# Congressional Record

## PROCEEDINGS AND DEBATES OF THE SEVENTY-FIRST CONGRESS
## SECOND SESSION

## SENATE

MONDAY, *May 19, 1930*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O merciful God, who alone canst fill our life with holy purpose, at the beginning of this new day we beseech Thee to be with us through all its hours.

If there be in our hearts any ignoble purpose or injurious design remove it, that the sense of our intimacy with Thee may fill us with a deep and saving self-respect, with the happiness of heart which comes to those who scorn to wear the vestment of hypocrisy. Give us the courage to think brave thoughts, to speak brave words, to do brave deeds; o'ershadow us with Thy discernment, that we may grow in moral thoughtfulness, learning the lessons of each stage of life, till at last our mind shall gently rise into that sovereign rest of Thine above. Through Jesus Christ our Lord. Amen.

### THE JOURNAL

The Chief Clerk proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 8154) providing for the lease of oil deposits in or under railroad and other rights of way.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 12236. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes; and

H. R. 12302. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war.

### ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (H. R. 9323) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers of wars other the Civil War, and to widows of such soldiers and sailors, and it was signed by the Vice President.

### CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

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|---|---|---|---|
| Allen | Frazier | McCulloch | Simmons |
| Ashurst | George | McKellar | Smoot |
| Baird | Gillett | McMaster | Steck |
| Barkley | Glass | McNary | Steiwer |
| Bingham | Glenn | Metcalf | Stephens |
| Black | Goldsborough | Norris | Sullivan |
| Blaine | Greene | Nye | Swanson |
| Blease | Harris | Oddie | Thomas, Idaho |
| Borah | Harrison | Overman | Thomas, Okla. |
| Bratton | Hastings | Patterson | Townsend |
| Brock | Hawes | Phipps | Trammell |
| Brookhart | Hayden | Pine | Vandenberg |
| Broussard | Hebert | Pittman | Wagner |
| Capper | Heflin | Ransdell | Walcott |
| Caraway | Howell | Reed | Walsh, Mass. |
| Connally | Johnson | Robinson, Ark. | Walsh, Mont. |
| Copeland | Jones | Robinson, Ind. | Waterman |
| Couzens | Kean | Robsion, Ky. | Watson |
| Dale | Kendrick | Schall | Wheeler |
| Deneen | Keyes | Sheppard | |
| Dill | King | Shipstead | |
| Fess | La Follette | Shortridge | |

Mr. McMASTER. I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. SHEPPARD. I wish to announce that the Senator from Florida [Mr. FLETCHER] and the Senator from South Carolina [Mr. SMITH] are detained from the Senate by illness.

The VICE PRESIDENT. Eighty-five Senators have answered to their names. A quorum is present.

### PETITIONS AND MEMORIALS

Mr. BINGHAM presented a petition of sundry citizens of Norwalk, East Norwark, South Norwalk, and Westport, all in the State of Connecticut, praying for the passage of the so-called Rankin bill, being the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, which was referred to the Committee on Finance.

Mr. FESS presented a petition of sundry citizens of the State of Ohio, praying for the passage of the so-called Rankin bill, being the bill (H. R. 10381) to amend the World War veterans' act, 1924, as amended, which was referred to the Committee on Finance.

Mr. WALCOTT presented the petition of teachers of the commercial department of the Stamford (Conn.) High School, praying for the passage of the so-called Reed-Capper bill, providing for the further development of vocational education, which was ordered to lie on the table.

He also presented the memorial of the Stamford section, National Council of Jewish Women, of Stamford, Conn., remonstrating against the passage of the so-called Blease bill (S. 1278) providing for the voluntary registration of aliens and House bills 10669 and 11876, providing for the registration of aliens, which was ordered to lie on the table.

He also presented telegrams in the nature of petitions from George M. Cole Camp, No. 7, of New London; the Hill Camp, of Stamford, and Gen. Joseph Wheeler Camp, No. 28, of Shelton, all of the United Spanish War Veterans; the American Legion, of Stamford; Sons of Union Veterans, of Stamford; Central Veterans' Association, of Stamford, and Ernest F. Sexton Post, No. 51, the American Legion, of Darien, all in the State of Connecticut, praying for the passage of legislation granting increased pensions to veterans of the war with Spain, which were ordered to lie on the table.

### EXPORTS OF CEMENT

Mr. BLEASE. Mr. President, on Friday, May 9, 1930, I inserted in the CONGRESSIONAL RECORD certain correspondence in reference to cement, which will be found on page 8646.

On May 16, 1930, the Senator from Louisiana [Mr. RANSDELL] inserted in the RECORD a telegram in reference to the same matter, which will be found on page 9032 of the RECORD of that date.

I now ask to have read at the desk a letter and two telegrams in further reference to the matter. I hold in my hand the original letters, including a photostatic copy of the letter found on page 8646 of the RECORD of May 9, 1930, signed by J. F. Tawmley. The communications are short and I would like to have the attention of Senators because they have reference to the cement amendment now pending in the tariff bill.

The VICE PRESIDENT. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

NEW ORLEANS, LA., *May 17, 1930.*

Hon. COLE. L. BLEASE,
*Senator for South Carolina,*
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: I just received your telegram and replied thereto as per copies attached.

I regret that a clerical error occurred in my letter when mentioning Brazil instead of Uruguay as the destination of the cement shipments.



AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

This was due to the fact that the New Orleans Steamship Co. is known as the Brazilian Line.

However, the force of argument remains, and to play on a word is at best puerile.

The facts at issue are those pertaining to exports of cement to lower South American countries, whether Brazil, Uruguay, or Argentina. Freight rates little vary for such points.

The magnitude of the shipments during 1928 and 1929 plainly show that they are not due to an occasional cause, but are in the nature of regular commerce.

I am just leaving for Charleston, where I expect to be on Monday, but returning to New Orleans on Wednesday. Therefore please excuse the brevity of my letter.

What you want are facts after all, and they are there in their glaring reality.

Sincerely thanking you for your splendid defense of the consumers and taxpayers of the United States, I remain,

Very sincerely yours,

L. P. E. GIFFROY.

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WASHINGTON, D. C., *May 17, 1930.*

L. P. E. GIFFROY,

*424 Whitney Central Bank Building, New Orleans, La.:*

"Mr. RANSDELL presented a telegram from Scott Thompson, of the Lone Star Cement Co. of Louisiana, which was ordered to be printed in the RECORD:

"NEW ORLEANS, LA., *May 15, 1930.*

"Hon. JOSEPH E. RANSDELL, of Louisiana,

*United States Senate Washington, D. C.:*

"Statement of L. P. E. Giffroy in letter to Senator BLEASE, page 8646, CONGRESSIONAL RECORD, Senate deliberations, Friday, May 9, to effect New Orleans mills shipped large quantities cement to Brazil is absolutely unfounded and intentionally misleading. We have never shipped a barrel of cement to Brazil. We periodically refuse Central and South American business account unable to meet European competition.

"[Signed] SCOTT THOMPSON,

"*Lone Star Co. Louisiana.*"

The above appears in the CONGRESSIONAL RECORD, May 16, page 9032. If you wish to make statement, let me have it by Monday morning.

COLE. L. BLEASE.

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NEW ORLEANS, LA., *May 17, 1930.*

Hon. COLE. L. BLEASE,

*United States Senate, Washington, D. C.:*

The Mississippi Shipping Co. carried on its Brazilian line steamers from New Orleans in 1928 on August 10, 48,000 bags of cement; on September 7, 35,000 bags; and the Munson Line on September 10, 30,000 bags, all for ultimate Montevideo destination. While a clerical error occurred in destination the force of argument remains. According to Department of Commerce special cement bulletins, the domestic mills exported during the year 1928 to Argentina 67,899 barrels, to Brazil 24,011 barrels, to Uruguay 79,052 barrels; and in 1929 to Argentina 70,264 barrels, to Brazil 25,637 barrels, to Uruguay 16,519 barrels. These official figures prove that domestic mills can profitably export to lower South America in competition with the Belgians, who enjoy a cheaper ocean freight rate thither. That is the point.

L. P. E. GIFFROY.

REPORTS OF COMMITTEES

Mr. TOWNSEND, from the Committee on Claims, to which was referred the bill (S. 1447) for the relief of Pasquale Iannacone, reported it with amendments and submitted a report (No. 662) thereon.

Mr. SHEPPARD, from the Committee on Military Affairs, to which was referred the bill (H. R. 6151) to authorize the Secretary of War to assume the care, custody, and control of the monument to the memory of the soldiers who fell in the Battle of New Orleans, at Chalmette, La., and to maintain the monument and grounds surrounding it, reported it without amendment and submitted a report (No. 664) thereon.

Mr. REED, from the Committee on Military Affairs, to which was referred the bill (H. R. 9334) to provide for the study, investigation, and survey, for commemorative purposes, of the battle field of Saratoga, N. Y., reported it without amendment and submitted a report (No. 665) thereon.

Mr. SULLIVAN, from the Committee on Military Affairs, to which was referred the bill (H. R. 591) for the relief of Howard C. Frink, reported it without amendment and submitted a report (No. 666) thereon.

Mr. HARRIS, from the Committee on Military Affairs, to which was referred the bill (H. R. 9154) to provide for the construction of a revetment wall at Fort Moultrie, S. C., reported it without amendment and submitted a report (No. 667) thereon.

Mr. McMASTER, from the Committee on Claims, to which was referred the bill (S. 308) for the relief of August Mohr, reported it without amendment and submitted a report (No. 668) thereon.

Mr. BLAINE, from the Committee on the District of Columbia, to which was referred the bill (S. 3490) to define, regulate, and license real-estate brokers and real-estate salesmen; to create a real-estate commission in the District of Columbia; to protect the public against fraud in real-estate transactions, and for other purposes, reported it with amendments and submitted a report (No. 669) thereon.

Mr. CAPPER, from the Committee on the District of Columbia, to which was referred the bill (S. 4307) to authorize the Commissioners of the District of Columbia to compromise and settle a certain suit at law resulting from the forfeiting of the contract of the Commercial Coal Co. with the District of Columbia in 1916, reported it without amendment and submitted a report (No. 670) thereon.

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 6083. An act for the relief of Goldberg & Levkoff (Rept. No. 671); and

H. R. 6084. An act to ratify the action of a local board of sales control in respect of contracts between the United States and Goldberg & Levkoff (Rept. No. 672).

Mr. BLACK, from the Committee on Military Affairs, to which was referred the bill (S. 35) for the relief of James W. Nugent, reported it with an amendment and submitted a report (No. 673) thereon.

He also, from the same committee, to which was referred the bill (S. 1697) for the relief of Peter C. Hains, jr., reported it with amendments and submitted a report (No. 674) thereon.

He also, from the same committee, to which was referred the bill (H. R. 7333) for the relief of Allen Nichols, reported it without amendment and submitted a report (No. 675) thereon.

Mr. WATERMAN, from the Committee on the Judiciary, to which was referred the bill (H. R. 5261) to authorize the destruction of duplicate accounts and other papers filed in the offices of clerks of the United States district courts, reported it with an amendment and submitted a report (No. 676) thereon.

He also, from the same committee, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

S. 1916. A bill to amend section 1025 of the Revised Statutes of the United States (Rept. No. 677);

S. 3068. A bill to amend section 355 of the Revised Statutes (Rept. No. 679);

H. R. 970. An act to amend section 6 of the act of May 28, 1896 (Rept. No. 680);

H. R. 5258. An act to repeal section 144, Title II, of the act of March 3, 1899, chapter 429 (sec. 2253 of the Compiled Laws of Alaska) (Rept. No. 681);

H. R. 5259. An act to amend section 939 of the Revised Statutes (Rept. No. 682);

H. R. 5262. An act to amend section 829 of the Revised Statutes of the United States (Rept. No. 683);

H. R. 5266. An act to amend section 649 of the Revised Statutes (sec. 773, title 28, U. S. C.) (Rept. No. 684); and

H. R. 5268. An act to amend section 1112 of the Code of Law for the District of Columbia (Rept. No. 685).

Mr. WATERMAN also, from the Committee on the Judiciary, to which was referred the bill (S. 1933) providing for punishment of assaults upon letter or mail carriers, reported it adversely without amendment, and submitted a report (No. 678) thereon.

Mr. FESS, from the Committee on the Library, to which was referred the bill (H. R. 9444) to authorize the erection of a marker upon the site of New Echota, capital of the Cherokee Indians prior to their removal west of the Mississippi River, to commemorate its location, and events connected with its history, reported it without amendment.

Mr. STECK, from the Committee on Military Affairs, to which was referred the bill (S. 3712) to establish a military record for Charles Morton Wilson, reported it without amendment and submitted a report (No. 686) thereon.

Mr. STEIWER, from the Committee on Indian Affairs, to which was referred the bill (S. 2895) authorizing the bands or tribes of Indians known and designated as the Middle Oregon or Warm Springs Tribe of Indians of Oregon, or either of them, to submit their claims to the Court of Claims, reported it with an amendment and submitted a report (No. 687) thereon.

Mr. HEBERT, from the Committee on the Judiciary, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1317. 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 (Rept. No. 663); and

H. R. 977. An act establishing under the jurisdiction of the Department of Justice a division of the Bureau of Investigation to be known as the division of identification and information (Rept. No. 690).

Mr. HEBERT also, from the Committee on the Judiciary, to which was referred the bill (S. 1985) providing against misuse of official badges, reported it with an amendment and submitted a report (No. 689) thereon.

ENROLLED BILL PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that to-day that committee presented to the President of the United States the enrolled bill (S. 476) granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes.

REPORTS OF NOMINATIONS

As in executive session,

Mr. BORAH, from the Committee on the Judiciary, reported favorably the nomination of Owen J. Roberts, of Pennsylvania, to be an Associate Justice of the Supreme Court of the United States, which was placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

Mr. REED, from the Committee on Military Affairs, reported the nominations of sundry officers in the Army, which were placed on the Executive Calendar.

AIRCRAFT ACCIDENTS

Mr. REED. Mr. President, I desire to enter a motion to reconsider a vote, but ask that it may lie over until such time as may be arranged by the Senator in charge of the resolution. I move to reconsider the vote by which Senate Resolution 206, relative to aircraft accidents, was passed on May 16, and I ask that the motion may lie on the table.

Mr. BRATTON. Mr. President, it is entirely agreeable to me to let the motion lie over until some convenient time, but in this connection I should like to inquire when the Senator from Pennsylvania thinks will be a satisfactory time to take up the motion?

Mr. REED. At any time the Senator from New Mexico, who introduced the resolution, and the Senator from Connecticut [Mr. BINGHAM], who opposed it, may agree to take it up.

Mr. BRATTON. Let me inquire of the Senator from Connecticut when he will be prepared to take up the motion?

Mr. BINGHAM. Mr. President, it is difficult to answer the Senator, because the District of Columbia appropriation bill is about to go to conference and may take a great deal of time. I can tell the Senator better when we get that bill out of the way.

