existed within one year after date of discharge from the Army, Navy, or Marine Corps, except in the case of diseases of tuberculosis and of the nervous system. For the latter diseases the present law sets a presumptive date of January 1, 1925. The new law places all diseases on an equal footing.

Furthermore, the committee recommends that a special congressional committee be appointed to make a 3-year study of this and other sections of the bill, with a view of making recommendations for a permanent policy to be followed in handling all veterans of all wars on a fair and just basis.

ONE HUNDRED THOUSAND VETERANS WILL BE GIVEN COMPENSATION

Probably 100,000 veterans and their families who have made application for compensation and been refused during the past few years will receive compensation under this section of the bill. This will mean that in every community in the United States there will be disabled veterans who are now unable to work and provide for their families who will receive monthly compensation checks in sizes commensurate with their disabilities.

LESS RED TAPE AND TECHNICAL EVIDENCE

Second. Many of the proposed amendments provide for the elimination of red tape and allow "lay evidence" to become a greater factor in proving cases than in the past. There is no doubt but that hundreds of veterans now suffering with tuberculosis and other diseases but drawing no compensation will be able to establish their cases and come under the provisions of the act.

MONTHLY COMPENSATION FOR DEPENDENTS

Third. Section 14 of the new bill provides monthly compensation to the dependents of uncompensated hospitalized veterans, as follows:

	Per month
a. Wife and no child	$30
b. Wife and 1 child	40
c. For each additional child	6

The amendment provides that these payments shall begin after the veteran has been in the hospital for 30 days and shall continue two months after he leaves. Only those dependents of veterans will receive compensation whose annual income, exclusive of earnings of veteran, does not exceed $1,000.

The amendment as offered by the committee does not provide dependency compensation for parents of uncompensated hospitalized veterans. I shall offer an amendment to the committee bill providing for dependency compensation for dependent mothers and fathers. Many of the boys now in hospitals have fathers and mothers at home badly in need of help. The weight of worry that can thus be lifted from the minds of sick veterans will hasten and abet the beneficial effects of hospital treatment.

The far-reaching effects of this amendment will be realized by the membership of this body when it is realized that this amendment will provide a monthly compensation check for the wives and children of the thousands of tubercular patients in our hospitals throughout this country. It will mean that many will receive this aid for many, many years. In all probability, within a few years, Congress will provide for disability pensions for veterans and their dependents and then all disabled men will be fully cared for.

EXTRA COMPENSATION FOR AMPUTATIONS

Fourth. Of particular interest is the provision in the new bill to give an additional $25 per month compensation, over and above all other compensation allowed to those who, between April 1, 1917, and November 11, 1918, suffered wounds or incurred diseases that resulted in (a) loss of any limb and (b) loss of the use of the reproductive organ. I propose to offer an additional amendment to include in the special extra compensation clause those who suffered the loss of the use of one eye. The law is now quite liberal in allowing $150 per month for loss of both eyes, but I do not feel that the present rating for the loss of one eye is sufficient.

VETERANS' BUREAU DECISIONS NOT SUBJECT TO REVIEW BY COMPTROLLER GENERAL

Fifth. There are many other perfecting and liberalizing amendments included in this bill, not the least of which is that making the decisions of the director of the bureau final and not subject to review on the part of the Comptroller General. No doubt nearly every Member of this House has had the experience of spending many hours helping a veteran collect and present his evidence and after having secured a favorable decision from the bureau learn much to your amazement that the Comptroller General had refused to pay the claim.

INSURANCE CASES TO BE TRIED ON MERIT

Sixth. The new bill makes all insurance policies incontestible from date of issuance. Further, the purpose of this section of the bill—section 23—is to make all contracts or policies of insurance incontestible from date of issuance, reinstatement, or conversion, for all reasons except fraud, nonpayment of premiums, or that the applicant was not a member of the military or naval forces of the United States. This incontestability would protect contracts where they were not applied for within the time limit required, where the applicant was not in the required state of health, or was permanently and totally disabled prior to the date of application, or for any other reasons except those specifically mentioned in the statute. It is appreciated that this is a broad provision, but it was felt that it was necessary in order to do justice to the veterans, to place this insurance on a parity with commercial insurance companies from a stability standpoint, and to overcome decisions of the Comptroller General which practically nullify the section as it now exists. Further provision is made permitting the insured to elect after a reinstatement or conversion to go back to some prior contract and claim rights thereunder; and if he proves himself entitled to such rights, upon surrender of the latter contract or contracts, to be paid under the prior contract. The purpose is to prohibit the raising of estoppel against the claimant either in or out of the courts because of his reinstatement or conversion of his insurance. The effect of the present practice of the bureau in raising estoppel is to penalize the man who pays his premiums or tries to continue all or a part of his insurance in force. This amendment is specifically made retroactive in order that in any case where the claim has been heretofore disallowed on the ground of estoppel, or because of the policy not being incontestable, the insured, or the beneficiary under such contract or policy may, if he/she so elects, have the benefit thereof. It is contemplated that payments in cases of contracts or policies incontestable under this section will begin from date of maturity of such contracts or policies.

FLAG FOR ALL DECEASED VETERANS

Seventh. Provision is made for the bureau to furnish a flag to drape the casket of all deceased veterans of all wars.

$50 PER MONTH FOR ARRESTED TUBERCULOSIS

Eighth. Active tuberculosis will no longer be required to have existed in order to allow the statutory award of $50 per month for arrested tuberculosis cases. Furthermore, the lowest possible rating that can be given the disease of tuberculosis under the new bill will be 25 per cent.

WHAT OTHER NATIONS HAVE DONE FOR VETERANS

I have found it most interesting and enlightening to compare the provisions of our veterans' law with those of the other great countries of the world who were engaged in the World War. While I do not in any way feel that we should be guided by what other countries have done, yet from them we can at least judge the extent of our laws. In reviewing these figures that I shall present it should be borne in mind that no other country in the world possesses the great natural resources that ours does, and therefore could not be expected to compensate as liberally or as fully as we. It should also be borne in mind that the standard of living in the United States is far above that of most of these countries, and therefore the rates of compensa-

tion paid our veterans who are disabled should be commensurately higher. Nevertheless, I am going to present these comparisons and place in review here for the membership of the House the pension and compensation laws of as many of these countries as I could secure. Any such comparison must clearly convince any fair-minded man that in every aspect of relief for the disabled veteran the legislation of the United States is uniformly more generous.

DISABILITIES CAUSED BY WAR

Statistical methods used by the Carnegie Endowment for International Peace and the Copenhagen War Study Organization indicate that France, Great Britain, and the United States had the following number of veterans either disabled by wounds or disease:

France, 1914 until close of war	2,647,992
Great Britain, 1914 until close of war	1,855,129
United States, 1917 until close of war	284,616

On April 1, 1926, compensations or pensions had been granted as follows:

France, 57 per cent of disabled; Great Britain, 79 per cent of disabled; United States, 142 per cent of disabled.