Mr. BRATTON. It is not the desire of the Senator nor the purpose of Senators to suspend action on the motion indefinitely, is it?

Mr. BINGHAM. No. It is simply desired to have an opportunity some time to explain to the Senate once more why I think the resolution of the Senator, which was passed by the Senate by a very large majority on a roll call, following a somewhat detailed explanation when there was only a small attendance of Senators present, is in the nature of ex post facto law, and will punish people for doing something which they did under an understanding that what they did was not to be published or used against them.

Mr. REED. Mr. President, will the Senator from New Mexico yield to me?

Mr. BRATTON. I yield.

Mr. REED. I should like to answer the Senator's question directly. It certainly is not my purpose to allow my motion to lie over indefinitely, so that it might be used to defeat the resolution by delay.

Mr. BRATTON. I am quite sure of that, and I shall not press the matter before a reasonable time.

APPROACHES TO AND SURROUNDINGS OF TOMB OF THE UNKNOWN SOLDIER

Mr. REED. Mr. President, from the Committee on Military Affairs, by unanimous vote of the committee, I report favorably without amendment the bill (H. R. 9843) to enable the Secretary of War to accomplish the construction of approaches and surroundings, together with the necessary adjacent roadways, to the Tomb of the Unknown Soldier in the Arlington National Cemetery, Virginia, and I submit a report (No. 661) thereon. I ask unanimous consent for the present consideration of the bill, for reasons which I desire very briefly to state.

The VICE PRESIDENT. Is there objection to the request of the Senator from Pennsylvania for the present consideration of the bill?

Mr. BORAH. I shall not object, if it leads to no debate.

Mr. REED. I do not think it will take more than two or three minutes. Mr. President, I wish to explain the necessity for the immediate passage of the bill.

Mr. HARRISON. Mr. President, it is understood that the resolution submitted by the Senator from Utah [Mr. SMOOT] is coming up to-day. The bill for which the Senator from Pennsylvania asks consideration may not consume much time; but it may provoke some discussion. It is not now in order. We have a pretty full attendance here, and I hope the Senator from Pennsylvania will not press the bill, if it is going to take any length of time.

Mr. REED. I shall not press the bill for consideration if it takes more than three minutes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.*, That in carrying into effect the provisions of that portion of the act approved February 28, 1929 (45 Stat. 1378), providing for the construction of approaches and surroundings, together with the necessary adjacent roadways, to the Tomb of the Unknown Soldier, in the Arlington National Cemetery, Va., the Secretary of War is authorized to do all the things necessary to accomplish this purpose, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement, by contract, of services of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States: *Provided*, That the plans for the approaches and surroundings, together with those for the necessary adjacent roadways, to the Tomb of the Unknown Soldier shall be approved by the Arlington Cemetery Commission, the American Battle Monuments Commission, and the Fine Arts Commission.

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

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAWES:

A bill (S. 4498) granting a pension to Henry C. Graham; to the Committee on Pensions.

By Mr. DENEEN:

A bill (S. 4499) granting a pension to Emma Florence McKeever (with accompanying papers); and

A bill (S. 4500) granting a pension to Milan Swearinger (with accompanying papers); to the Committee on Pensions.

A bill (S. 4501) for the relief of Eli J. Bennett; to the Committee on Military Affairs.

By Mr. CONNALLY:

A bill (S. 4502) for the relief of the John Sealy Hospital at Galveston, Tex.; to the Committee on Claims.

By Mr. COPELAND:

A bill (S. 4503) for the relief of Margaret B. Knapp; to the Committee on Claims.

A bill (S. 4504) to provide for 24-hour quarantine inspection service in ports of the United States, and for other purposes; to the Committee on Commerce.

By Mr. JOHNSON:

A bill (S. 4505) to provide for the appointment of an Undersecretary of Commerce in the Department of Commerce; to the Committee on Commerce.

By Mr. FESS:

A bill (S. 4506) to provide for the construction and equipment of an annex to the Library of Congress; and

A bill (S. 4507) to amend the act entitled "An act to provide for the acquisition of certain property in the District of Columbia for the Library of Congress, and for other purposes," approved May 21, 1928, relating to the condemnation of land; to the Committee on the Library.

By Mr. ODDIE:

A bill (S. 4508) to provide for the construction of a reservoir in the Little Truckee River, Calif., and for such dams and other improvements as may be necessary to impound the waters of Webber, Independence, and Donner Lakes, and for the further development of the water resources of the Truckee River; to the Committee on Irrigation and Reclamation.

By Mr. HOWELL:

A bill (S. 4509) for the relief of Thomas G. Hayes (with accompanying papers); and

A bill (S. 4510) for the relief of H. E. Hurley (with accompanying papers); to the Committee on Claims.

By Mr. BROOKHART:

A bill (S. 4511) for the reinstatement of George William Young in the Foreign Service of the United States; to the Committee on Foreign Relations.

By Mr. McCULLOCH:

A bill (S. 4512) to authorize the attendance of the Marine Band at the national encampment of the Grand Army of the Republic at Cincinnati, Ohio; to the Committee on Naval Affairs.

By Mr. GREENE:

A bill (S. 4513) granting an increase of pension to Sarah E. Preston; to the Committee on Pensions.

By Mr. ROBSION of Kentucky:

A bill (S. 4514) to authorize an appropriation for the construction of a connecting highway to the United States National Cemetery, Lebanon, Ky.; to the Committee on Military Affairs.

By Mr. ROBINSON of Arkansas:

A bill (S. 4515) to commemorate the Battle of Helena, Ark.; to the Committee on Military Affairs.

By Mr. HEBERT:

A bill (S. 4516) for the relief of William Brophy; to the Committee on Claims.

By Mr. SWANSON:

A joint resolution (S. J. Res. 180) providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the siege of Yorktown, Va., and the surrender of Lord Cornwallis on October 19, 1781, and authorizing an appropriation to be used in connection with such celebration, and for other purposes (with accompanying papers); to the Committee on the Library.

By Mr. SHIPSTEAD:

A joint resolution (S. J. Res. 181) prohibiting the Federal Power Commission from granting further permits or licenses for the development of water-power sites; to the table.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated below:

H. R. 12236. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes; to the Committee on Appropriations.

H. R. 12302. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee on Pensions.

AMENDMENTS TO RIVER AND HARBOR BILL

Mr. BLACK, Mr. COPELAND, and Mr. GOLDSBOROUGH each submitted an amendment and Mr. SHEPPARD submitted two amendments, intended to be proposed by them, respectively, to House bill 11781, the river and harbor authorization bill, which were severally referred to the Committee on Commerce and ordered to be printed.

POLITICAL STATUS OF THE PHILIPPINE ISLANDS (S. DOC. NO. 150)

Mr. BINGHAM. I ask unanimous consent that there may be printed as a Senate document a communication dated May 15, 1930, addressed to me as chairman of the Committee on Territories and Insular Affairs of the Senate by the Secretary of War, with an accompanying memorandum from the War Department, relative to proposed legislation concerning the political status of the Philippine Islands, with special reference to the question of granting their independence.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE MESSAGES AND APPROVALS

Messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretary, who also announced that the President had approved and signed the following acts and joint resolutions:

On May 14, 1930:

S. 549. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

S. 2076. An act for the relief of Drinkard B. Milner;

S. 4173. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Carrollton, Ky.;

S. 4174. An act granting the consent of Congress to the Highway Department of the State of Tennessee to construct a bridge across the French Broad River on the Dandridge-Newport Road, in Jefferson County, Tenn.; and

S. J. Res. 135. Joint resolution authorizing and requesting the President to extend to foreign governments and individuals an invitation to join the Government and people of the United States in the observance of the one hundred and fiftieth anniversary of the surrender of Lord Cornwallis at Yorktown, Va.

On May 15, 1930:

S. 4098. An act to provide funds for cooperation with the school board at Browning, Mont., in the extension of the high-school building to be available to Indian children of the Blackfeet Indian Reservation; and

S. 4221. An act for the disposal of combustible refuse from places outside of the city of Washington.

On May 16, 1930:

S. 2400. An act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital.

On May 19, 1930:

S. 3498. An act to aid the Grand Army of the Republic in its Memorial Day services, May 30, 1930;

S. 4057. An act authorizing the Secretary of the Interior to extend the time for cutting and removing timber upon certain revested and reconveyed lands in the State of Oregon; and

S. J. Res. 163. Joint resolution to carry out certain obligations to certain enrolled Indians under tribal agreement.

ACCEPTANCE OF STATUE OF GEN. JOHN CAMPBELL GREENWAY

The VICE PRESIDENT. Resolutions coming over from a previous day are in order.

Mr. ASHURST. Mr. President, on May 16, my colleague [Mr. HAYDEN] and I introduced Senate Concurrent Resolution 28 which I ask may be considered at this time.

The VICE PRESIDENT. The Chair lays before the Senate Senate Concurrent Resolution 28, which will be read.

The resolution (S. Con. Res. 28) submitted by Mr. ASHURST and Mr. HAYDEN, May 16, 1930, was read, as follows:

*Resolved by the Senate (the House of Representatives concurring)*, That the thanks of Congress are hereby tendered to the State of Arizona for the statue of Gen. John Campbell Greenway, her illustrious son, whose name is so honorably identified with the State and with the United States.

*Resolved*, That this work of art by Gutzon Borglum is hereby accepted in the name of the United States and assigned a place in Statuary Hall set aside by act of Congress for statues of eminent citizens, and that a copy of this resolution, suitably engrossed and duly authenticated, be transmitted to the Governor of the State of Arizona.

The VICE PRESIDENT. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

REVISION OF THE TARIFF

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The resolution (S. 270) submitted by Mr. SMOOT, May 16, 1930, was read, as follows:

*Resolved*, That it is the sense of the Senate that the majority members of the conference committee on the part of the Senate on the tariff bill (H. R. 2667) be relieved from the promise made by them that no agreement in conference on the export debenture or flexible tariff would be made until opportunity was afforded in the Senate for a separate vote on such items.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. SMOOT. Mr. President, I desire at this time to make a brief statement concerning the resolution now before the Senate for consideration.

At the conclusion of the debate in the Senate on the pending tariff bill, and before the bill had been sent to conference, the senior Senator from North Carolina [Mr. SIMMONS], the ranking minority member of the Finance Committee, directed a question to the senior Senator from Indiana [Mr. WATSON], the junior Senator from California [Mr. SHORTRIDGE], and myself as to whether or not we, as probable Senate conferees on the bill, would permit the Senate to further instruct its conferees on the debenture item and the flexible provision, as provided for by amendments adopted by the Senate, before the Senate conferees yielded to the House provisions or entered into a compromise regarding the two items.

In response to those inquiries, I stated that no compromise nor recession would be made by the Senate conferees on those two provisions until after the Senate had been given an opportunity to advise its conferees concerning those two items. The senior Senator from Indiana joined me in this promise, as well as the junior Senator from California.

The bill was sent to conference, where an agreement was reached as to all of the provisions in the bill with the exception of some nine major items—silver, cement, sugar, lumber, the

McMaster amendment, providing in substance that all information secured by the Tariff Commission should be accessible to any Senator, the cost of production investigation provision, reorganization of the Tariff Commission, the flexible provisions, and the debenture. The majority conferees of both Houses signed the partial report, whereupon it was returned to the House for its action on the items agreed to in conference as well as on the remaining controversial items. The House took the appropriate action on these questions, and the report was messaged over to the Senate for its consideration.

I then made the request of the Senate that action be taken on the partial report, but, upon the insistent demand of Senators on the other side of the aisle, I moved that the Senate disagree to the amendments of the House and insist on the Senate provisions, that conferees be appointed, and a further conference requested with the House. This motion was agreed to, and did constitute a further expression by the Senate as to its sentiment with reference to the flexible provisions and the debenture, as well as all of the other items in controversy, although such sentiment was expressed upon the items in bloc and not severally. There was no separate instruction on those two items, and we still felt obligated to permit the Senate further to instruct the Senate conferees on those two provisions.

Upon the adoption of this motion, the House and Senate conferees met in committee, and the Senate conferees were immediately advised by the House conferees that they would not proceed to enter into any agreement with the Senate conferees as to any of the controversial items, excluding the debenture and flexible provisions, until the Senate conferees were relieved of their moral obligation to the Senate, which, as I have before stated, was to permit the Senate further to instruct the conferees on those two administrative provisions before any compromise action was taken by the conference committee or the Senate conferees receded. We, as Senate conferees, contended that action should be taken by the conference committee on the items exclusive of the flexible provisions and the debenture. The House maintained throughout the several conferences the position it first took, and declined to take any action whatever until we, the Senate conferees, were given a free hand and could confer and come to an agreement on all of the remaining items in controversy.

The Senate conferees then requested of the House conferees that they join in signing a report as to a disagreement on all of the eight controversial items, thus taking the papers out of the conference and into the Senate, where a separate vote on the flexible provisions and the debenture, as well as on the other items in controversy, if it were the will of the Senate, could be taken. This the House conferees refused to do, for the reason that the House had acted once on all of the items as contained in the partial conference report, and they were not willing to repeat such action inasmuch as the Senate had refused to act.

After careful deliberation on the part of the majority conferees of the Senate it was decided that the proper course to pursue, by which they could be relieved of their obligation, was by the introduction of a resolution and favorable action taken thereon by the Senate, which would by its terms afford such relief, and place the Senate conferees in such a status that the House conferees would consent to confer further on the controversial items and act upon them.

If the resolution which is now before the Senate should be unfavorably acted upon, and the House conferees should maintain the position they have consistently taken in refusing to act with the Senate conferees upon the controversial questions without the Senate conferees being completely relieved of their obligations to the Senate in this respect, a deadlock in conference would of necessity arise, and the future success of the bill would be gravely impaired. I therefore earnestly request the Senate to take favorable action on the pending resolution, thereby making possible further negotiations with the House conferees on this bill, which will give Congress the opportunity of voting upon the report after having had conclusions agreed to by the managers of both Houses, upon which to deliberate and act.

Mr. SWANSON. Mr. President, am I to understand that the House conferees have positively refused to have any further conference with the Senate conferees except a free conference; that the Senate can give no instructions to its conferees on any question; and if the Senate shall do so, the House cenferees will refuse further to confer?

Mr. SMOOT. They want a free and open conference, and unless such a conference is granted they will not meet with the conferees on the part of the Senate.

Mr. SWANSON. In other words, under the situation at present existing, the House can determine whether the Senate will or will not instruct its conferees; and if it should instruct them, the House conferees would refuse a further conference?

Mr. SMOOT. I would not go that far.

Mr. SWANSON. That is the substance of what the Senator has said.

Mr. SMOOT. I am aware of that. I want to be perfectly frank with the Senate, and I think I have been frank in the statement I have made. I do not think there is any question but that they will refuse to meet the conferees of the Senate until they are relieved of the obligation that I submitted to the Senate.

I want to say to the Senator that the House conferees take the position that they have acted upon the conference; that there is nothing more for them to do until they have a free conference with the Senate conferees; and they do not propose to meet again until we are relieved of the obligation.

Mr. SWANSON. Do I understand that the Senator is willing to establish the precedent that either the Senate or the House will refuse conferences unless they can control the conditions under which the conferees come into the conference?

Mr. SMOOT. I want to be perfectly frank with the Senator and say that I shall never again personally make a promise as to what the conferees of the Senate or the House will do. Perhaps I made a mistake in making the statement and the promise that I made to the Senate. I did it with as good an intention as a mortal could conceive of. I lived up to that promise, and intend to live up to that promise. I would not care what happened to me. I promised it, and that promise is as good as my life. I am here now asking the Senate to relieve me of that promise under the conditions that exist, so that we can proceed to the consideration of the conference report.

Mr. SWANSON. Under the threat of the House that our conferees must be instructed or not instructed, be free or not free, as they wish and not as we wish. Does not the Senator recognize that that would be a very dangerous precedent?

Mr. SMOOT. I think it is the first occasion on which it has ever happened in the history of our country. This is a moral obligation that I am compelled to live up to.

Mr. SWANSON. Evils come from acceptance. We are establishing a precedent under a threat now. If they had established the precedent, it would be a different situation; but, as I understand, the situation is this: The House positively refuses to confer further with the Senate on this tariff bill unless we agree to abolish our right to give instructions to our conferees that they must come to a free conference.

Mr. SMOOT. I did not say that, Mr. President—unless we relieve the conferees of the obligation that they entered into.

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

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Kentucky?

Mr. SMOOT. I do.

Mr. BARKLEY. Is it not a fact that it is entirely due to the courtesy of the Senate in agreeing that the procedure should be different from what it should have been that the House was enabled to pass on that question at the beginning and maneuver the Senate into a situation where it could undertake to hold up the Senate unless we receded on these two amendments?

Mr. SMOOT. No; it is due to the action of the Senate itself, taken at my request.

Mr. BARKLEY. But unless the Senate had given unanimous consent that the conference report go to the House first, it would have come here first and the Senate would not have been in this situation. Because the Senate exercised courtesy toward the House in allowing it to pass first on the conference report and vote on these amendments, the House now seeks to take advantage of that in order to put the Senate in a hole.

Mr. SMOOT. Mr. President, I want to be perfectly frank in answering that question. I do not think the House wanted the report to go there first. I think the majority of the conferees of the House felt that the matter ought to take its regular course; but the Senate conferees thought this would be the best way to meet the situation. Therefore, I do not want that laid at the doors of the House.

Mr. CONNALLY. Mr. President, will the Senator from Utah yield?

Mr. SMOOT. Yes; I yield to the Senator from Texas.

Mr. CONNALLY. I desire to ask the Senator from Utah if it is not a fact that when the conferees made a partial report there were eight items left in dispute?

Mr. SMOOT. Eight items; and those items are in dispute now.

Mr. CONNALLY. The House has had separate votes on several of those items?

Mr. SMOOT. All of them, I think. I am not sure, but I think so.

Mr. CONNALLY. If the House was entitled to separate votes on those items, why can not the Senate have separate votes on the two items on which the Senator and his colleagues promised we should have separate votes?

Mr. SMOOT. Mr. President, I am stating to the Senate the exact situation—that the House conferees will not confer until we are freed from the obligation, and then they will confer upon all of these items.

Mr. CONNALLY. Does the Senator consider that the items upon which the House has already voted will still be in conference?

Mr. SMOOT. Why, certainly; all eight items will be in conference. They do not propose now, as I have stated over and over again, to hold a further conference on those eight items until the conferees of the Senate can go there and enter into a free and open conference.

Mr. CONNALLY. It amounts, then, to the Senate conferees simply accepting the dictation of the House conferees and caving in on their demand, does it not?

Mr. SMOOT. No; not at all, Mr. President.

Mr. CONNALLY. The Senator has not any illusions about what will happen to the debenture and the flexible tariff provision if this free conference is granted, has he?

Mr. SMOOT. I can not say, Mr. President. I am not in a position to say. The House has refused to discuss the matter, and we have not discussed it in conference. No expression has been made by the conferees on those particular items.

Mr. BARKLEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Utah yield to the Senator from Kentucky?

Mr. SMOOT. I do.

Mr. BARKLEY. Suppose the Senator's motion is carried and the matter goes back to conference again, and the House conferees agree to confer with the conferees of the Senate provided they take the vote here as equivalent to releasing them; but if the Senate conferees do not give that interpretation to it the House conferees will refuse to confer with them any further; then where will the Senate conferees be?

Mr. SMOOT. I can not conceive of their doing that; but if they do, it is up to them.

Mr. BARKLEY. Of course, the Senator knows what they are after.

Mr. SMOOT. I have no illusions as to what will happen if this resolution is agreed to. They will go into conference without taking the matter back to the House.

Mr. SIMMONS. Mr. President, the Senator from Utah has in the main correctly stated the situation, with the exception that he has failed to state that the conferees on the part of the Senate urged the House conferees to take up the six items in difference upon which the Senate had expressed no opinion and no promise had been made.

Mr. SMOOT. The Senator must have misunderstood what I said, because I did refer to those very items.

Mr. SIMMONS. The Senate conferees from the beginning stated that upon the two items—the debenture and the flexible tariff—the Senate conferees were so bound that they could not recede and were not free, therefore, to act, but upon the other six they were free and urged that we act upon those six, and then that the Senate conferees be permitted to take the two items just mentioned back to the Senate for its instructions. That is true, is it not?

Mr. SMOOT. That is a true statement of the facts; but I want to add that the position which the House conferees took at that time was that we were not free to act upon any of them.

Mr. SIMMONS. No; they did not doubt our freedom to act upon all items except two.

Mr. SMOOT. Yes; but what I state, Mr. President, is that if we, as conferees, were not free to act under the instructions which we had, then, of course, they would not go any further upon any of them. The House had already acted.

Mr. SIMMONS. In other words, the House conferees took the position that if we were not free to act on two of these items they would not enter into conference with us at all on the other six.

Mr. SMOOT. Yes.

Mr. SIMMONS. The House conferees had taken all eight of these propositions to the House, together with the part of the report to which there was agreement; and the House not only acted upon that part of the report on which there was agreement, but the House then took up each one of the eight items of disagreement and voted separately upon each of them; and the conferees were in possession of the fact that the House had voted down the action of the Senate upon those eight items. The House conferees were no more free to act on those items than we were. That is, when they were taken back for separate votes, that indicated the will of the House and was tantamount to a direction to the House conferees to stand by the action of the House. The purpose of bringing these questions back to the House or the Senate is to receive the instructions of our respective Houses with reference to those special items involved in such manner as each may see fit to express their position with respect thereto.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. SIMMONS. Yes; I yield.

Mr. WATSON. The Senator—inadvertently, I am sure—has rather misstated the position of the House with reference to the other six items.

Mr. SIMMONS. In what particular?

Mr. WATSON. They did not state at any time that they were not free to act in conference on those items.

Mr. SIMMONS. Oh, I know they did not.

Mr. WATSON. They stated that we were not free to act, and that, because of the fact that we were bound, they could not confer with us.

Mr. SIMMONS. But they stated that they had taken the matter back to the House to ascertain the wishes of the House with respect to these eight items, and that the House, departing from its usual custom, had taken special votes upon each one of these items.

Mr. WATSON. Certainly, they said that, which we knew.

Mr. SIMMONS. And we understood what that action was.

Mr. WATSON. Oh, no; I do not agree with my friend.

Mr. SIMMONS. We do know what the action of the House was.

Mr. WATSON. I understood that thoroughly; but that did not mean that the House conferees were not free to confer with us on those items. They never took any such position as that.

Mr. SIMMONS. No; I do not mean to say that they took that position, but I mean to say that we were under that threat. We were given to understand what the position of the House was about the matter; and there was not a member of that conference who did not know that if the Senate shall release its majority conferees, from their pledge, the conference report will be forthcoming embodying the action of the House with respect to these items now in disagreement; or, if there are any changes they will be of minor importance, and will not affect the fundamental principles involved.

Mr. President, we need not deceive ourselves about this matter. The Senate, I think, at the time it sent this bill to conference, was in a very serious mood.

It had very determined and set convictions, especially upon the two items—the debenture and the flexible tariff provisions. If the prospective conferees on the part of the Senate had not, upon my inquiry, made the statements they did make, to the effect that they would not recede on the items now under consideration, I think we would have had a vote in the Senate right then and there, and we might have had a vote also upon who would be the conferees on the bill.

The Senate could not have expressed itself stronger than it did. The promises were given by these gentlemen with a full knowledge of the attitude of the Senate with respect to these two matters. Now they come back to the Senate and ask that they be relieved, knowing that if they are relieved—and I want every Senator in this body to understand this—knowing, as the conferees on this side of the Chamber know, that if they are relieved of this promise the debenture and the flexible provisions placed in the bill by the Senate will be in quick order eliminated from the bill, and that practically every item in the bill in difference will be agreed upon in conference according to the demands of the House conferees. I think there is no question about that.

Senators in voting ought to understand that it means a yielding of the Senate to the attitude of the House as to all eight of these items; an attitude taken by the House with a view to forcing the Senate into acquiescence. The House feels that in this character of legislation it is entitled to direct, and it is determined that it will use every power, every instrument, and every agency in its hands to force the Senate to submit to its will with respect to this bill, and especially with respect to the items in disagreement, which are the vital items in the bill. It is a question whether or not we shall submit to that kind of domination and coercion.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER (Mr. REED in the chair). Does the Senator from North Carolina yield to the Senator from California?

Mr. SIMMONS. In just a moment.

I do not mean to say that it is absolutely certain, if the Senate shall release these gentlemen, that we will have a report, and that we will agree to that report; I do not mean to

say that, because if that kind of a report is brought in there will be another fight ahead of you. I do not mean to say that it means that if we do not release you it will kill the bill, because I believe that if the House and if the administration want this legislation there is a prospect that after the House conferees realize the failure of their scheme of coercion and intimidation and see that they have failed in their purpose, they will yield. If the House does not yield, then it will be because the administration—the White House, if you please—will not agree to the bill if it contains the Senate provisions as to debenture and the flexible tariff.

Mr. SHORTRIDGE. Mr. President, I beg to interrupt the Senator to make an inquiry.

The PRESIDING OFFICER. The Senator from California.

Mr. SIMMONS. I yield the floor to the Senator.

Mr. SHORTRIDGE. Mr. President, I do not care now to take the floor, other than for the purpose of making an inquiry. I understood the Senator to make the statement that if we resumed the work of the conferees, we would arrive at no agreement in respect of these eight several propositions.

Mr. SIMMONS. I said just the contrary. I said it was not certain that it would fail, and I said it would not fail unless the House wanted to kill the bill; because, if it did not want to kill the bill, it would confer with us and try to reach a compromise.

Mr. SHORTRIDGE. I make no reflections upon the House. I impute to them no threat. I assume and, indeed, I think, that the conferees have proceeded along the lines they have thought it was their duty to pursue. I indulge in the earnest belief, I certainly have a very earnest hope, that if this resolution is agreed to, and we resume our conference, we shall be able to reach an agreement, and all to the end that a report may come before the Senate embracing all items, and then the Senate can act one way or the other.

Mr. SIMMONS. I will agree with the Senator that the majority conferees will reach an agreement right away, and in that agreement will be a complete and abject surrender to everything the House demands.

Mr. SHORTRIDGE. I say here now that I am in no mood to yield to all the House asks—not demands, but asks—and I shall go into the conference with an earnest hope that some of my views may prevail, and that we can ultimately arrive at an agreement perhaps agreeable to all the conferees.

Mr. HARRISON. Mr. President, let us have no misgivings as to the effect of the result of the vote on this resolution. The Senator from Utah stated that he would never make another promise as an appointed conferee of the Senate as he has done in this instance.

The Senator did not make that promise voluntarily. The Senator was driven into making that promise. The Senator, as well as the junior Senator from California [Mr. SHORTRIDGE] and the senior Senator from Indiana [Mr. WATSON], the majority conferees on the part of the Senate, had all voted against the debenture. They had voted against the Senate proposal on flexibility. Indeed, they were the loudest in opposition to those two proposals. The Senate did not altogether have confidence in those conferees, and were unwilling to intrust the bill into their keeping until they had risen on the floor of the Senate and made that promise.

They have kept the promise, but I regretted to see the Senator from Utah change front so often. Some weeks ago in the conference between the two Houses the leader on the other side, the Senator from Indiana [Mr. WATSON], a member of the conference, made a motion that the Senator from Utah report back to the Senate a disagreement and that he insist upon these two amendments. All of us had taken it that that would be the course. Last Friday was to be the day upon which action was to be taken. Suddenly, without warning and without notice, the Senator from Utah, from some mysterious reason which he could not explain, and which no one else attempted to explain, changed front and refused to bring up his motion to insist, but brought in this particular resolution.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. HARRISON. Yes; I yield.

Mr. SMOOT. The Senator knows that the conferees on the part of the Senate could not bring a report in without the House conferees signing the report.

Mr. HARRISON. Oh, the Senator made just the opposite contention in the conference.

Mr. SMOOT. Now, let us be perfectly fair; let us not try to mislead the Senate. A conference report could not be brought back here unless it was signed by the conferees of the Senate and of the House.

Mr. HARRISON. One or the other of the majority conferees stated in the conference that the senior Senator from Washington [Mr. JONES], of the Appropriations Committee, had on one occasion brought in a report of disagreement and a motion to insist upon the Senate amendment. The question was not even raised on that proposition.

Mr. SMOOT. Mr. President——

Mr. HARRISON. I am wondering when the Senator saw the light.

Mr. SMOOT. I saw the light when I knew the rule.

Mr. HARRISON. He saw the light when he knew he was going to be defeated on the proposal he was going to bring in the other day.

Mr. SMOOT. The Senator from Mississippi knows just as well as I know that the report could not have been brought in unless the conferees signed the report. They refused to do that, and we did the only thing we could do, which was to bring in this resolution.

Mr. HARRISON. Why did the Senator lead us to believe he was going to do it up until 10 minutes of 12 last Friday?

Mr. SMOOT. Going to do what?

Mr. HARRISON. And all the Senators on the other side had been served with notice to be present that day, thinking that he was going to bring up his motion to insist.

Mr. SMOOT. That is exactly what I did, and exactly what I anticipated we would be able to do. Meeting after meeting was held, and the Senator from Utah did not yield until last Friday—the day to which the Senator referred—knowing full well by that time, after insisting on the position we had taken right along, that it was perfectly useless; and the Senator knows it was absolutely useless.

Mr. HARRISON. Yes——

Mr. SMOOT. Well, that is why I did it.

Mr. HARRISON. That is the Senator's explanation, and it is just as cloudy as mud.

The Senator wanted time. First, he knew he might go down to defeat. He has been defeated so often, however, that he ought to have gotten used to it. Then, too, he wanted to work the strong arm of the Executive and bring into play all the influence possible, and tell various Senators how much they had already secured in the conference report which had been agreed to. He wanted time to corral enough votes, and that the same process of logrolling might be employed in the adoption of this resolution as was adopted in putting on the American people the rates found in the tariff bill.