This statement is simply indicative of the desire on the part of the American people to care adequately for the disabled.

AVERAGE MONTHLY COMPENSATION OR PENSION

The average monthly payments of these three countries on April 1, 1926, were as follows:

France	$15
Great Britain	22
United States	38

The original French law provided for automatic increases to go into effect in 1930. I have not been able to learn whether or not these increases have been provided.

FURTHER COMPARISONS

The United States is the only country that provides compensation of any type for misconduct cases. Our law excludes misconduct cases from the compensable list, but provides that where the veteran is helpless, bedridden, or suffering from paresis, paralysis, or blindness, he shall not be denied compensation.

PRESUMPTIVE CLAUSES

The French law (art. 5, act of March 31, 1919) provides that all diseases found to exist during service or within six months thereafter, are presumed to be of service origin. The Belgian law is similar. The British Ministry of Pensions requires physicians to consider "whether the disability has developed or progressed in the natural course without being brought out or hastened by military life." A war pension can be granted only in respect of a disability due to or aggravated by service. It does not follow that every disability sustained during the war was due to service, and an applicant must show, not only that he is suffering from a disability which he had not, or had not in some degree, before enlistment, but also that the impairment of his condition is due to war service and not due to civil-life impairments. The British law further provides "There must be a probability and not merely a possibility that the disability was due to or aggravated by service." The development of tuberculosis, under the British practice, within six months after discharge indicates probable service origin. Canada allows a presumptive clause for tuberculosis of one year from discharge and Australia allows two years.

The practice of various countries in presuming service connection for various diseases may then be summarized as follows:

Country	Disease or disability must have appeared within the time indicated below in order to allow service connection	
	Tuberculosis	Other disabilities
France	6 months after discharge	6 months after discharge.
Great Britain	do	Not indicated.
Canada	1 year after discharge	Do.
Australia	2 years after discharge	Do.
Belgian	6 months after discharge	6 months after discharge.
United States:		
1. Present law	Before Jan. 1, 1925	1 year after discharge.
2. Proposed law	do	Before Jan. 1, 1925.

HOSPITAL TREATMENT OF VETERANS

With the exception of Great Britain, no other country offers hospital services free to any but veterans suffering from service-incurred disabilities as interpreted under the law. Great Britain allows free hospital facilities to nonservice-connected cases only when accompanied by a service-connected disease of the same patient. One of the most liberal features of the United States veterans' act is that which allows any veteran to be given free hospitalization for all diseases whether incurred in the service or not. The passage of the act that made this possible filled our hospitals to overflowing, and Congress has begun a program of building hospitals to more adequately take care of the expected load.

PERCENTAGE RATINGS FOR DISABILITIES

A comparison of the respective percentage evaluations for disabilities, as assigned by the various governments, shows that the average ratings of the United States Veterans' Bureau are practically never below, and on the contrary, particularly for maximum ratings, are well above the level of other government schedules. The advantage does not stop there, however, because it must be understood that even if the percentage evaluation is the same in a foreign government schedule as in the schedule of the United States Veterans' Bureau, the actual monetary award paid on such rating is not the same, being contingent upon the basic amount paid for total disability.

The following table shows the amount that would be received by a private who was 100 per cent disabled:

Country and approximate amount per month 100 per cent disabled	
United States	$100.00
Temporary	80.00
France	13.47
Great Britain	42.12
Canada	75.00
Belgium	32.00
Italy	20.00
Australia	40.80
Germany	12.95

NOTE.—All of the above figures are for a single man.

I again reiterate, ladies and gentlemen, that these comparisons should in no way lead us to believe that this country has been overly generous in dealing with our disabled veterans. It should simply point out to us that up to the present time we have pointed the way for all nations in the administration of veterans' relief, and should continue to do so.

The Veterans' Bureau, its board, its doctors, and its hospital personnel have been criticized by all of us at one time or another. No doubt in many cases these criticisms have been merited. In other cases, without doubt our criticisms of the bureau should have been leveled at the law. We make the law—we only can change it.

Every Member in this House has several cases of disabled veterans in his files that he feels should be receiving compensation under the present law. However, due to this or that technicality these cases are continually turned down. Amendments to the law will help in some cases, but there will yet be a great number of cases still held out on technicalities. How can this situation be remedied?

I believe that a long step toward a more satisfactory and a more expeditious settlement of claims before the bureau would follow if a complete reorganization of the "contact" service section were to be made. Doctor McDermott, of the Veterans' Bureau, in his statement before the committee stated that the provision in the law instructing the bureau to aid and advise the veteran in the proper steps to "explore and develop" the evidence and history necessary to establish his case was the least effectively administered section of the act.

Very often it would seem that minor officials of the bureau in writing letters to veterans supposedly discussing the case use a nomenclature that is entirely foreign to anyone but an employee of the bureau. Of course, there are many exceptions to this. In the Kansas City office of the Veterans' Bureau there is a regional manager in charge who makes every possible effort to make clear to the veteran the facts in his case. Yet it is humanly impossible for a regional manager to take the time to personally make the contacts in the various communities that would be necessary to properly aid the veteran to "explore and develop" his case.

I feel that the director of the bureau is justified in giving considerable attention to this section in the bureau. By rotation of personnel similar to the practice in the Army and Navy under the national defense act the best and most sympathetic men in the bureau could be assigned at times to the contact division. A great deal of useless motion and many appeals could be eliminated in this way and—what is more important—veterans who are now denied compensation would receive monthly checks rather than unreadable letters in many cases.

It seems to me that a great deal of the present criticism of the bureau and its rating boards could be eliminated—

First. By placing the best men in the service in the contact section, and aiding the veteran in gathering properly the evidence needed to establish his case; and

Second. By not allowing members of the rating boards to become calloused by continually serving in the same office and on the same board, but rather cause them to rotate throughout the different sections of the bureau and keep in close con-

tact with all of the problems. It occurs to me that the doctors who are dealing daily with the disabled veterans in our hospitals see with a much more generous eye the possibility of service connection of the disability of his patient.

In closing I want to urge this House to concur with the committee in its recommendation that a special congressional committee be appointed to make a thorough study of the whole problem of veterans' legislation and needed revision. When that committee reports back we can then amend whatever mistakes we will have made in the past in dealing with the disabled veterans of our wars.

Mr. CRADDOCK. Mr. Speaker and Members of the House, the greatest debt this Nation owes is to its disabled veterans of all wars who have from time to time defended its flag and made it possible for all to enjoy the unexcelled peace and prosperity that is now abroad in this great land of ours.