The trouble is that the Senator and his colleagues of the majority have not shown sufficient fight in conference. My heart has gone out to them time after time, day after day, when they were in the conference with the House conferees. All the House conferees had to do was to snap the finger at them and they would jump.

I shall show, when the report comes in, if it ever does, the conversations which took place in the committee room. How often did my friend the Senator from Utah lift his voice and say, "My goodness, that is not right; but I guess we have to recede." The House conferees "put it all over you." They have browbeaten you, they have made you recede on every proposition of importance in the bill.

Mr. SHORTRIDGE. Mr. President, will the Senator yield to me?

Mr. HARRISON. I yield.

Mr. SHORTRIDGE. They did not make you and me recede from a tariff of 7 cents on long-staple cotton.

Mr. HARRISON. That is one of the good things in the conference report.

Mr. SHORTRIDGE. It is one of the best things.

Mr. HARRISON. And I am sorry that the Senator for one time in his whole career receded from the protection idea when the question of sand, produced in Nevada, entered into the discussion, because there were some glass manufacturers over in Los Angeles.

Mr. SHORTRIDGE. There is not one speck on my record. I have stood for Mississippi, as I propose to stand for her, in conference, on the floor here, and later when the bill comes up for passage, as I have no doubt it will, I shall stand for her.

Mr. HARRISON. Nobody has ever doubted the Senator's position with reference to these increases.

Mr. SHORTRIDGE. I am in favor of protection for every State, for every industry in every State, whether it be in Mississippi or in California.

Mr. HARRISON. The Senator so voted, as I have said, with but one exception. I was sorry to see him depart in that instance.

Mr. SHORTRIDGE. There was reason for that.

Mr. HARRISON. Yes; the glass manufacturers out in Los Angeles had a little more influence than the sand fellows over in Nevada.

Mr. SHORTRIDGE. No; they opposed my attitude.

Mr. HARRISON. Very well.

Mr. President, the minority members of the conference, the Senator from North Carolina [Mr. SIMMONS] and myself, tried to draw from the House conferees some expression as to what they would do on the debenture, and what they would do on flexibility. We have appreciated from the beginning of this matter that those were the two vital things in the whole discussion. The debenture would at least go in the direction of giving the farm relief for which the President of the United States called the extra session of Congress to consider. But they would not even discuss it, as the Senator from Utah said.

We asked if they wanted to offer us a compromise of some kind, so that when we went back to the Senate we could tell the Senate what was the basis of their position and what were their views with reference to it. They said, "No; we will not discuss it at all." As was pointed out, the other six items which are in disagreement and which the majority members of the Senate conferees were willing to discuss and agree upon, they refused even to agree upon at all. They wanted the majority conferees to come back here and say that the bill would be defeated. They wanted to confuse the issue in such a way as to relieve the President from ever having to sign it or veto it.

For my part I would like to take the responsibility of defeating the bill. I say now that if the majority conferees insist, as they are now apparently going to, upon conferring with the House conferees and agreeing with them in striking out the debenture and striking out the flexible provision as adopted by the Senate, it will be a long time before the country will get a tariff bill. It may be that that is what is desired.

If I can truly interpret the feelings of Senators, I may say that I have never seen such a complete change come over such august-looking gentlemen as the majority conferees, and over the country, as compared with their position a few months ago. Oh, the enthusiasm that they had then for the bill has now left them. The ardor that we saw on every side for its consideration and quick passage is all dampened. About the only enthusiast now left is the distinguished Senator from Utah [Mr. SMOOT]. He did not get all that he wanted in the bill, but he got some good slices in it, and he is still its champion, combating with the Senator from Pennsylvania [Mr. GRUNDY] in the hope of getting his name attached to it for the future ages if it should ever be signed.

No one is trying to protect the present administration. The House has always been subjected to the will of the President. I do not say that they are acting with his knowledge, because I doubt whether he has ever told anybody his views; but the House for the past year has been subject to the will of the President, as everybody knows. They boast of it over there. They put through his program. If they know what his program is, they will put it through. But it looks very much to us, and it will look to the country very much, as if it is the desire of the majority conferees to tie this measure up in conference and eliminate the flexible provisions and the debenture, because the House has adopted this means of carrying out the will of the President and defeating the tariff bill.

Some say they want the bill to go to the President to see what he will do with it. Nobody knows what he will do, because he has told one side that he is against the large increases, and no doubt has led other people to believe that he is for the large increases. Aye, it has been urged that we should leave in his hands the power to increase and lower duties by 50 per cent, giving him the flexible power, and he will take care of all the interests; that he will reduce in those cases where it might be good for the Republican Party politically to reduce, and he will take care of the other interests which are crying for increased rates.

That is the weakness of giving to the President the power to lower or increase taxes upon the American consumer. It enables him to use the office of President of the United States to lay the hand of taxation upon the American people. That is why we have, by a pronounced majority in this body, followed the rule from the beginning of Government down to this day of lodging the taxing power in the representatives of the people, and according to the Constitution freeing the President from even the charge of trying to whip a Tariff Commission into line and granting rates for political purposes in order to get contributions in political campaigns.

In my opinion, the flexible clause as adopted by the Senate is the most constructive legislative proposal I have ever seen written into a tariff bill. It not only preserves to the Congress the power to tax but it has that within it which, in my opinion, will do more to take the tariff out of politics than any step which has been taken in the history of the country. Why? Because, Mr. President, it insures prompt and speedy action on the recommendation of a bipartisan Tariff Commission after an investigation of the facts. It would prevent what is to the shame of this body, which has been written and flashed in the papers of the country and broadcast through the air. Those who sit in the press gallery know what was done in the writing of this bill through the old logrolling, swapping, and trading, and bartering process.

Leave that question in politics, if you will, but you will never live down what you did when you proposed some of these rates by tying some particular product or article with some other product or article in the formulation of the bill. That could not be done under the flexible provision adopted by the Senate. Not only would that provision secure prompt action but when a recommendation comes here showing the difference in the cost of production here and abroad on shoes, for instance, no one could bring in lumber or wool at the same time, or other products or articles which would prevent an honest consideration of the shoe question upon its merits.

The business people of the country have been appealed to and requested to write to Senators to recede on the Senate flexible provision, that it is halting business. I will tell you, Mr. President, what is halting business, and you know it in your heart of hearts as well as I do, and that is the lack of leadership in the party which controls the Government to-day. Oh, for the time when a Roosevelt or a Wilson had the courage to have a program and to fight for that program. But to-day the President takes neither branch of his party into his confidence. He stays out of everything. Here in this confused condition to-day, when the House is contending for one proposition and the majority conferees on the part of the Senate are contending for another, and both are lost in the maze of confusion, the President sits quietly back and refuses even to advise or suggest. If Senators know what his views are, I will wait until they say something. But no, they do not know!

Of course, if we strike from the bill the flexible provision written into it by the Senate, and strike from it the debenture that gives to the great agricultural interests of the country some measure of relief which the President of the United States called the Congress into extra session to consider, and which the Republican Party promised in its platform, which orators on the stump told the people that party would give them—if those features are eliminated, of course, the President will sign the bill leaving hundreds of millions of dollars of gain to big business to be borne by the American people in the form of increased tariff taxes.

But it has been said that the flexible provision as incorporated by the Senate, if written into the law, would delay action upon the Tariff Commission reports. Mr. President, I hold in my hand a statement showing that in eight years since the flexible provision was written into the law there have been only 47 reports of the Tariff Commission made to the President. Only 37 of that number have been acted upon. Ten of them have gone apparently unnoticed.

Delay? I see here on the list where the Tariff Commission reported back in 1925 on halibut and nothing yet has been done by the President of the United States, a delay of five years. In 1926 the commission made a report on cotton hosiery and up until this good hour there has been no action taken by the President. On logs, in 1928, on March 14, the Tariff Commission reported their findings to the President and he took no action thereon. On maple sugar and sirup, back in 1928, the Tariff Commission made their report to the President. They showed him the difference in the cost of production in this country and in Canada was 3.5 cents on sirup and 5.3 cents on sugar. Mr. Coolidge, of Vermont, was then President of the United States. He thought their finding was wrong, and even though he has as much love for the people of Vermont as doubtless the two Senators from Vermont have, he refused to accept the recommendation of the Tariff Commission.

Oh, we know the logrolling process and the desire to get every vote that could be obtained not only for the passage of the bill but for the adoption of the conference report, so there was written into the pending measure and into the conference report, which is yonder on the Vice President's desk, not 3.5 cents and 5.3 cents on maple sugar and maple sirup, as recommended by the commission, but 8 cents on maple sugar and 5.5 cents on sirup. That is the kind of legislative monstrosity to which the Senator from Utah wants to attach his name, with Mr. GRUNDY, of Pennsylvania, and Mr. HAWLEY, of Oregon.

Mr. President, we are sincere and earnest in our fight for the flexible provision and the debenture. I believe, as does my colleague the Senator from North Carolina [Mr. SIMMONS], the other minority member of the conferees, that if the bill is sent back to conference to-day and the resolution offered by the Senator from Utah is adopted, it will be construed not only by the House conferees but by the Senate conferees that the Senate has taken backwater on the matter of the debenture

and the flexible provisions. The Senator from California [Mr. SHORTRIDGE] shakes his head. I hope he is correct. I will quote that on him if it ever comes back here again.

Mr. SHORTRIDGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from California?

Mr. HARRISON. I yield.

Mr. SHORTRIDGE. The Senator does me the honor to address me.

Mr. HARRISON. I always like to address the Senator.

Mr. SHORTRIDGE. Since I am in very good humor, I merely want to assure the Senator from Mississippi that as to items in the bill which caused it to be denounced, there is no one item concerning which there has been more criticism of me than the one in which the Senator and I are so deeply interested, the product of his State and of Texas, Arizona, Arkansas, Louisiana, and California.

Mr. ROBINSON of Arkansas. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. HARRISON. Certainly.

Mr. ROBINSON of Arkansas. While the Senator from California [Mr. SHORTRIDGE] was speaking, the Senator from Utah [Mr. SMOOT] suggested to him sotto voce that he should not make any promises. I think that ought to appear in the RECORD. [Laughter.]

Mr. SHORTRIDGE. I did not hear it, but if I make a promise I keep it.

Mr. HARRISON. The great difference between the Senator from California and myself——

Mr. SMOOT. The Senator from California is one of the conferees, and I suggested to him as a conferee to make no more promises.

Mr. HARRISON. As I started to say, Mr. President, from what he states the difference between the Senator from California and myself is evidently that if he can secure in the conference report certain rates on commodities produced in his State he is going to stand by it. That philosophy does not appeal to me. That fact is that the conferees have agreed on a tariff on long-staple cotton, and rightfully so in view of the arguments presented in the Senate and after two or three separate votes in the Senate. The House conferees have agreed to that item in conference; but no one can charge that the Senator from North Carolina and myself had any influence in the conference. However, even though the item in regard to long-staple cotton be in the report, that fact will not influence my vote. Would to God that other Senators would feel the same way upon some of the items involved in the bill. I believe in deciding the various questions upon their merits on the basis of the difference between the cost of production here and abroad and of competitive conditions.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. HARRISON. I yield.

Mr. SMOOT. The Senator wants the Senate to understand that he has no personal interest in the duty on long-staple cotton. Did he not tell the conferees that if they did not agree to the duty on long-staple cotton that there would not be any bill?

Mr. HARRISON. Yes; that is exactly what I said to them; and, if the Senator will be patient, I will say further that I sat in the conference day in and day out, and I saw put in the bill the greatly increased rates which had been adopted by the House, but which, under the whip of the coalition here, had been reduced, although some of them subsequently were put back in the bill in the Senate on its final passage. When those items came up in conference I heard the House conferees say, "We want the larger increase," and I saw the majority members of the conference committee on the part of the Senate quick to respond and recede from the Senate position.

Mr. SMOOT. Mr. President——

Mr. HARRISON. Mr. President, let me finish the statement. The Senator asked me for an explanation, and I want to give it to him——

Mr. SMOOT. I want to say to the Senator——

Mr. HARRISON. If the Senator will be patient, I will yield to him later. Day after day what I have suggested was being done. I saw tariff duties on products of the South wiped out. Finally we reached the item of cotton. The gentleman from Massachusetts [Mr. TREADWAY] did not want a duty on long-staple cotton; the cotton manufacturers of the East did not want it in the bill. Mr. President, a peculiar thing, which history should record, happened in the conference. I do not believe that there was ever another conference just like it, for the House conferees—and the Senator from Utah will bear me out and I dare say his colleagues on the conference committee will also bear me out—had an understanding that when one of them was for a given rate the other two majority members of the conference would be for it, and they would stand locked arm in arm and fight it out on that basis. In other words, one man in that conference could defeat the will not only of the Senate but perhaps of the House and every other member of the conference committee. So when I heard one man lift his voice and begin to fight the duty on long-staple cotton I said, "No, you will not do it; we will sit here and we will see that at least one of the agricultural interests that the President promised to help shall be treated fairly." I am proud of what I did in that regard; I am glad we accomplished the result which was accomplished; and I will state further that my friend, the Senator from Utah, thought I was right, and he stood shoulder to shoulder with me.

Mr. SMOOT. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. I yield.

Mr. SMOOT. I merely wish to call attention to the alleged alacrity with which the Senate conferees yielded on these amendments. I think the Senator has exaggerated greatly.

Mr. HARRISON. Mr. President——

Mr. SMOOT. Just a moment, if the Senator will permit me.

Mr. HARRISON. We will discuss all that later. I have here an analysis and digest of the action taken, and when the report comes up we will go into all that.

Mr. SMOOT. I was simply going to say that the Senate yielded on 198 amendments and the House yielded on 697.

Mr. HARRISON. Yes; and the ones on which the Senate receded were important; they involved rates which laid the heavy hand of taxation in greater degree upon the American consumer. The ones on which the Senate conferees insisted, however, were perhaps the changing of a period to a comma or a hyphen to a semicolon; they were, in most instances, immaterial. We will so show when we reach the discussion in proper order.

Mr. SHORTRIDGE. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from California?

Mr. HARRISON. I yield to the Senator from California.

Mr. SHORTRIDGE. I would appreciate it if the Senator would analyze the conference report at the proper time, and I hope he will not forget my position in regard to manganese——

Mr. HARRISON. Oh, the Senator was consistent throughout.

Mr. SHORTRIDGE. Which was so sought for by the two learned Senators from Montana.

Mr. HARRISON. Yes; and I want to say that the Senator sometimes became quite aggrieved at his colleagues, the majority members of the conference committee. He made a brave fight in behalf of the protected interests of this country, to afford them still greater protection.

Mr. SHORTRIDGE. I did.

Mr. HARRISON. Mr. President, I have said that the enthusiasm for this tariff bill has waned. It has. If I be asked why, I will say it is because of the indignation of the American people at what has been done. That indignation has been voiced, for instance, by the protests of more than a thousand of the ablest economists of the land, one of whom is from the State of the Senator from California, from Leland Stanford University, which the present occupant of the White House loves to laud, and of which, I believe, he was a student, and from which, I understand, he graduated. An economist of that great institution protests in behalf of the trade and commerce and honest business of this country against the tariff bill. Indeed, the economist from that university who signed the protest, perhaps, either went to school with the present President of the United States or, it may have been, taught him some of the rudiments of economy when he was a student there.

Economists, if theirs is the opinion desired, have spoken in no uncertain terms. An economist in the very State of the Senator from Utah, an economist in the State of Indiana, and economists from all over the country, 1,068 strong, have protested against the pending tariff bill, and have shown in their protests how it is going to affect injuriously the foreign trade of our country, how it will cause a revamping of tariff laws of other nations, and how it will affect adversely the prosperity of the United States.

Such protests have been received already; but as numerous and powerful as they are there will be many more if the bill should ever become a law. We know what has happened in Canada by way of retaliation. Some of those in the Chamber may have heard the broadcasting of the speech of the minister of Switzerland last night.

Mr. SHORTRIDGE. And he ought to be recalled.

Mr. HARRISON. Yes; that is the view of the Senator from California.

Mr. SHORTRIDGE. And if I were President of the United States, I would have him recalled.

Mr. HARRISON. Yes.

Mr. SHORTRIDGE. What did Grover Cleveland, the great Democratic President, do? He had the minister from a foreign nation recalled, and so the Swiss minister ought to be recalled.

Mr. HARRISON. If the Senator can influence the courageous gentleman in the White House, perhaps he will be recalled.

Mr. SHORTRIDGE. If I were President, he would be recalled in two minutes.

Mr. HARRISON. Mr. President——

Mr. SMOOT. Mr. President, will the Senator yield to me for just a moment?

Mr. HARRISON. I will yield in a few minutes. While having some foreign representative recalled from the United States, why not have recalled some of our own ambassadors in foreign countries, men who helped to formulate this nefarious bill? I doubt, if they should return now and had to do their work all over again, after sojourning in France and sojourning in Germany and receiving the earnest and numerous protests from the French and from the Germans, making their lives miserable, and sending their reports back here, whether they would vote for such a bill again.

Mr. WATSON. Mr. President, will the Senator yield for a question?

Mr. SMOOT. Mr. President, will the Senator yield to me? I merely wish to make a statement, Mr. President.

Mr. WATSON. I wish to ask the Senator from Mississippi a question.

The VICE PRESIDENT. Does the Senator from Mississippi yield; and if so, to whom?

Mr. HARRISON. I yield to both Senators or either.

Mr. SMOOT. Mr. President, referring to the economists, the Senator mentioned one in Utah. He is a high-school teacher, and I guarantee now that he has not read the tariff bill, that he knows nothing whatever of what is in it, but was asked to sign on the dotted line, and did so.

Mr. HARRISON. That is the trouble about the Senator from Utah. He assumes that he is the only great economist in the country. [Laughter.] If the economist from Utah who signed the protest were put by the side of this other great economist whom the Senator put on the Tariff Commission, Mr. Brossard, who used to work in the Senator's office, and their respective abilities were compared, one would be a mountain by the side of a molehill as to the other. Now, I yield to the Senator from Indiana.

Mr. SMOOT. Mr. President, let me say that Mr. Brossard never spent one minute in my office; that he never worked for me one second in his life.

Mr. HARRISON. Well, he is very close to the Senator from Utah.

Mr. WATSON. Mr. President, the Senator has said, speaking on the recall of foreign representatives, that perhaps some of our foreign ambassadors and ministers ought to be recalled.

Mr. HARRISON. I would not recall them; I want them to be where they may receive the protests.

Mr. WATSON. Does the Senator know—and I am asking this question seriously now and not in a facetious vein—any ambassador of the United States or any American minister serving abroad at the present time who has so far forgotten himself as to make a public speech on the question of the tariff abroad?

Mr. HARRISON. No. I notice, however, that Mr. Edge, who was in charge of one of the schedules of the pending bill which was the most infamous, I thought, when the bill was written, has been forced to decline invitations to two public places in France for fear of expressions of indignation that might be showered upon him. Mr. President, what is the cause of these protests?

Mr. WATSON. My point is that former Senator Edge, now ambassador to France, did not offend the proprieties by making any kind of a public statement with regard to the tariff, notwithstanding his intimate relationship with the formulation of the bill during that period.

Mr. HARRISON. Oh, no; former Senator Edge would not offend anybody, certainly not the special interests of the country. I do not think that the minister from Switzerland offended anybody except some of the gentlemen who wrote this bill and who are chargeable with the crime of attempting to put it upon the American people.

Mr. WATSON. Did my friend from Mississippi read the statement of the ambassador from Spain on the tariff question?

Mr. HARRISON. Oh, yes; I have read about 38 protests from foreign countries, some of which have almost threatened to destroy cordial relations with this country if Congress should pass this bill, and they ought to have a right to protest.

Mr. WATSON. I do not agree with the Senator at all.

Mr. HARRISON. The Senator, though, stated a fact, and, in reply to his question, I said that I had read the protests, some even going to the extent of threatening to break off cordial relations with this country.

Mr. WATSON. Has the Senator read public speeches of ministers or ambassadors on the tariff question?

Mr. HARRISON. I saw in the newspapers this morning a reference to the statement of the minister from Switzerland.

Mr. WATSON. Two only have gotten into the newspapers in the way of public speeches—one by the ambassador from Spain, and the other, published this morning, by the ambassador from Switzerland.

Mr. HARRISON. Mr. President, the pending tariff bill is universally condemned. The business interests of the country are against it because they know that it will cripple their foreign trade; they know how the reaction will be felt in reduced bank deposits and increased lines of unemployment in this country, and, in my opinion, the American people, at no far-distant date, are going to change some of the views they have formerly held as to the desirability of high walls of protection in this country. However, I have gotten away from the real proposition which I expected to discuss.

Mr. WATSON. There is no doubt about that.

Mr. HARRISON. I have about finished. So far as I am concerned, when Senators on this side have expressed themselves and Senators on the other side have made their excuses for the action they propose to take, I am ready to vote upon the resolution.

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

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Kentucky?

Mr. HARRISON. I yield.

Mr. BARKLEY. Along the line of the attitude of the American ambassadors in foreign countries, with special reference to those who have sat in this body, I wish to call the Senator's attention to the fact that on the 15th day of March, as reported by the New York Times of March 16, former Senator Sackett, for whom we all have very high regard, now ambassador to Germany, made a speech before the American Chamber of Commerce in Berlin in which he said that American commercial life believes that the weaving among the nations of closely interdependent business fabric is a better guaranty of security for the future than battleships and other armaments; and so on.

So, before that American Chamber of Commerce on that date former Senator, now ambassador, Sackett spoke at length upon the desirability of having cordial business and commercial relations not only between Germany and the United States but between the United States and all other countries, and, while he did not specifically mention the pending tariff bill, he must have had it in mind when he made that admirable speech before the American Chamber of Commerce.

Mr. HARRISON. Under the rule laid down by the Senator from Indiana he should be recalled.

Mr. BARKLEY. Probably, inasmuch as he expresses a sentiment that is at variance with that of the Senator from Indiana, he should also be recalled.

Mr. WATSON. But former Senator Sackett in no wise offended German public sentiment or German conscience in making that statement or in running counter to the Germanic theory of government on the tariff or any other question. He simply made a general statement about friendly relations with Germany. But here are two ambassadors—I had not intended to refer to these things, for they have not anything on earth to do with the subject—who openly challenge the right literally of the United States to make a tariff law lest it interfere with the trade of those two countries.

I am not going to discuss that, because my friend from Mississippi went so far afield that if I were to undertake to follow him in all the meanderings of the political speech he has made here, I should take the rest of the afternoon, which I shall not do. I want to talk for just a little bit about the question before the Senate, which is simply this: Shall the three conferees on the part of the Senate be relieved from the personal pledges made by them to the Senate when this bill was first sent to conference?

That is the sole question for our consideration. The other propositions to which my genial and eloquent friend alludes so freely will all be discussed if this bill goes to conference and if a report comes back from the conference; and until such time I refrain from further discussion of those phases of the subject.

It will be recalled, Senators, that before the bill was sent to conference, the Senator from North Carolina [Mr. SIMMONS] asked each of us who were to be conferees as to what our atti-

tude would be; and we squarely made the statement that until we came back into the Senate we would not yield on the two propositions, the flexible provision and the debenture. By that promise we have religiously stood. There is nobody to say, even my friend from Mississippi [Mr. HARRISON], that we varied from that promise, or that we in the least entered into any sort of arrangement by which we could be charged with having violated it.

When we first met with the other conferees Chairman HAWLEY, of the House committee, announced that there were seven or eight items on which they had agreed to take separate votes in the House when and before they had been appointed conferees. He said, "We are in no position to confer on those seven items," and the Senator from Utah [Mr. SMOOT] spoke up and said, "We are in no position to confer on the debenture and the flexible provision, because we made similar pledges to the Senate." Then we said, "We will put them aside, and go on and confer on all the other items in the bill."

We did that, and arrived at conclusions on some 1,200 plus items, which were embodied in a report. That report was taken to the House and adopted by the House, and at the same time the House voted separately on the other seven items and sent those items over to the Senate. At that time the Senator from Utah asked for a further conference, which was granted.

Now, Senators, here is the situation: From the parliamentary standpoint, as all the parliamentarians agree, we three conferees on the part of the Senate have been discharged from that obligation. They all agree upon that. Not a single dissonant note is sounded on that proposition by those who are familiar with the situation, because the report was agreed on and adopted by the House, and brought into this body and the conferees discharged, because the conferees adjourned sine die and we were discharged. We were reappointed on a new conference; but when we were discharged the first time, from a parliamentary viewpoint we were absolved from that obligation to the Senate of the United States. Yet we did not choose to take that position, because we said, "It is a moral obligation, and it runs further than parliamentary law and is supreme above it, in our judgment." That was the individual view of the Senator from Utah [Mr. SMOOT] and the Senator from California [Mr. SHORTRIDGE] and myself; and after we had conferred upon it we said, "Notwithstanding the fact that the parliamentarians tell us that we are absolved from this obligation, we choose as individual Members of the Senate, having made our pledge to the Senate in open Senate, to stand by that obligation." We have stood by it, undeviatingly and unswervingly, to the present minute; and now all we ask is that we be absolved by the Senate in a formal way from that obligation. That is the only question before us.

Now, you say, "Why?"

Senators, after we returned to the conference the first thing that was said by Chairman HAWLEY was, "We are not in any position to confer with you." "Why?" "Because you are in no position to confer. Your hands are tied. You have an obligation." He said, "When the bill first came to us we told you that we had an obligation, and you said 'Go and discharge your obligation by taking your votes.' We did discharge our obligation. We have taken the votes. We have absolved ourselves from the binding force of the obligation we made by having the votes. Now, you go and do the same thing; and until you do that you have not done anything that we have done. We have adopted the conference report. We have voted on the seven separate items. We have discharged our obligations to the House by having those votes. You have taken no forward step. You have not voted on the general conference report. You have not voted on the seven items. You have in no wise discharged yourselves from the obligation that you voluntarily entered into to the Senate, and until you do that you are in no position to confer with us and we are in no position to confer with you."

That was the attitude of the House; and, Senators, I am bound to say, with all due deference to ourselves, that the House was just about right on that proposition.

When we sat down to talk about the debenture, they said, "Why, we can not talk to you about that. Your hands are tied." One day, my friend the Senator from Mississippi [Mr. HARRISON] will remember, I undertook to discuss the flexible provision in the conference. I brought up several propositions on the flexible provision that I thought we might well discuss in the conference, and made two or three suggestions. I see the Democratic leader of the House over there, my friend GARNER. He can not speak here, but he remembers the situation very well. I undertook to discuss four or five changes that I thought might be made in the House provision on that subject; and after I had talked a little bit, Chairman HAWLEY said: "What is the use of talking about that? You are in no position to confer with us. Your hands are tied. You can not enter into a full and free conference; and until you go back to the Senate and free your hands and rid yourselves of this obligation we can not confer with you and you can not confer with us, and so far as this question is concerned the conference is ended."

That is all there was to the subject.

Mr. CARAWAY. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. WATSON. Certainly.

Mr. CARAWAY. As I understand the Senator, when the conferees met, the Senator from Utah [Mr. SMOOT] told them that the Senate conferees were in no position to confer on the flexible provision and the debenture.

Mr. WATSON. Yes.

Mr. CARAWAY. What earthly use was there in having a conference, then?

Mr. WATSON. He did not put it just that way.

Mr. SMOOT. They made the statement.

Mr. CARAWAY. But the Senator said there were six or seven items upon which the House conferees were not in position to confer, and that the Senator from Utah said there were two items on which the Senate conferees were in no position to confer.

Mr. WATSON. We all said that. I do not remember who said it.

Mr. CARAWAY. Then what in the world was the use of having a promise from the Senate conferees at all? If they knew those matters were not to be in conference, what kind of a conference were they expecting to have? What was the use of having a promise that the Senate conferees were going to come back with those matters when they were not even going to confer about them?

Mr. WATSON. That was exactly the situation, I will say to the Senator.

Mr. CARAWAY. That was a declaration upon the part of the Senate conferees before they ever tried to confer—that they were not going to confer.

Mr. WATSON. Absolutely, on those items.

Mr. CARAWAY. Then what was the use of having any promise to bring them back?

Mr. WATSON. Because we had 1,500 other items upon which to confer, and we did confer upon all the other items, and we did reach an agreement, and that agreement was adopted by the House, and it is lying here now on the Vice President's desk awaiting our action.

Mr. CARAWAY. The Senate conferees understood when they went there that they were going to bring those provisions back?

Mr. WATSON. Absolutely.

Mr. CARAWAY. Then what in the world was the use of having a conference?

Mr. WATSON. We understood then that we intended to bring them back, and we did bring them back, and we have brought them back, and they are here.

Mr. CARAWAY. But the Senate conferees never did intend to have an agreement about them?

Mr. WATSON. We could not have an agreement about them.

Mr. CARAWAY. Oh, the Senator says the conferees intended when they went there to bring them back.

Mr. WATSON. We could not have an agreement about them. We intended to bring them back. We stated openly on the floor of the Senate that we intended to bring them back.

Mr. CARAWAY. That is, that the Senate conferees did not intend to try to agree upon them?

Mr. WATSON. Why, certainly not, so far as the conference committee was concerned, because——

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

Mr. WATSON. In just a minute—because we did not have a full and free hand, and we want to go back with a full and free hand.

Mr. CARAWAY. In other words, if the House conferees had been perfectly willing to surrender on those provisions, the Senate conferees would not have agreed with them.

Mr. WATSON. Why, of course we would if the House conferees had surrendered.

Mr. CARAWAY. The Senator says the Senate conferees intended to bring them back when they went there; that they did not intend to agree upon them.