While there are some sections of this bill that I do not agree with, it seems to be the best measure that the present Congress will be able to agree upon, and as this is an emergency measure to supply an immediate need for destitute disabled World War veterans and their dependents, I expect to whole-heartedly support same with any amendments that the committee may deem wise to adopt.

Quibbling over compensation to be paid to disabled veterans has ceased to be a virtue, and the difference of opinion as to estimated cost is a minor matter. We can not escape our obligation, no matter what the cost.

It is sincerely hoped that under House Joint Resolution 222, creating a joint committee of the Senate and House to make a survey and investigation of compensation and pensions of all military and naval forces, that before another Congress convenes there may be worked out through the investigations of this joint committee a very comprehensive system for the pensioning of all disabled and needy World War veterans and their dependents. At this point allow me to say that a pension system is the only fair and honest way to deal with these veterans, and will be by far the least expensive to the Government. As soon as possible we must enact an equitable pension law which will afford relief to veterans without their having to leave their homes and families in order to obtain benefits due them. Legislation which affords relief to the veteran and his dependents provided he will leave his family and home and be hospitalized in many cases is destructive. The veteran feels that he is entitled to this relief within his home, and to force him away from those whom he loves causes a disrespect for the Government. As much as possible we must provide relief to the veteran without destroying his home.

At the outset of my remarks I said that we must meet our obligations to World War veterans regardless of the cost. We must; we can not escape the responsibility which rests upon our shoulders; we must meet this issue squarely and unflinchingly.

The veterans who answered the call in 1917 did not hesitate to do their duty. Even to death they kept faith. We can keep faith without death. We told them when they answered the call that we would not forget. We promised to care for them and their dependents if need be.

We can not blot from their memory the misery endured in the training camp or on "no man's land," but we can lend a helping hand at this time to those that are in need. We can not restore to the loved ones those that are living in spirit only, but we can provide for those that were left behind and who are in need. We can not drive pain and suffering from the wrecked bodies of those that live, but we can, by affording them adequate financial relief, make the remaining days of their lives a bit more comfortable.

The pending legislation, if enacted into a law, will in a measure compensate veterans and veterans' dependents for the losses sustained in the past and the needs that daily arise. In my judgment, the legislation pending before us, while not perfect, will go far toward providing adequate relief for its beneficiaries. There is not any question as to the extent and purpose of the legislation, but there is a tremendous question as to the construction that will be placed upon it by the agency that does the administering.

The question as to how this legislation will be construed is of vital importance, and I feel that the debate should set out, in plain and comprehensive terms, the construction. This should be done so that the construing agency will know what the House of Representatives intended by this legislation. If we do not make the construction plain, we will be faced with the same problems that we are faced with at this time. This legislation is plain enough to be construed so as to afford to the veterans much relief, as other acts of Congress relating to this same problem have been, yet the agency that has construed them has failed to place the construction intended by Congress. With this knowledge before us, we should place ourselves on record as to the construction we intend. We should leave no room for doubt as to our intentions.

A careful study of the administration of the World War veterans' act reveals the unfortunate fact that each veteran applying for compensation has upon his shoulders the burden of proof. He must prove to the agency administering the World War veterans' act beyond a reasonable doubt that he is disabled, and that such disability as disables him is of service origin. This construction of the act would not be so unjust if each veteran had been told when he entered the Army that he must protect his pension and compensation rights. The Government knew that soldiers would be disabled, and from the day the war started its agents prepared it to defend itself against each claim.

To prove that the Government prepared itself to defend and fight each pension and compensation claim we only have to study the tactics employed to keep soldiers out of the hospital and off the sick list. A well soldier was the pride of the unit, and the praise was so much voiced that sick and weary soldiers many times suffered the agonies of hell rather than report at "sick call." A better example is the method of keeping hospital records. Every statement against interest made by the soldier was recorded. The soldier did not know that he was building a defense for the Government—he did not know that these admissions against interest would be glaringly evident in the Government's evidence when he filed for a pension or compensation. Why should this practice be allowed without explaining to the soldier that any careless statements he may make will be used against him? Thousands of compensation claims of merit have been rejected by reason of careless statements made by the veteran. Congress did not intend such a construction of the act as would hold the veteran responsible for careless statements made while in the service.

It may be said that many compensation claims are connected with service by reason of the medical record, but let me assure you that most of such claims could be connected with service without ever referring to the military record.

For several years in different capacities it has been my privilege to assist veterans in the preparation of their compensation claims, and in many of these cases it appeared that we had a good case, but upon presentment of the evidence to the administering agency we found that it was worthless due to the construction of the law made by that agency. Some of these cases were lost due to careless statements made by a weary veteran who was anxious to admit anything in order to get out of the service and back home. The veteran was unaware of his errors, but the agents of the Government were always on the alert. Some of these Government agents that were on the alert have since been retired under the emergency officers' retirement act.

The Government records must be used, but this law does not warrant them being used in a cold-blooded way. The agency construing the evidence found of record must take into consideration the human element involved. The agency which applies this legislation to the needs of the veterans must be instructed to do so in the name of justice and not in a cruel and relentless manner. If Congress in its record fails to construe this legislation as it intends, you may rest assured that it will be construed in such a way as to relieve the financial burden as much as possible from the shoulders of the Government.

It is my belief that Congress intends by this act that full faith and credit be given to the evidence submitted by physicians in private life. I do not believe that Congress intends to have the unbiased evidence submitted by a private physician rebutted by a careless record made by a Government physician. Too often have I seen this happen in cases in which I have attempted to serve the veteran. In saying this I realize that there are many private physicians who are incompetent and unscrupulous. The administering agent soon learns who these are, and they should not consider any testimony they offer. But there are many able physicians who are having their evidence disregarded by the administering agency. This practice should be stopped.

Let me say that I am appreciative of the great work done by the agency which administers the act. When I refer to inconsistent acts on their part I do not mean to imply that the whole organization is bad. It is far from as bad as has been depicted many times upon this floor. In all public utterances I have refrained from attacking this agency as an organization. I have attempted to explain to veterans that the administering agency was not a monstrosity.

When this legislation is passed the RECORD should contain the intention of Congress, and this intention should be carried out. We must relieve the veteran who is suffering from a service-

connected disability whether by actual service connection or presumption. We must not forget the obligation that this Government owes to its warriors and their dependents. We must meet this issue in the same spirit that our veterans met that which faced them. Justice and not money should dictate our course of action.

BRANCH, CHAIN, AND GROUP BANKING

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing the addresses of two different members of the Committee on Banking and Currency, the gentleman from Massachusetts [Mr. LUCE] and the gentleman from Kansas [Mr. STRONG] on Branch, Chain, and Group Banking over the National Broadcasting System, April 19, 1930.

The SPEAKER pro tempore. Is there objection?

There was no objection.