Mr. WATSON. What is the use of discussing that?

Mr. CARAWAY. What is the use of having a conference under those conditions?

Mr. BARKLEY. Mr. President, regardless of the position of the Senate conferees on the flexible tariff and debenture amendments, the House conferees were free to confer on those items during the first stages of the conference, were they not?

Mr. WATSON. On the debenture?

Mr. BARKLEY. Yes.

Mr. WATSON. No.

Mr. BARKLEY. Why not?

Mr. WATSON. They stated squarely that they would not——

Mr. BARKLEY. But they were free to do so.

Mr. WATSON. Because our hands were tied.

Mr. BARKLEY. But their hands were not tied.

Mr. WATSON. But they said, "You can not confer with us, and so there can not be any conference."

Mr. BARKLEY. So, in order to bring about a situation where the hands of both sides would be tied, they took the matter back to the House and had a vote on it; but up to that time their hands were not tied, and so long as their hands were not tied they themselves were not tied.

Mr. WATSON. Not at all.

Mr. BARKLEY. Why, absolutely. The Senate conferees only promised to bring the matters back here before they would yield on them; but as long as they were not willing to yield on them, and the House conferees were free, there was a free conference. In order to tie up both sides, however, they took the matter back to the House and had a vote on it, and then came in and made the point that the Senate conferees could not confer because their hands were tied.

Mr. WATSON. What is the use of my friend from Kentucky trying to put ideas into our heads?

Mr. BARKLEY. I do not think there is any use at all.

Mr. WATSON. We had this idea. . It was our personal pledge. We construed our own personal pledge, and we construed that pledge to mean that we never intended to have a vote on that question in the conference until we brought it back.

Mr. BARKLEY. That was not the promise. The promise was that before the Senate conferees would yield on it at all they would bring it back.

Mr. WATSON. We do not think so. We never have construed it that way.

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Idaho?

Mr. WATSON. Certainly.

Mr. BORAH. My understanding of the agreement which the conferees, as Senators, made, was that they would not yield upon these matters until they brought them back here for the judgment of the Senate. That did not prevent a conference, except upon the theory that it involved a yielding on the matters.

Mr. SMOOT. If they had yielded, that would have settled it.

Mr. BORAH. If they had yielded, of course, the conferees would have had no trouble in reaching an agreement; but what is happening now is that they are asking that the conferees of the Senate be put in a position where they can yield upon these two matters—not discuss them but yield upon them.

Mr. SIMMONS. That is what it amounts to.

Mr. SHORTRIDGE. Mr. President, may I ask the Senator a question? In view of the record, does the Senator think that all of the Senate conferees are at full liberty to confer and reach an agreement, if possible, as to the debenture and the flexible tariff provision?

Mr. BORAH. They are in a position to discuss everything except the ultimate proposition of yielding the two matters. If the conferees can come together upon the two matters and agree upon different terms than those which are expressed in the Senate amendment, they have a perfect right to do so; but the Senate conferees can not surrender the two matters without coming back to the Senate.

What is happening is this: I do not know who is the father of it, but what is happening is this: The House does not propose to confer with the Senate until the Senate conferees are in a position to surrender these two matters—not to confer but to surrender them—and that is what they intend.

Mr. WATSON. How does the Senator know there will be a surrender if we can not even confer?

Mr. BORAH. The conferees can confer.

Mr. WATSON. No; we can not confer, and the House has squarely taken the position that we can not confer.

Mr. BORAH. I know the House has.

Mr. WATSON. And I want to say to my friend from Idaho that we three people construed our own obligation—here is the pledge that we made here—we construed our own obligation to mean that we would not confer on the matter until we brought it back. I want to state further, while the Senator from Idaho is on the floor, and the Senator from Mississippi [Mr. HARRISON] is rising, that he remembers one time when he undertook to construe our pledge differently from the way we did. He said, "No; we can talk about it." That was one day, Mr. President, when I undertook to talk to the conference committee about the flexible provision.

Mr. HARRISON. Mr. President, if the Senator will yield——

Mr. WATSON. Wait a minute. I undertook to talk to the conferees about the flexible provision, and immediately Chairman HAWLEY said, "You can not confer on that, because your hands are tied, and you can not enter into a full and free conference." Then Senator HARRISON spoke up and said, "You are wrong about that, in my judgment. The Senate conferees pledged themselves not to recede until they had gone back into the Senate." We three immediately spoke up and said, "No; that was not our pledge. Our pledge was to take it back into the Senate before any action was taken."

Mr. BORAH. Oh, well; no such agreement was made here.

Several Senators addressed the Chair.

The VICE PRESIDENT. Does the Senator from Indiana yield; and if so, to whom?

Mr. WATSON. I yield to the Senator from Mississippi.

Mr. HARRISON. I wanted to ask the Senator in that connection, after he made the statement that he was in no position to yield or to confer about these two propositions, if I did not take the other position—and the Senator from North Carolina, I think, agreed with me on that proposition—that you had only promised that you would not recede on these propositions, but that you had the power to try to get together and bring back some compromise proposition.

Mr. WATSON. To which we did not accede.

Mr. HARRISON. I asked the House conferees if they would not offer some basis of compromise, or what was the very best they had to offer, and they refused to give us any light on the proposition or to offer any hope to us that we might compromise.

Mr. WATSON. Of course, if the House had yielded that would have ended it. But the House did not yield, and not only that, but the House took the position that we had no right to confer.

Mr. SIMMONS. Mr. President——

The VICE PRESIDENT. Does the Senator yield to the Senator from North Carolina?

Mr. WATSON. I am going to make one statement, and then I will yield.

This was our situation: We had made verbal pledges; there was no resolution of the Senate binding us. We stood up as three individual Senators, talking to our associates and colleagues, and made three separate pledges on the proposition. It may be that we were supersensitive; it may be that we were squeamish about it, but there was not one of us who intended to come back with any kind of a proposition which would lay us open to the charge of having betrayed our trust and turned our backs on our pledges. I know how immediately some gentlemen in the Senate would have charged us with that, if there had been the slightest opportunity on earth to do so. But we did not intend to place ourselves in that position, and we have not done so.

Mr. BORAH. Mr. President, will the Senator yield to me?

Mr. WATSON. I yield.

Mr. BORAH. I think the Senator was oversensitive about it, and therefore construed it wrongly.

The fact is that we certainly desired that you might confer, we certainly desired that you might discuss, we desired that you might get the House to accept some form of debenture or some form of flexible tariff provision. But we did not want an absolute surrender on the two propositions until the Senate passed upon the question.

Let me tell the Senator this: The hands of both Houses are tied on this proposition, as the Senator knows.

Mr. WATSON. I do not know what the Senator means.

Mr. BORAH. We are placed in a situation where we are practically told from the White House that if either one of these things is in the tariff bill, it will die. That is where the "tie" comes.

Mr. WATSON. Has the Senator been told that?

Mr. BORAH. Has the Senator any doubt about the interpretation which is to be placed upon the statement of the President with regard to the debenture?

Mr. WATSON. Well, in my own mind, I have not, I will say frankly to my friend.

Mr. BORAH. No; nor has any other sensible man. We know perfectly well that we have been informed in such language as that in which a President would inform the Senate that if that provision remains in the tariff bill, the President will veto it. That is where our hands are tied. It is the same with respect to the flexible provision, and is not the House voting as the White House wants on this proposition?

Mr. WATSON. Does the Senator mean that when the House of Representatives votes by something like 100 majority on a proposition, they are simply echoing somebody else's voice, and have not any ideas of their own about this flexible tariff provision?

Mr. BORAH. If the House did not intend to kill this proposition without any reservation or any excuse whatever, they certainly would be willing to confer with you as to whether we should have the debenture; and, if so, as to what kind of a debenture we should have.

Mr. WATSON. They say that if this resolution is passed and our hands are freed and we go back they will confer.

Mr. BORAH. Exactly; and you will then come back with the proposition, in a few days, that we will surrender.

Mr. WATSON. How does the Senator know that?

Mr. BORAH. I know it just as well as I know that the sun will rise to-morrow morning.

Mr. WATSON. Does the Senator know that, even?

Mr. BORAH. Yes; fairly well.

Mr. SIMMONS. Mr. President, will the Senator yield to me?

Mr. WATSON. I yield.

Mr. SIMMONS. The promise of the three Senators representing the majority in the conference was not that they would not confer with the House about these items. It was that they would not take any action until they had referred the matter back to the Senate for its advice and instruction. Did we not make that perfectly clear to the conferees on the part of the House, and did not the conferees on the part of the House refuse to enter into any discussion of these two items with us? Did we not go further than that and ask them if they had any compromise they wanted to suggest to us, and if so, to suggest it, having in mind that if the compromise were such as we thought we were justified in bringing back to the Senate, we would bring it back to the Senate? Did they not refuse to indicate to us their views in reference to these items?

Mr. WATSON. They certainly did.

Mr. SIMMONS. Not only as to that, but as to the other items involved?

Mr. WATSON. They refused to discuss either one of them, and they said that while our hands were tied they would not confer on the other six items, and they did not confer on the other six items. We asked them to sit down around the table and confer on the other six items, and that they declined to do, and they would not start to confer on the flexible and debenture provisions.

Mr. BRATTON. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from New Mexico?

Mr. WATSON. I yield.

Mr. BRATTON. As a practical proposition, and laying all parliamentary questions aside, does the Senator think that if the resolution proposed by the Senator from Utah is adopted, it will result in the Senate's flexible provision and the debenture being stricken out, and the conference report brought back to that effect?

Mr. WATSON. I do not know what will happen. We have not talked about it. If it does, then the Senator will have an opportunity to debate it, and to vote on it, when it comes back.

Mr. BRATTON. I want to know the Senator's idea about it.

Mr. SIMMONS. Not vote on it as a separate proposition. There will be no opportunity to vote on those matters as separate propositions.

Mr. WATSON. I said on the floor that I did not surrender my individual convictions on the question. I have the RECORD right here. The Senator from Idaho [Mr. BORAH] asked me this question:

> May I ask the Senator a question?
>
> Mr. WATSON. Certainly.
>
> * * * * * * *
>
> Mr. BORAH. In a test vote after coming back to the Senate the Senator would vote against the debenture?
>
> Mr. WATSON. Yes; because I am against it. I do not agree to surrender my convictions on the proposition by becoming a conferee, I will say to my friend from Idaho, but I do agree to stand by the provisions of the Senate bill until the conference returns it to the Senate. I have already had a conference with the Senator from North Carolina.

Which was true. That was the position I took, and it is the position the other conferees on this side took, and we stood by it, and we are standing by it, and unless our hands are freed by the passage of this resolution, there will be no conference.

Mr. ROBINSON of Arkansas. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. WATSON. I yield to my friend the Senator from Arkansas.

Mr. ROBINSON of Arkansas. How can the Senator from Indiana make the assertion that the conferees are standing by their promise when they are here asking, by a solemn resolution, to be relieved of it?

Mr. WATSON. We have stood by it up to the present time.

Mr. ROBINSON of Arkansas. Certainly; but the Senator now wants to be excused from keeping his promise.

Mr. WATSON. I certainly do; or there will be no conference.

Mr. ROBINSON of Arkansas. Let me say that for once over a long period of time we have the Senator from Utah and the Senator from Indiana exactly where we want them. We have them tied to carry out the wishes of the Senate, and, so far as I am concerned, I would like to bind them a little tighter, instead of releasing them from their obligation.

Mr. WATSON. I will say this to my friend, I have no doubt the Senator personally would like to do that, and that is all right, I understand that, and of course I have no feeling about it; but here is the situation, in my honest judgment, as I stand looking into the face of the honorable Senator, unless our hands are freed, and we can go into a full conference with the House conferees on this subject, there will be no tariff bill.

Mr. ROBINSON of Arkansas? Why?

Mr. WATSON. Does the Senator ask why?

Mr. ROBINSON of Arkansas. Because the opposition of the House to the debenture and the flexible provision is so marked that the Senator does not hope to get either of those matters out of conference, and he intends, when he is released from his promise, to yield both propositions.

Mr. WATSON. Not at all, not at all; but I know this, that we can not even take the first step toward the passage of this bill until we go back and confer with the House conferees. Our hands are tied. We are in no position to have a full and free conference with them on the debenture.

Mr. ROBINSON of Arkansas. Your hands are tied only against yielding on the two propositions. They are not tied in efforts to secure the adoption of the two propositions.

Mr. WATSON. We have not taken that position.

Mr. SHORTRIDGE. Mr. President, may I answer the Senator?

Mr. WATSON. I yield.

Mr. SHORTRIDGE. That may well be so——

Mr. ROBINSON of Arkansas. It is so, is it not?

Mr. WATSON. Mr. President——

Mr. SHORTRIDGE. No; if the Senator will permit me——

Mr. ROBINSON of Arkansas. How may it well be so if it is not so? [Laughter.]

Mr. SHORTRIDGE. I understand and can speak the English language. It may well be so and it might be so——

Mr. ROBINSON of Arkansas. But it is not so, the Senator says.

Mr. SHORTRIDGE. Wait a moment.

The VICE PRESIDENT. The Senate will be in order, and the occupants of the galleries will be in order.

Mr. SHORTRIDGE. Mr. President, if this is a theater for buffoonery, be it so.

Mr. ROBINSON of Arkansas. The Senator does not mean to characterize this debate in that spirit?

Mr. SHORTRIDGE. I characterize the proceedings here now as buffoonery, but not imputing any such act to my friend.

Mr. ROBINSON of Arkansas. If the Senator wishes to do that, I am perfectly willing to leave it to anybody present to determine who is the buffoon.

Mr. SHORTRIDGE. Very well; if the Senator thinks that remark is courteous, he thinks it; I do not.

I was about to say that the Senator might be entirely right in his interpretation of the action of the Senate and of the promise given by the conferees, but the House conferees took another position. They said that they considered it would be idle, entirely futile, to engage in conference when we were tied not to recede, or to enter into the discussion in a spirit of compromise. That is what I wanted to say.

Mr. ROBINSON of Arkansas. Mr. President, may I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. ROBINSON of Arkansas. I ask the Senator from Indiana to permit me to ask the Senator from California a question.

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. Laying aside all question as to the merits of this discussion, is not the significance of this motion, the purpose of those who make it, to surrender on both propositions—a position affirmatively taken by the Senate, a position which the conferees, in order to secure the confidence of the Senate, pledged themselves not to yield?

Mr. SHORTRIDGE. Mr. President, I answer for myself—and I stand by what I now say—that I do not seek a further conference with any intention of surrendering in the way the Senator indicates. I have very fixed notions in regard to both of these propositions, and I hope it will not injure the bill when I say that, as for me, I would surrender both of the propositions if it became necessary in order to pass this bill as amended. I mean that I would eliminate the debenture provision; I would eliminate the flexible tariff provision, as the latter provision stands in the House and in the Senate, if necessary to pass a genuine protective tariff bill.

Mr. SIMMONS. Mr. President——

Mr. BORAH. Where is the Senator from Utah?