ADDRESS OF HON. ROBERT LUCE, OF MASSACHUSETTS

In the nine years ending with December 31, last, there were in this country 5,640 bank failures. It is estimated that 7,264,957 depositors contributed to the huge total of $1,721,000,000 of deposits in the banks that failed. More than 7,000,000 of our people had their money tied up, and in the end lost some, if not all, of the funds they were using for business or had deposited against the needs of illness or old age. Surely, something is wrong with a banking system that permits such distress.

If the great bulk of these failures had taken place in the period of deflation following the war, if since then the number had been lessening year by year, it might be argued that the trouble has not been with the system but with the times. The record shows the opposite to be the case. Last year—10 years and more after the war, 8 years after the bubble of inflated values burst—there were 640 bank failures, more than in any other year of the period except 1926—640 failures, more than 2 every business day. In the first seven weeks of this year there were 155 additional failures—between 3 and 4 every business day. Surely the blame for what is going on now can not be laid to what took place eight or nine years ago.

The most distressing thing is to be found in the nature of the places where failures took place, are taking place, and bid fair to continue to take place. In the last decade there was not a failure of a metropolitan bank with a capital of more than $2,000,000. There were but four failures in the million-dollar-capital class. The misery was dealt out chiefly to the small towns, the villages, the hamlets of the country—what are spoken of as the rural districts. More than 2,000 failures, more than two-fifths of the whole, took place in towns and villages with less than 500 population, more than nine-tenths in places with less than 10,000 population. It was to the farmers that this thing brought the most calamity.

Few disasters work more havoc in a small town than a bank failure. Stricken depositors crowd around the closed doors, hoping in vain to salvage some of their savings. Shopkeepers face bankruptcy. Men who were prosperous the day before stare poverty in the face. Small industries stop their wheels. Wage earners are dismissed. Farmers are confronted with demand for payment of mortgages. In the last nine years the failures of banks have compelled borrowers to find at once the funds with which to repay $2,000,000,000 of loans, mostly small loans. Whether borrowers or depositors, those who suffer are chiefly the most useful of the citizens, for the borrowers are those with enterprise, the depositors those with thrift. Furthermore the owners of the bank, the shareholders, are usually leaders in the community. Theirs is a double loss, for not only does the value of their shares disappear but also they are liable to the creditors for an amount equal to their investment. How often this means ruin is shown by the fact that it proves possible on the average to collect less than half the amount for which the shareholders are liable.

Imagine the harm all this has wrought in nearly 6,000 communities, mostly in the great agricultural States.

Many reasons for these disasters have been suggested. Some of the reasons advanced are local, temporary, accidental. Most of them do not go to the root of the matter. The real causes are to be found in the revolutionary change of our social and commercial structure, worked chiefly by new facilities, or improvement of facilities, for communication and transportation—the telephone, the rural delivery and collection of mails, the automobile, and good roads. In combination these have shifted business from the smaller to the larger places—from the small town to the large town, from the large town to the small city, from the small city to the metropolis. Banking has traveled with the rest. The country bank watches its opportunity steadily dwindle.

Remedy is imperative. It can not be found in attempt to stem the trend of the times. No human power can block great economic tendencies. This is an era of centralization, of combination, of amalgamation. To fight against it is as useless as was the effort of Mrs. Partington to sweep back with her broom the rising tide of the ocean. There is but one recourse, and that is to regulate and control. A river can not be made to stand still or run up hill. It can be guided into safe channels; its floods can be kept within bounds.

As far as banking is concerned, that is the task in part of the committee of the House of Representatives of which Mr. STRONG and I are Members, the Committee on Banking and Currency. We are at the moment engaged in exhaustive study of the whole banking situation in the hope of determining how it should be bettered as far as that should and can be done by legislation.

We find that the banks themselves are groping for a better system, safer and more profitable. Of course, they want to make more money, but they can do this only by giving more service. Both parties benefit by every fair business transaction. Better banking is to the interests of everybody concerned—shareholders, directors, officers, borrowers, depositors, and the community as a whole. The question is how best to get it.

Various bankers have been experimenting in two directions—one that is known as branch banking, the other as chain or group banking—these not being in essence different enough to call for separate consideration here. The branch-bank system means a central bank in some large city, with branches in smaller places or in the large city itself. These branches are operated like the branch offices of any other business. The central bank closely directs, fully supports, and completely controls the branches. The funds are available for use where needed. Those awaiting investment can be shifted according to demand. No branch can fail unless the whole fabric collapses. Borrowers throughout the system get equal treatment, paying what the broad money market at the moment requires. Depositors get the maximum of protection.

Chain and group banking seek to accomplish the same end by common ownership of numerous banks, which are operated, nominally at least, as semi-independent units. Of course, in fact, they are under single control, but they have more independence than the branches of a central bank. Each has its board of directors made up of local men, and is entrusted, at least in small matters, with the conduct of the affairs. The controlling authority, whether it be one man or a corporation in the nature of a holding company that owns all or a controlling part of the stock of all the banks in the combination, gives the guidance and oversight of a highly trained executive, thus securing wise and prudent management.

Which of these methods of organization is the better remains to be determined by those who are studying the problem, but as far as we have gone, it would seem that branch banking is the simpler form, more easily watched by State or Federal bank examiners, more flexible, more economical, and less open to abuse by manipulators of high finance. However, group and chain banking may yet be shown to be better under certain conditions.

The test of any change in social methods and relationships is whether it brings more benefits than it destroys. Of course, new banking processes mean some losses. The country banker and the independent local bank, what is known as the "unit" bank, have played a useful part in the development of rural communities. We may, for various reasons, regret the lessening of local self-reliance in point of banking and other forms of business. Yet if independence and self-reliance are replaced by broad forms of cooperation that make life easier, that save wasteful effort, that increase the sum total of prosperity, then once more we find proof that the world advances.

The chief argument against these new forms of banking is that they tend to concentrate the capital of the Nation in few hands in a few great centers. There is the fear that combination and centralization mean monopoly and that they help make powerful financiers still more powerful, with menace to the masses of the people. It was the argument used in the trust-busting era of a generation ago. Yet the great combinations of capital in industry have proved harmless. On the other hand we owe to them no small part of the great increase in comfort and the great diffusion of prosperity that have marked our time.

We are the most prosperous Nation on earth because we have gone farthest in uniting effort for common ends, in what we call cooperation, which means working together. Size of itself should no longer alarm. Regulated monopoly should inspire no dread. If the march of banking in the same direction proves inevitable, let it be accepted without useless protest, let it be guided by wise laws, let our concern be that it shall contribute all it can to the common welfare, through prudent, equitable use of the moneyed capital of the land.

ADDRESS OF HON. JAMES G. STRONG, OF KANSAS

Americans of the radio audience, in the few minutes I have to address the millions that are listening, I want to point out the efforts that are now being made to control the money and credits of the Nation through group, chain, branch, and international banking.

One of the necessary requisites to the continuance of that liberty which our forefathers established is that money and credits shall not be monopolized and controlled for selfish interests.

Money and credit is the lifeblood of a nation, and whenever it fails to flow freely and naturally in all sections of the country individual effort and all industry, agriculture, and business are stifled.

For more than a hundred years the country has grown and developed in wealth, happiness, and prosperity under unit banking, each city or

community being furnished its money and credit through banks owned and operated by those whose interests were interwoven with the people they sought to serve.

The Federal reserve system was created through an act of Congress in order to make possible a reservoir of money and credit that would flow directly and quickly to any part of the country needing the same.

But selfish ambitions in the effort to control and dominate the essential industries through mergers and controlled business are destroying the hitherto democratic independence of our people. Chain stores, mergers of great interests, controlled manufacturing, lighting, heating, power, and even entertainment are moving toward the elimination of individual ownership and control of all business.

Now chain, group, and branch banking are following on the heels of business mergers, mass production, and controlled operation of industries, which I fear through control of money and credits will be a national menace.

I am not a pessimist and certainly have never been classed as one who holds radical views. I realize that in a Nation covering a continent with 120,000,000 of people, rich in all the resources of the earth, whose educational attainments and ambitious energy cause them to strive to outdo each other in an effort to work out the great problems of our generation, that such combinations of capital and labor will be formed that will make necessary greater continued Government regulation and control for the protection of the common good. But my 12 years of service on the great Banking and Currency Committee of the House of Representatives, of which I am the ranking member, have forced me to realize the tendency toward a monopoly of our financial system as a danger to our national welfare. This view is accepted by so large a number of the members of our Banking and Currency Committee that we are now engaged in holding hearings in an extensive investigation of all forms of chain, group, and branch banking, with the view to planning legislation that will regulate and control our national financial system, as controlled business is and must continue to be regulated.

The first effort for the grouping and control of banking institutions came when bankers, through their influence, induced State legislatures to permit branch banking, which authorized State banks to establish branches, which resulted in State banks not only establishing branches in the city where the parent banks were located but throughout the smaller cities and communities of the entire State.

Under such laws State banks in large money centers, through the establishment of branches, so embarrassed national banks—which under our national banking act were not permitted to have branches—that nearly 300 national banks surrendered their charters and accepted State charters in order that they might also establish branches and meet such competition.

Chain banking, being a number of banks owned and operated by an individual or a small group of persons, was also permitted to gain a foothold throughout the country.

To meet, in part, the liberalizations that had been extended by States to their banking institutions a bill was introduced in the Sixty-ninth Congress for the purpose of protecting both our national bank and Federal reserve systems. This bill came before our Banking and Currency Committee of the House and was known as the McFadden Act. During its consideration an effort was made to establish nation-wide branch banking, which I opposed with other members of the committee. But the necessity of permitting national banks to have branches in the money centers in States where State banks had been permitted to establish them was realized and after a conference with the then Comptroller of the Currency, Henry M. Dawes, who opposed branch banking, I introduced restrictive amendments, as follows: That national banks should only be permitted to have branches in those States where branch banking was permitted to State banks, and then only in the cities where the parent bank was located. It was agreed that such amendments would meet the situation, and the bill with such amendments became a law.

However, those who desired to establish nation-wide branch banking were not satisfied. They pointed out that chain banks that had been established throughout the country were undesirable, for the reason that the failure of one man or bank might wreck all the banks of the chain, as had often resulted, and being unable to establish branch banking in the States that did not by law permit the same, planned through group banking to accomplish indirectly that which the law prohibited their doing directly.

Group banking is a system of banks operated by holding companies who control the majority of stock in a large number of banks. It is also claimed that this system of banking is undesirable and the kind of banking that "nobody wants to perpetuate indefinitely," but those who are trying to establish nation-wide branch banking have announced that within two years group banking will be extended into every State of the Union, which will make necessary the passage of laws by Congress to permit nation-wide branch banking, which, they insist, is a more desirable form of banking than either chain or group banking.

Branch banking is an association of a number of banks operated in one or more cities or towns, but all under the discretionary control of the parent bank and under the capital of such bank.

Branch banking is now permitted with various modifications in nearly 20 States. In California over 80 State banks are operating over 600 branches, the Bank of Italy having over 300. In the State of Michigan there are nearly 300 branch banks, while in the city of New York over 300 State banks are operating branches. In the United States over 600 State banking institutions have over 2,000 branches.

Chain banking has been in operation for many years but has generally been confined to rural districts, and the number of banks of the chain are principally small country banks, although generally owned and controlled by a city banker. Its development has been greatly discouraged because of the failure of several of these chain groups.

Group banking, although of only recent origin, has grown and developed rapidly and is now strongly entrenched in over 20 States, embracing over 600 banks, with a combined capital of over a billion dollars and over $7,000,000,000 in deposits.

I have introduced in Congress a bill to prohibit chain and group banking and am opposed to the further extension of branch banking. Others have introduced like bills. Bills have also been introduced to permit the extension of branch banking by national banks. In the hearings now being conducted by the Banking and Currency Committee there has appeared, first, the present Comptroller of the Currency, J. W. Pole, followed by the governor of the Federal reserve system, R. A. Young, both of whom advocate branch banking to national banks, but limited to what they term "trade areas," which they indefinitely describe as the natural trade territory of large cities or money centers. When I suggested that holding companies might acquire the stocks in the parent banks in such areas, thus constituting a monopoly of the banking system of the Nation, it was admitted that Congress would have to pass laws to prevent such result.

Governor Young, whom I believe to be both able and efficient, admitted that nation-wide branch banking would eventually result when men had sufficient training and experience to develop and manage the same, but for the present favored the restriction of branch banking to such indefinitely described "trade areas."

This week we have been engaged in hearing the "group bankers" from Minneapolis and St. Paul, who are opposed to branch banking unless restricted to their "trade areas" and prevented from interfering with their group banks. These two holding companies, although they have been in operation but little more than a year now, have about 100 banks in each group. Their plan is to absorb every bank that demonstrates its ability to make money. They insist that they have greatly improved the financial situation in their territory and are in sound financial condition, but admit that they do not intend to furnish local banking facilities for small towns in rural communities unless they are permitted to do so by small offices or "teller windows" that are branches of their large city banks.

Our committee next plans to hear the representatives of group banking in other parts of the country, and they will be followed by representatives from the California banks who are engaged in operating great banking groups, some of which embrace chain, group, and branch banking, after which the committee will hear those who are opposed to branch banking.