The VICE PRESIDENT. The Senator from Indiana still has the floor. Does he yield?

Mr. SIMMONS. I have been trying to get the Senator from Indiana to yield to me for some time.

Mr. WATSON. I yield to the Senator from North Carolina.

Mr. SIMMONS. Mr. President, I think that if the conferees are sincere they will agree that the House is determined, apparently, that there shall be no agreement unless the conferees on the part of the Senate yield on these two propositions.

Mr. WATSON. I am not prepared to say that. The indications all point that way.

Mr. SIMMONS. Does not the Senator know that every one of the majority conferees on the part of the Senate would like to yield on these two propositions? Is not that true?

Mr. WATSON. So far as I am concerned, there is not the slightest doubt on earth about it.

Mr. SIMMONS. The House conferees are determined that they will not yield, and the Senator knows that if this matter goes back with the hands of the conferees untied, the Senate conferees are going to yield to the House.

Mr. WATSON. I do not know that at all.

Mr. SIMMONS. I think the Senator knows that as well as he knows anything.

Mr. WATSON. I do not know it at all.

Mr. SIMMONS. Now, the Senator says that if that should happen, the Senate will have an opportunity to vote upon the items. Yes; it will——

Mr. WATSON. Certainly.

Mr. SIMMONS. But it will have to vote upon them as a part of the general conference report.

Mr. WATSON. Absolutely, when it comes back——

Mr. SIMMONS. And we can not get a separate vote on these propositions.

Mr. WATSON. When it comes back it is either "take it or leave it."

Mr. SIMMONS. The desire of the Senate from the very beginning of this controversy has been to safeguard itself by demanding that it shall have a separate vote upon these two propositions, and to release you gentlemen means to defeat absolutely the purpose of the Senate, and it means the defeat of both the debenture and flexible tariff provisions of the bill. The Senator knows that as well as I know, if he is sincere with himself and sincere with the Senate.

Mr. WATSON. The Senator is a conferee and he will be in the conference.

Mr. BORAH rose.

Mr. WATSON. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, the Senator from Indiana has said he would like to yield and surrender on these two propositions.

Mr. WATSON. Yes; I said so.

Mr. BORAH. The Senator from California [Mr. SHORTRIDGE] has said the same.

Mr. SHORTRIDGE. No; I have not said the same. Rules or no rules, I do not want anybody to misrepresent me.

Mr. BORAH. I would not do it for anything in the world.

Mr. SHORTRIDGE. I did not make that statement.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator from Indiana permit a question?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Arkansas?

Mr. WATSON. Certainly.

Mr. ROBINSON of Arkansas. The Senator from California surely will remember that he said he would yield both propositions rather than have the bill fail. Now, I want to ask him if he expects, after the passage of the Smoot resolution, if it does pass, that the House conferees will yield; and is it not the logical conclusion from his statement that he himself will yield in order to secure an agreement in conference? He wants to yield, and he will yield.

Mr. SIMMONS. He wants his hands untied so he can yield.

Mr. ROBINSON of Arkansas. He wants to yield in order to get an agreement in conference, and he says he will yield both propositions rather than fail to secure an agreement. I think in view of that statement that my declaration a moment ago is correct—that the real significance of the resolution is a device on the part of the conferees to yield the expressed views of the Senate on these two vital questions.

Mr. SIMMONS. Mr. President, will the Senator from Indiana yield to me a moment?

Mr. WATSON. I yield to the Senator from North Carolina.

Mr. SIMMONS. Supporting the statement of the Senator from Arkansas a little while ago with reference to the agreement between the Republican conferees of the two Houses, I wish to refer to the fact that just before they came to a conclusion about presenting this resolution we had a meeting of the conferees, and the Democratic members of that body were politely invited to retire.

Mr. ROBINSON of Arkansas. What!

Mr. SIMMONS. Yes; were politely invited to retire.

Mr. ROBINSON of Arkansas. The minority members?

Mr. SIMMONS. Yes; and the Republican conferees on the part of the House and Senate remained and prepared the resolution which is now before us.

Mr. ROBINSON of Arkansas. That is a most astonishing proposition [laughter], amazing and conclusive evidence that the cohorts of privilege were getting together and trying to find some scheme to defeat the will of the Senate with respect to these two vitally important items.

Mr. WATSON. That is a beautiful thought. [Laughter.]

Mr. BORAH. Mr. President——

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Idaho?

Mr. WATSON. Certainly.

Mr. BORAH. As I understand the Senator from Indiana, he proposes to yield upon both propositions rather than to defeat the bill.

Mr. WATSON. Absolutely.

Mr. BORAH. That is the same position with reference to them that is taken by the Senator from California. I have not misconstrued his position?

Mr. WATSON. Not a bit.

Mr. SHORTRIDGE. I will state my position.

Mr. BORAH. I will state the Senator's position if I may.

Mr. SHORTRIDGE. No; the Senator need not do so. I am capable of stating my own position.

Mr. BORAH. The Senator has already said that he is opposed to both propositions and would like to see them out of the bill, and that he does not want to see the bill defeated. He can draw his inference. I draw mine. The Senator from Utah [Mr. SMOOT] feels the same way, and yet we are asked here to take off the instructions and release the conferees for the purpose of enabling them to go back to confer for the purpose of surrendering.

Mr. ROBINSON of Arkansas. That is right.

Mr. WATSON. That is the construction of the Senator from Idaho.

Mr. BORAH. Inside of 10 days it will be recorded right here.

Mr. WATSON. It may be. I do not know what is going to happen in 10 days with any conference report, and neither does my friend from Idaho.

Mr. ROBINSON of Arkansas. Why should it take 10 days?

Mr. WATSON. What is the object of a conference on the disagreeing votes of the two Houses? It is that the conferees may get together and discuss the whole situation. That we have never had the privilege of doing up to this time nor the opportunity of doing up to this time. We have not discussed the debenture and we have not discussed the flexible provision because the House has taken the position and we have taken the position that we were so bound that we could not debate or discuss either.

Mr. SIMMONS. The Senator from Indiana means the Senate majority conferees have never yet had the privilege of yielding those two points?

Mr. WATSON. We could not have said to them that we were going to yield.

Mr. SIMMONS. Not without violating your promise.

Mr. WATSON. Certainly not.

Mr. SIMMONS. The Senator wants the privilege, and he wants the privilege for the purpose of yielding.

Mr. WATSON. I never have had the slightest idea in the world of yielding until we brought the matter back to the Senate, and nobody knows that better than my good friend from North Carolina.

Mr. SIMMONS. The Senator knows that in his heart of hearts he would be delighted to have both of the provisions stricken out of the bill.

Mr. WATSON. I have said that over and over and over again. Certainly in my heart and in my head and in my whole

being I would be delighted to have both provisions stricken out of the bill.

Mr. SIMMONS. He wants the resolution adopted so he may have the privilege of doing that.

Mr. WATSON. I can not tell whether they will do so or not.

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

Mr. WATSON. The Senator from California [Mr. SHORTRIDGE] the other day, contrary to the ruling of the Senator from Utah and Chairman HAWLEY, actually took the floor and argued in favor of modifying the flexible provision, and went on with his argument at some length, stating that he very much preferred that sort of thing to the entire defeat of the bill.

Mr. BORAH. Under the instructions of the Senate or the request of the Senate he had a perfect right to do that. There was no reason in the world why he should not do it.

Mr. WATSON. I do not look upon it that way.

Mr. BORAH. Certainly the Senator from California did.

Mr. WATSON. I do not know whether he did or not.

Mr. BORAH. He proceeded to argue until the House conferees told him to desist.

Mr. WATSON. And I did the same on another occasion.

Mr. BORAH. That is precisely what we understood the Senate conferees were to do, to go there and discuss these propositions——

Mr. WATSON. We did not understand it so.

Mr. BORAH. And arrive at a conclusion if they could do so. Certainly there would have been no occasion for passing these things through the Senate if we could not talk about them until they came back here.

Mr. FESS. Mr. President, will the Senator from Indiana yield?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Ohio?

Mr. WATSON. I yield.

Mr. FESS. Does the Senator recall at any time in either the House or Senate when one of the objects of asking for a conference was that the conferees would be instructed at the outset not to yield on certain items? Is there any time in the memory of any Member here that that sort of thing was done when a bill was sent to conference the first time?

It seems to me this is a conflict between the two Houses. It is not a question of the merits of the case at all. If we should ask for a conference with the other House and instruct our conferees, the House would certainly be justified in refusing a conference, because it would not be a conference. We would do the same thing if the situation were reversed. Whether it was a mistake or not, it seems to me the whole controversy is a matter of procedure between the two Houses. If we want to let the bill fail on the ground that the other House will not meet us because it is not a conference, we will have to let it go that way.

Mr. WATSON. May I ask the Senator from Idaho if he will permit me to propound a question?

Mr. BORAH. Certainly.

Mr. WATSON. Would the Senator from Idaho rather have no tariff bill than one without the flexible provision, with presidential power, and the debenture provision in it?

Mr. BORAH. I will answer just as frankly as the Senator from Indiana has. If the debenture and the flexible provision are stricken out of the bill, I propose to vote against the bill.

Mr. WATSON. There you are! The Senator could have full opportunity to do that if we do yield and bring them back in that way to the Senate.

Mr. BORAH. Exactly, but I have to vote on the item as it comes here. I want to test the Senate upon the two matters. I think I have a right to do so. I do not think we have to conclude the matter in 10 days or two weeks or even within a month. In my opinion, we could afford to stay here an indefinite length of time to test the question of whether or not we are to have the two propositions.

Mr. WATSON. The Senator can test the matter just as soon as we bring the report back. The Senator said he would rather have no bill than have a bill with the flexible provision and debenture out. If we yield and bring back the bill with those provisions out, and that is the crux of the whole thing, he can express his views and give voice to his opinion on the proposition by voting against the bill.

Mr. BORAH. I am not interested in expressing my views by voting against the bill. I am interested in getting the debenture. It does not make any difference about the expression of my views.

Mr. WATSON. The Senator can express his views on the vote.

Mr. BORAH. Yes; and I could go on record by voting and then go home and say, "I voted to retain these items, and that is my record." But that is not the thing in which I am interested. I am interested in getting the debenture.

Mr. HARRISON. Mr. President, may I ask the Senator from Indiana a question?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Mississippi?

Mr. WATSON. Certainly.

Mr. HARRISON. In view of the construction of the Senator and his colleagues, the majority members of the conference, namely, that they were in no position to insist on the two Senate amendments in conference, does not the Senator think it is fair, instead of offering this resolution that will untie their hands, that a motion ought to be made to adhere to the Senate amendments so they can at least for the time being go in and make a real fight for flexibility and the debenture?

Mr. WATSON. Here is the situation about that proposal. The Senator remembers that we met down in the Finance Committee room, all of the conferees being present, for the express purpose of bringing in that part of the report. The Senator knows that we can not bring in a report unless the report is signed by all conferees. We had the report ready and we were ready to affix our signatures, but the House conferees refused to sign the report and there was no way in the world we could come back into the Senate except upon their signatures.

Mr. HARRISON. But the Senator has admitted that he never construed his promise as one that he should insist in conference on the two amendments, and consequently nothing was done.

Mr. WATSON. Nothing has been done.

Mr. HARRISON. Does not the Senator think that he and his colleagues ought to ask the Senate at least to insist on this proposition instead of asking us to untie his hands?

Mr. WATSON. The Senator from Utah made a motion that the Senate insist on its amendments and ask for a further conference and that was granted. We went into further conference, and when we got into that further conference the House conferees refused further to confer with us on the proposition. The Senator knows that to be the fact.

Mr. HARRISON. The Senator said he construed his promise then and his action that we could not insist on the Senate amendments. I think he is wrong.

Mr. SMOOT. I think he is wrong, too.

Mr. BARKLEY and Mr. SWANSON addressed the Chair.

The VICE PRESIDENT. Does the Senator from Indiana yield; and if so, to whom?

Mr. WATSON. If the Senator from Virginia desires to take the floor, I am glad to yield the floor.

Mr. SWANSON. That is my desire.

Mr. BARKLEY. Before the Senator from Indiana yields the floor I should like to ask him a question.

Mr. WATSON. Very well.

Mr. BARKLEY. The contention which the Senator is making is that the resolution ought to pass so that his hands will be untied and he can go into a free conference. On the 3d day of May one of the conferees on the part of the House, Mr. TREADWAY, made a speech in the House in which he stated that there could be no compromise between the House and the Senate on the provision of the flexible amendment to the tariff bill; that it was a question of granting the President the power or not granting it, and there could be no compromise on the subject; and that he was irrevocably committed to the House provision. If that is true, and that is the attitude of the other conferees on the part of the House, what are the Senator from Indiana and his fellow conferees going to confer about if the resolution of the Senator from Utah be adopted?

Mr. WATSON. In the first place, I have known many men to stand on the floor of the Senate and the House and say what they wanted and what they would do and what they would not do, and yet when they got into a full and free conference and the question was whether or not the bill should pass or fail, and if it depended on his changing his position, he would yield. I have known that to happen a good many times to save a bill which everybody is interested in having passed. I want the tariff bill to pass, and I want a full and free conference so I can sit down with my fellow conferees on the part of the Senate and the conferees representing the House, for the purpose of agreeing if we can agree, and if we can not agree then we will report a disagreement.

Mr. SWANSON. Mr. President, the object of a conference is to get an agreement between the will of the Senate and the will of the House. That is the purpose of a conference. But what does the House say in this instance? They say, "We will not confer with the will of the Senate expressed in this resolution. We refuse to have a conference unless we can meet the three gentlemen who have been appointed conferees on the part

of the Senate, and confer with their will and their desires and their wishes in this matter. If you instruct them, we refuse to have a conference. We will confer with those three Members of the Senate, and if you do not give them absolute liberty and absolute freedom to carry out their will, we refuse to have any further conference."

In all my experience in legislative bodies I have never known the House to take such a stand against the Senate. In other words, they say, "Unless these three Senators have the right to put their will into the conference report and not the will of the Senate, we will refuse even to sign a conference report and let it come back so that the Senate can express its will." They even refuse, under the confession of these gentlemen, to make a report of a disagreement so the motion could be made in the Senate to recede from the two amendments which are now in disagreement in the conference. In other words, they say, "We refuse to confer with the will of the Senate, the majority of the Senate. We segregate three Senators who we know agree with us, and we will confer with nobody else." That is the sum and substance of their proposition, I submit, and it can not be challenged.

Mr. WATSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Virginia yield to the Senator from Indiana?

Mr. SWANSON. Certainly?

Mr. WATSON. I want to be fair to the conferees on the part of the House. I think it should be said that they take that position simply because they claimed we could not confer with them, that our hands were tied, and we could not enter upon a full and free conference with them. That was their position.