As between chain, group, and branch banking it is generally conceded by disinterested students of these forms of banking that branch banking under proper regulation would be preferable, that the branches being component parts of a strong financial system would be able to furnish more necessary capital than is possible with a local individual bank and to a large extent eliminate the weak banks throughout the country, and in their argument for branch banking, point to the large number of failures in agricultural communities since the World War, which, of course, was the result of the unfair treatment accorded agriculture prior, during, and after the war and the deflation which followed. I believe such conditions would have brought disaster to any system of banking. Had the people in such communities been served by branch banks the people would either have been refused loans or the results that did happen would have obtained.

Branch-banking advocates, however, claim that branch banks would not only be able to furnish more necessary capital than is possible with a local individual bank, but to absorb losses without injury to the parent institution.

The objections to branch banking are: That it places the control of the finances of the people in the hands of small groups, which when extended will become a menace should the management fall into incompetent or corrupt hands, or those whose ambitions and desires are for control and a monopoly of money and credits throughout the Nation.

It removes to a large extent the interest that a banking institution should have in the community that supports it, since the policy of the branch bank will be dictated by the parent bank whose location might be hundreds of miles distant and whose first consideration would be to serve the interest of the community where the parent bank was located and the interest of the men who control the same. I believe when once established it will crowd out the independent bank, no matter how strong and able it is to serve the needs of the community in which it is located.

When money is plentiful it will, of course, be supplied to the branch banks to meet all general banking needs, but who can doubt that in times of stress credit will be withdrawn from the branch-banking communities to meet the demand in the money centers, as was so recently demonstrated in the crash of the stock market in New York. While if the people are prosperous in the vicinity of the branch bank, it will be used as a marketing agency for stocks and bonds, underwritten at large profits by the parent bank in the large money centers.

The attempt to limit branch banking to "trade areas" as suggested by Comptroller Pole would not end the controversy, just as the granting of branch banks limited to cities in which the parent bank was located, did not do so. Those who believe in nation-wide branch banking would insist on breaking down the boundaries of the "trade areas" and would be more strongly entrenched to insist upon their demands.

Nation-wide branch banking will first mean a control of money and credits in a few large cities of the country, but eventually that control will rest in the city of New York, which is the money center of the world.

I also fear that the control of banks by holding companies or by large banks with branches will eventually dominate the Federal reserve banks and selfishly control our Federal reserve system.

The Nation should not forget the history of the second bank of the United States, which was permitted to have branches and which so extended its influence and power that it became a political factor of such strength that the renewal of its charter was one of the national campaign issues a hundred years ago. Though President Jackson was elected in opposition to the renewal of its charter its power was sufficient to force through Congress a bill favoring the same. During this contest it was developed that the bank had loaned large sums of money to Members of Congress, governors, judges, to the great newspapers, and other influential interests, and only by the courage and stamina of President Jackson was the extension of its charter killed by his veto.

I fear that another contest is on for the domination and control of the money and credit of our Nation and I warn the people that if they wish to preserve banks owned and controlled in their respective communities that will cooperate with them in the interest of developing and building up and serving those communities that they must see to it that their Representatives in Congress are opposed to all forms of chain, group, and branch banking. Or, if it shall be found that such forms of banking can not be avoided, then that laws may be enacted for the proper regulation and control of the same.

I also take this opportunity to warn the people against the buying of securities of foreign nations or corporations that may be marketed through international banks or other means. The unloading of the German war debt and the obligations of other nations upon the people of the United States ought not to be encouraged, for if such results obtain I fear the time will come when there will be a readjustment and perhaps a repudiation of such debts.

There is an abundance of financially sound American investments for all American capital at fair rates of interest, and for the next 50 years there will be an opportunity to invest in the securities of our own Government, which are the best in the world.

WORLD WAR VETERANS' LEGISLATION

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Veterans' Legislation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ALLEN. Mr. Speaker, I have listened with deep interest to the long debate upon this the Johnson veterans' measure. My favor or opposition to its various features has been measured by the extent to which aid and relief comes to the veterans of the World War. If I were consulted and given an opportunity to write the measure, I should make its terms more liberal but probably should not be bound by Treasury considerations, which, after all, can not at this time be ignored. From the time of the close of the World War to January 1, 1925, injuries and diseases resulting from war contacts were probably developed in nearly all cases, but that there are many exceptions I regret very much.

In the first place, the boys about to reach home quickly and in their eagerness to meet wife, parent, brother, sister, or sweetheart, their perhaps manifest ailments were either forgotton or suppressed, and so from their own lips came the flattering statement of health, where, perhaps, a full statement would have registered the real condition and made it easier for the Government and better for themselves in determining their disability, injury, or diseases. Then, too, that period of time was to many of them a period of growth and development, where the surge of health overcame the drawback of pain and injury or disease.

I am pleased to know that the Government instead of taking an adverse position to the claims of the veterans and requiring the veterans to grope in the darkness for evidence of their disabilities and disease that the manifestation of disability within that period is a presumption that it was of service origin. It will make it so because when every young man presented himself for enlistment or under the draft he was presumed to be physically sound and as of as nearly perfect manhood as we know the American youth to have been. So that the Government is simply taking upon itself the burden of the presumption of soundness at the time of enlistment and wherever a change from that presumed condition occurred up to January 1, 1925, it is presumed to have been of service origin. In this the Government is properly humane.

This presumption as related to six classes of disability is what we call an absolute presumption; in other words, one that is established as a stone wall against which the hand of the Government can not be raised in rebuttal. These six disabilities are tuberculosis, paralysis, paresis, blindness, those permanently helpless or permanently bedridden, and spinal meningitis. Other diseases appearing before January 1, 1925, are likewise presumed in favor of the soldier to be of service origin but with this exception, that it is a presumption which, if established, the Government in its own defense may by most clear and convincing evidence rebut it. This is for the purpose of a defense against those cases where fraud might be attempted to be perpetrated against the Government. While we desire to be liberal to the soldiers we must conserve our national resources to the extent at least of not depleting our funds to comply with fraudulent demands.

As a practical matter this last presumption will amount to very nearly as much as the first because the difficulty that the Government will have in rebutting such presumption will render the Government's resistance effective in very few cases and in those which will be perhaps the most flagrant.

I have been looking forward to the Government, through its Congress and the administration, to work out a complete and scientific pension system which shall cover all the soldiers of the World War giving each a reasonable pension based upon the factors of his disability, age, and service, disregarding entirely the matter of rank. So that for all the veterans of the war there shall be a scientifically graded pension for each and every one of those young men who from the enlistment line, in the encampment, upon the seas and up to the battle front, shall receive a fair measure of bounty from this generous and wealthy Government.

When this is done as a part of the general plan and scheme there shall be provided under suitable conditions, and under just grades, relief for the widows and orphans, parents, or other dependents of him who gave his life in battle or in any department of the service or who since that time has succumbed to the demands of death from whatever cause or condition.

Whatever measure of relief we shall find in this legislation I hope its administration will be conducted along humane channels so that we here, given authority to represent the veterans at home, can have an opportunity to diligently by pen, voice, and personal contact with the administrative offices plead effectively for the rights of the veterans and their dependents who are entitled to and should receive a fair measure of reward for the sacrifices that were rendered and the glory they contributed to the American name.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes; and

S. J. Res. 156. Joint resolution to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma.

ADJOURNMENT

Mr. JOHNSON of South Dakota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 5 minutes p. m.) the House adjourned to meet to-morrow, Friday, April 25, 1930, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Friday, April 25, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider private bills.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE—SUBCOMMITTEE ON THE COAST GUARD

(10 a. m.)

To regulate the entry of persons into the United States, to establish a border patrol in the Coast Guard, and for other purposes (H. R. 11204).

COMMITTEE ON BANKING AND CURRENCY

(10.30 a. m.)

To consider branch, chain, and group banking as provided in House Resolution 141.

COMMITTEE ON TERRITORIES

(10 a. m.)

For the relief of Casey McDannell (H. R. 644).

To provide for the naming of a prominent mountain or peak within the boundaries of Mount McKinley National Park, Alaska, in honor of Carl Ben Eielson (S. J. Res. 155).

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

To establish a commercial airport for the District of Columbia (S. 3901).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

418. A communication from the President of the United States, transmitting supplemental estimate of appropriation amounting to $87,500 for the fiscal year 1931, to enable the Secretary of Agriculture to continue the operation of the Center Market, Washington, D. C., from July 1 to December 31, 1930 (H. Doc. No. 362); to the Committee on Appropriations and ordered to be printed.

419. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the General Accounting Office for the fiscal year 1930 and 1931 amounting to $25,000 (H. Doc. No. 363); to the Committee on Appropriations and ordered to be printed.

420. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Department of State for the fiscal year 1931, to be immediately available, amounting to $25,600; also a draft of proposed legislation affecting an existing appropriation (H. Doc. No. 364); to the Committee on Appropriations and ordered to be printed.

421. A letter from the Governor of Federal Reserve Board, transmitting sixteenth annual report, covering operations for the year 1929 (H. Doc. No. 213); to the Committee on Banking and Currency and ordered to be printed.

REPORT OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WASON: Joint Committee on the Disposition of Useless Executive Papers. A report on the disposition of useless papers in the Department of Commerce (Rept. No. 1267). Ordered to be printed.

Mr. JENKINS: Committee on Immigration and Naturalization. H. R. 10881. A bill to amend section 24 of the immigration act of 1917, as amended H. Rept. 1268). Referred to the Committee of the Whole House on the state of the Union.

Mr. McSWAIN: Committee on Military Affairs. H. R. 6124. A bill to provide for the reconstruction of the Army and Navy Hospital at Hot Springs, Ark.; with amendment (Rept. No. 1269). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMSON: Committee on Indian Affairs. H. R. 8921. A bill authorizing an appropriation for payment of claims of the Sisseton and Wahpeton Bands of Sioux Indians; with amendment (Rept. No. 1270). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 10044. A bill to amend section 108 of the Judicial Code, as amended, so as to change the time of holding court in each of the six divisions of the eastern district of the State of Texas; and to require the clerk to maintain an office in charge of himself or a deputy at Sherman, Beaumont, Texarkana, and Tyler; with an amendment (Rept. No. 1271). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11782. A bill to amend the act approved February 12, 1929, authorizing the payment of interest on certain funds held in trust by the United States for Indian tribes; with an amendment (Rept. No. 1272). Referred to the Committee of the Whole House on the state of the Union.

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 11050. A bill to transfer Willacy County in the State of Texas from the Corpus Christi division of the southern district of Texas to the Brownsville division of such district; without amendment (Rept. No. 1273). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11370. A bill to authorize the use of a right of way by the United States Indian Service through the Casa Grande Ruins National Monument in connection with the San Carlos irrigation project; without amendment (Rept. No. 1274). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11429. A bill to regulate collections from Indians in the United States; with an amendment (Rept. No. 1275). Referred to the House Calendar.

Mr. LEAVITT: Committee on Indian Affairs. H. R. 11783. A bill to authorize the collection of penalties and fees for stock trespassing on Indian lands; without amendment (Rept. No. 1276). Referred to the House Calendar.

Mr. HOUSTON of Hawaii: Committee on the Territories. H. R. 10657. A bill to amend section 26 of the act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; with amendment (Rept. No. 1277). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRAND of Georgia: Committee on Banking and Currency. H. R. 10560. A bill to amend section 22 of the Federal reserve act; without amendment (Rept. No. 1278). Referred to the House Calendar.

Mrs. KAHN: Committee on Military Affairs. H. R. 4290. A bill to provide for the care of private battle-field memorials in Europe; without amendment (Rept. No. 1279). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mrs. KAHN: Committee on Military Affairs. H. R. 10983. A bill for the relief of Iria T. Peck; without amendment (Rept. No. 1280). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SCHNEIDER: A bill (H. R. 11900) to authorize the Secretary of the Interior to investigate and report to Congress on the desirability of the acquisition of a portion of the Menominee Indian Reservation in Wisconsin for the establishment of a national park to be known as Menominee national park; to the Committee on the Public Lands.

By Mr. GRANFIELD: A bill (H. R. 11901) for the purchase of a site and the erection of a public building at Chicopee, Hampton County, Mass.; to the Committee on Public Buildings and Grounds.

By Mr. GASQUE: A bill (H. R. 11902) granting the consent of Congress to the Board of County Commissioners of Georgetown County, S. C., to construct, maintain, and operate a bridge or bridges across the Black-Peedee River and the Waccamaw River at or near Georgetown, S. C.; to the Committee on Interstate and Foreign Commerce.

By Mr. DEMPSEY: A bill (H. R. 11903) granting the consent of Congress to the construction of a bridge across the East Branch of the Niagara River; to the Committee on Interstate and Foreign Commerce.

By Mr. MORTON D. HULL: A bill (H. R. 11904) to procure and erect in the city of Washington the group of statuary known as the Indian Buffalo Hunt; to the Committee on the Library.

By Mr. STALKER: A bill (H. R. 11905) to provide for the acquisition within the District of Columbia of a site for a combined land plane and seaplane airport and the improvement, equipment, management, operation, maintenance, and disposition thereof and any appurtenances, inclusive of repairs, lighting and communication and structural systems, and all structures of any kind deemed necessary and useful in connection therewith; to the Committee on Public Buildings and Grounds.

By Mr. STALKER: A bill (H .R. 11906) to provide for the acquisition, improvement, equipment, management, operation, maintenance, and disposition of a civil air field and any appurtenances, inclusive of repairs, lighting and communication systems, and all structures of any kind deemed necessary and useful in connection therewith; to the Committee on Public Buildings and Grounds.

By Mr. WOOD: A bill (H. R. 11907) to provide for the transportation of the remains of civilian officers and employees of the United States and of the District of Columbia who die while absent from their official stations or while abroad on official business; to the Committee on Expenditures in Executive Departments.

By Mr. UNDERHILL: Resolution (H. Res. 212) directing the Speaker to appoint a committee to make inquiry relative to communist international propaganda against the Government of the United States; to the Committee on Rules.

Also, resolution (H. Res. 213) directing the Speaker to appoint a committee to make inquiry relative to the so-called radical movement in the United States; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADKINS: A bill (H. R. 11908) granting a pension to Anna B. Jacobs; to the Committee on Invalid Pensions.

By Mr. BOHN: A bill (H. R. 11909) for the relief of Capt. Joseph H. Hickey, Quartermaster Corps, United States Army; to the Committee on Claims.

By Mr. BRUMM: A bill (H. R. 11910) granting an increase of pension to Mary McLaughlin; to the Committee on Invalid Pensions.

By Mr. CRAMTON: A bill (H. R. 11911) for the relief of Frank J. Spencer; to the Committee on Claims.

By Mr. DOMINICK: A bill (H. R. 11912) granting a pension to John H. Hamilton; to the Committee on Pensions.

By Mr. FITZGERALD: A bill (H. R. 11913) for the relief of Allen Gregg; to the Committee on Military Affairs.

By Mr. GIFFORD: A bill (H. R. 11914) for the relief of the estate of Milton L. Baxter; to the Committee on the Judiciary.

By Mr. HALL of North Dakota: A bill (H. R. 11915) granting a pension to Harriet Taber; to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 11916) granting an increase of pension to Mary P. Sanborn; to the Committee on Invalid Pensions.

By Mr. HUDSON: A bill (H. R. 11917) for the relief of Edward A. Halliwill; to the Committee on Military Affairs.

By Mr. JONAS of North Carolina: A bill (H. R. 11918) for relief of Elizabeth Ramsey; to the Committee on Pensions.

By Mr. JONES of Texas: A bill (H. R. 11919) for the relief of Sandy Theodore Norris; to the Committee on Naval Affairs.

By Mr. JOHNSTON of Missouri: A bill (H. R. 11920) granting a pension to Andrew Newton; to the Committee on Invalid Pensions.

By Mr. KELLY: A bill (H. R. 11921) granting an increase of pension to Nancy J. McSweeney; to the Committee on Invalid Pensions.

By Mr. KIESS: A bill (H. R. 11922) granting an increase of pension to Esther V. King; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11923) granting an increase of pension to Margaret A. Parks; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11924) granting a pension to Martha J. Henry; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 11925) granting an increase of pension to Mary J. Bievenour; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 11926) granting a pension to Lena Mann; to the Committee on Pensions.

By Mr. TABER: A bill (H. R. 11927) granting an increase of pension to Abigail A. Butler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11928) granting a pension to Cornelia Lester; to the Committee on Invalid Pensions.

By Mr. TARVER: A bill (H. R. 11929) granting a pension to T. A. Brown; to the Committee on Pensions.

By Mr. WOLFENDEN: A bill (H. R. 11930) for the relief of Sydney Thayer, jr.; to the Committee on Military Affairs.

By Mr. WYANT: A bill (H. R. 11931) granting an increase of pension to Salome Fyrer; to the Committee on Invalid Pensions.

By Mr. ZIHLMAN: A bill (H. R. 11932) granting an increase of pension to Susannah Knapp; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7097. By Mr. FENN: Resolution of city clerk's office, Derby, Conn., memorializing the Congress of the United States to enact House Joint Resolution 167, directing the President of the United States to proclaim October 11 of each year as General Pulaski's Memorial Day for the observance and commemoration of the death of Brig. Gen. Casimir Pulaski; to the Committee on the Judiciary.

7098. By Mr. LINDSAY: Petition of Richard Conway and 14 other individual letters from citizens of the third congressional district, Brooklyn, N. Y., registering protest against the Federal education bill (H. R. 10), and contending that education is a local matter and not for governmental administration; to the Committee on Education.

7099. Also, petition of Brooklyn Chamber of Commerce, protesting against the provision that evidence be sent through Congress before a change in rates is made, and supporting the flexibility provisions of the tariff; to the Committee on Ways and Means.

7100. By Mr. O'CONNELL of New York: Petition of J. S. Ogilvie Publishing Co., New York City, favoring the passage of House bill 10344, for the classification of extraordinary expenditures contributing to the deficiency of postal revenues; to the Committee on the Post Office and Post Roads.

7101. Also, petition of the Chamber of Commerce of the State of New York, with reference to the transfer of New York Barge Canal to the Federal Government; to the Committee on Rivers and Harbors.

7102. Also, petition of the Central Trades and Labor Council of Greater New York and Vicinity, favoring an additional appropriation of $66,000 for civilian labor at the Army base, Brooklyn, N. Y.; to the Committee on Appropriations.

SENATE

FRIDAY, *April 25, 1930*

(Legislative day of Monday, April 21, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 3477. An act validating certain applications for and entries of public lands, and for other purposes;

H. R. 10081. An act to amend the act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California; and

S. J. Res. 156. Joint resolution to pay the judgment rendered by the United States Court of Claims to the Iowa Tribe of Indians, Oklahoma.

CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Allen	Frazier	Keyes	Smoot
Ashurst	George	McCulloch	Steck
Baird	Gillett	McKellar	Steiwer
Barkley	Glass	McNary	Stephens
Bingham	Glenn	Norbeck	Sullivan
Black	Goldsborough	Norris	Swanson
Blaine	Gould	Nye	Thomas, Idaho
Blease	Greene	Oddie	Thomas, Okla.
Borah	Hale	Overman	Trammell
Bratton	Harris	Patterson	Tydings
Brock	Harrison	Phipps	Vandenberg
Broussard	Hastings	Pine	Wagner
Capper	Hatfield	Pittman	Walcott
Caraway	Hayden	Ransdell	Walsh, Mass.
Copeland	Hebert	Robinson, Ind.	Walsh, Mont.
Couzens	Howell	Robsion, Ky.	Waterman
Cutting	Johnson	Sheppard	Watson
Dale	Jones	Shipstead	
Deneen	Kean	Shortridge	
Fess	Kendrick	Simmons	

Mr. BLAINE. I desire to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably detained from the Senate. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I announce that the Senator from Florida [Mr. FLETCHER], the Senator from Utah [Mr. KING], and the Senator from South Carolina [Mr. SMITH] are all detained from the Senate by illness.