Mr. SWANSON. If the Senate conferees could not do that, why did they not come back here and make a report of disagreement? The House conferees said "No; we will not sign a report of disagreement. We positively refuse to sign a report of disagreement; we positively refuse to let the Senate express its will; we will not confer with anybody but the Senator from Utah [Mr. SMOOT], the Senator from California [Mr. SHORTRIDGE], and the Senator from Indiana [Mr. WATSON]. If the Senate will release them absolutely from any commitment and let them come in free and unfettered, we know what they believe, and we will confer; but we will not sign a report of disagreement. We want to do but one thing and that is meet these three gentlemen and have them make an ignominious surrender." That is the sum and substance of it, and it can not be denied. Has the time come when the Senate shall abdicate its will and surrender to three conferees who are opposed to the will of the Senate?

The object of a conference, of course, is to secure an agreement between the will of the House and the will of the Senate; but in this instance the House, with an arrogance unparalleled and with a purpose that everybody understands, says, "We will not confer with anybody; unfetter SMOOT, unfetter WATSON, and unfetter SHORTRIDGE; if you will send them back to conference free and unfettered we will sign a report either of disagreement or a report of agreement, but we will confer with nobody else; we will even refuse to sign a report in order to give the Senate an opportunity to recede or adhere." In all my parliamentary experience I think that is the most unusual and remarkable situation which has come to my notice. The three conferees on the part of the Senate, with the modesty which characterizes them, come here and recommend that the Senate surrender to the will of the House and agree to the proposal of the House conferees, who say they will confer with nobody save three members of the conference committee on the part of the Senate if they shall be unfettered. If refusal to accede to such a suggestion means the defeat of the bill, I say, so far as I am concerned let it be defeated. Has the time come when the House shall determine for the Senate by fixing the procedure of a conference committee its methods of legislation and even stipulate the method by which we are to surrender, select even the place, the hour, and the manner of making the surrender and capitulation?

Such a precedent ought not to be established anywhere. If the Senate majority conferees want to go back unfettered, let them move to recede from the two amendments; but I protest that the Senate should not surrender to the dictation of the House and to the demand that the three majority conferees on the part of the Senate shall be sent back to conference unfettered or else the House conferees will not sign any report, even a disagreement. I am willing to meet the issue, and if the issue should result in the death of the bill, God knows the country would be saved, the country would be benefited, the industries of the United States would be relieved. Let the House take the responsibility of killing this child that nobody will father except the Senator from Pennsylvania [Mr. GRUNDY], who is running for Senator in the primaries in Pennsylvania to-morrow. I will not be distressed by the death of the bill. Nine-tenths of the people of the country would be glad if it were killed, and, in my opinion, the House is simply trying to make an issue in order to strangle this orphan, whose paternity no one will admit or take the responsibility for.

Why does the majority in this Chamber want to retain the present flexible provisions of the tariff law? Do they want to give the President an opportunity to write a tariff bill for three years? How does the President stand on the tariff? Nobody knows. Is he for protection or against protection? Is he for this bill or against this bill? Is the Republican majority willing to enact a bill which will put the entire tariff policy of the country for three years in the hands of a man who will not say whether he thinks this bill is good or bad, who will not advise the Congress, but makes only one recommendation and that is, "Give me the power to fix the tariff rates of the United States for three years." That is all he has insisted on; that is the only illumination we have gotten from his mind. If the Senate has respect for itself, if it does not want to establish a dangerous precedent, it seems to me it should not give the power to fix the rates for three years to a President whose stand on the tariff is not known. If the power should be given to him for three years, the question of what the tariff rates would be might be shrouded in uncertainty.

If the Senate does not want to surrender the farmers of this country to the exorbitant protection afforded by this bill, which discriminates against the farmer in behalf of the great industries, then the debenture plan should be adopted, for that is the only means by which conditions can be equalized. If the Senate is not willing to make such a surrender, then the proper course to pursue is to defeat this resolution.

Senators on the other side tell the farmer, "We will increase under this bill the cost of raising wheat and corn and all other agricultural products 25 per cent; we will do it by law enacted in Washington." Then we on this side say, "If you increase the cost of raising all products of the farm 25 per cent by law, so help us, the same law that increases the cost of raising farm products should provide a method to reduce part of that cost, so that when wheat and corn and cotton and other products of the United States meet the products of the world in the markets of Liverpool the Government may reduce to some extent the increased cost that the Government has put on." That is all the debenture does, and it does not grant to the farmer a benefit equal to the imposition levied upon him under the tariff bill.

If the bill is to fail, let it fail if it can not do justice to the farmer and can not save America from the uncertainties of tariff rates fixed by the President. Let the Republican majority take the responsibility. I am not willing to make this cowardly surrender and to change the procedure of the Senate.

Mr. WALSH of Massachusetts. Mr. President, I call the attention of the Chair to Senate Rule XVIII, which in part reads as follows:

> If the question in debate contains several propositions, any Senator may have the same divided, except a motion to strike out and insert, which shall not be divided.

In view of that rule, I make the request that this proposition which contains two separate questions be divided when the vote shall be taken.

Mr. CONNALLY. Mr. President, whatever the apparent purposes of this proposed act of absolution on the part of the Senate in behalf of its conferees may have been when it was originally introduced, I think the debate this morning clearly reveals what its real purpose is; and that purpose, of course, is to kill the debenture and to kill the flexible provisions adopted by the Senate just as soon as sufficient time shall have elapsed during which the conferees can decently inter them and come back to the Senate and report.

Mr. President, the Senator from Indiana [Mr. WATSON] a little while ago stated that when the Senate conferees first met the House conferees the House conferees—mind this language—were informed that the Senate conferees could not confer with reference to the debenture and the flexible tariff provisions. I challenge that statement of the Senator from Indiana as being consistent with a fair discharge of his duty to the Senate. The promise which was exacted from the conferees was as follows. Quoting from page 6378 of the CONGRESSIONAL RECORD of April 2, the Senator from Utah [Mr. SMOOT] being on the floor, the junior Senator from Texas propounded this inquiry:

> Mr. CONNALLY. I understand the Senator from Utah some time ago gave assurance on the part of the Senate conferees that no agreement to eliminate the debenture or the flexible tariff provisions in the bill would be agreed to by the Senate conferees until they had come back to the Senate and the Senate had expressed itself upon all those issues.

Mr. SMOOT. That is correct; that is what I said; and I want again to state that that will be the position of the Senate conferees.

The Senate conferees had a perfect right to take up with the House conferees the debenture and the flexible clauses; it was the duty of the Senate conferees to undertake to get the House conferees to accept the debenture and the flexible tariff provisions adopted by the Senate; but the conferees, instead of doing that, put the flexible tariff provision and the debenture clause in a pigeonhole and said to the House conferees, "We are going to bury these two items until we agree on every other item upon which we can reach an agreement, and then we shall be in a position to dictate whether those clauses be surrendered or whether the bill shall die." That is the attitude they are assuming here to-day.

Mr. President, when first this bill went to conference some of us who have not been in the Senate very long thought that conferees ought to be appointed who really down in their hearts reflected the views of the Senate on these two major features of the tariff bill. There were some little rumblings and ripplings here to the effect that there should be added another conferee representing the progressive Republicans. How was that avoided? It was avoided because the conferees representing the Senate, though they were personally opposed to the debenture and the flexible clauses, promised the Senate that they would not agree to their elimination in conference; that they would seek a separate vote here and have the sentiment in the Senate tested on those two issues. That was the consideration actuating many Senators to abandon the movement to have selected conferees who in their hearts really represented the views of the Senate.

What is going to be the result? The three majority conferees representing the House of Representatives, who have the House back of them, really are against the debenture and the flexible clauses. With the majority conferees in their hearts against both those propositions telling us that they are anxious to be absolved from their promise again to submit them to the Senate, and telling us that they will surrender them rather than to see the bill fail, what chance will the Senate have in such a contest? Information as to their attitude has gone out to the world; the House conferees know the sentiments of the Senate conferees, and when they go back into conference again what will the House conferees say? In their hearts they will say, "Well, all we need to do is to sit down here in front of the Senate conferees and tell them that unless they abandon those two items there will be no tariff bill." Each one of the Senate conferees has stated publicly that before he will surrender the chance to pass the bill he will surrender the views of the Senate. In a week's time the House conferees will smoke them out. An army never sat down before a starving town with any greater assurance of its capture than the House conferees will have when they sit down in front of the Senator from Indiana, the Senator from Utah, and the Senator from California. It will be only a little time until they will surrender. We all know that.

This is the most remarkable parliamentary situation I have experienced during my short career here. What do we find? We find the Senate conferees, having made a solemn promise to the Senate to return these items to the Senate and get a vote here, coming back and asking the Senate to absolve them from the obligation of that promise.

The Senator from Indiana says, however, that there is no obligation on the conferees. He says that when the first conference was over and a partial report was submitted the conferees were discharged of their promise.

If that be his situation, why does he come here now? I make the statement that this movement to-day is simply a maneuver, a parliamentary maneuver, a grand stratagem, as it were, as a result of which, if the vote grants release from the promise, it will be hailed throughout the country as a surrender by the Senate of these two vital amendments which were placed on this bill in the Senate. On the other hand, it will be construed by the conferees themselves as an expression of the Senate's willingness for them to recede on these two items and to make up the bill.

I make no reflection upon the sincerity of the conferees. They have told the Senate their position. Each one of them has told you that he would like to see the debenture dead. Each one of them has told you that in his secret heart he would like to see the flexible tariff provision of the Senate bill dead; and with three conferees from the House of the same opinion, how long do you suppose the gasping infant will survive?

Now, Mr. President, I desire to discuss briefly the two Senate amendments.

Mr. President, this bill is the farmer's tariff bill. The President of the United States called the extraordinary session of Congress in order to relieve agriculture through the agency of the tariff. If this bill is enacted without the debenture it will present the strange anomaly of a farmer's tariff bill that does something for everybody on earth except the farmer. It does something for everybody except the farmer, and it will do more to the farmer than any tariff bill heretofore enacted.

We have been solemnly told, in this Chamber and out of it, that the administration proposed to employ this piece of this legislation to aid agriculture. I want to say that unless this amendment is adopted the farm-relief measure which we enacted here a year ago will not meet the promises which this Congress made nor the promises of the administration.

It is true that there are a few little items here and there that aid agriculture—a few isolated schedules of somewhat negligible importance—but on the great major crops of the country this tariff bill does nothing whatever. The farm relief act, as it has been administered, has done nothing of a substantial nature; and unless the debenture is adopted as a part of this tariff bill we are going to break the hopes and the hearts of the farmers of this country who have believed they were going to get relief.

Mr. President, with relation to export crops, the debenture is the only hope of the American farmer. I hold in my hand a statement issued by Mr. Legge, of the Federal Farm Board. Mr. Legge says that so far as the farmer's situation is concerned there is no hope for the American wheat farmer as long as he has to export a surplus of his product to foreign lands.

Here is what he says:

TOPEKA, KANS., *April 19.*

Asserting the outlook for the wheat growers on an export basis does not appear bright, Alexander Legge, chairman of the Federal Farm Board, in a letter to Governor Reed yesterday said:

"It is our duty to place the facts before the growers, in the hope that they may gradually adjust production to the probable consuming demand."

I shall not read all of the article; but, concluding, he says:

We believe that with some adjustment the American grower of cotton can stay in the export field. We can not, however, see any such hope for the wheat grower.

Mr. President, there is the judgment of the chairman of the Federal Farm Board. He has been wrestling with the export situation now for over a year. The chairman of the Federal Farm Board says that so far as the export market for the American wheat grower is concerned, no hope can be offered to him to compete with farmers in foreign lands. The fact that we export some 200,000,000 bushels of wheat each year, in connection with this statement of the chairman of the Farm Board, absolutely condemns the wheat grower of America to no relief whatever from the Government unless the debenture amendment is adopted.

The same fact applies to other export crops. It applies to exportable surpluses of cotton and of such other major crops as are produced in the United States. So let no Senator to-day be beguiled as to the effect of this vote. The effect of this vote is to tell the Senate conferees, "You are at perfect liberty to surrender the debenture in conference," because that is what it means. Senators who have voted throughout the years for the McNary-Haugen bill in an endeavor to enable the American farmer to export his products abroad and to receive the benefits of the theoretical principles of the tariff, do not be deceived. A vote to release the Senate conferees from their promise is a vote to condemn the farmer on an export basis to no relief whatever under this bill.

Now, Mr. President, just a word on the flexible tariff provision.

The flexible-tariff provision of the House bill is an enlargement and a broadening of the power that was conferred upon the President in 1922 by the Fordney-McCumber Act. In 1922 it was stated on the floor of the Senate that the flexible provision, as then framed, was simply a temporary expedient. I quote from Senator McCumber, the chairman of the Committee on Finance (CONGRESSIONAL RECORD of August 10, 1922, p. 11155):

Mr. President, if the Senator will read over carefully the directions given to the Tariff Commission, I think he will find that they are to present to the President all facts necessary for almost immediate conclusion as to the rate of duty.

Listen to the language of Senator McCumber in 1922, when this policy was initiated:

I do not want to convert the Tariff Commission into an organ to make tariffs for the United States. * * * But the exigencies of the chaotic condition that now confronts us in the commercial world are the only justification for the added power that is to be given the President, and I want it taken away just as soon as those exigencies no longer exist.

In 1922 the plea was made that because of the chaotic conditions following the war, the fluctuations in foreign exchanges, the uncertain conditions in commerce all over the

world, the flexible provisions were to be adopted then simply as a temporary expedient. Senator McCumber, who proposed them, said that he was opposed to turning over to the President the power of fixing tariff rates; that he only wanted that device to serve during the temporary and emergent conditions then existing; that when that time should expire he wanted to reclaim that power and put it back into the Congress of the United States. But, Mr. President, like every encroachment by the Executive upon the legislative power, it is now being used as a precedent, not for its continuance in the form in which it was originally devised, but it is being used to-day as a precedent for increasing the power of the President, for broadening his authority, and for giving to him a firmer grasp upon the right to fix tariff schedules, rather than for the Congress of the United States to execute that purely legislative function.

I should be pleased to hear some Senator explain the shift in the position of the Republican side of this Chamber from 1922 until 1930. The flexible provision as prepared by the House is an absolute invasion of the constitutional authority of the Congress of the United States. It is more; it is a blending of the legislative power with the Executive power—one of the most dangerous expedients to be adopted by any free people. It destroys that nice system of checks and balances which the Constitution set up in order to guarantee liberty. Writers on early constitutions have all agreed that the union of the legislative and the Executive or the judicial power in the hands of one agency is a sure agency of tyranny.

Mr. President, these two issues have been fought out by the Senate over a period of more than a year. The House of Representatives, in its first session on the tariff bill, spent some two or three weeks, as I recall now, in considering the tariff measure. It voted upon few, if any, amendments at that time. It voted for the bill as a whole. When that measure came to the Senate it went to the Finance Committee, where through all of the summer and heat of last year the committee worked industriously upon its consideration. It then came here into this Chamber, and after a long and memorable fight a majority of this body deliberately adopted the flexible provision of the Senate bill and the export debenture plan.

Are these labors, is this deliberation, to be thrown aside here in a moment simply because the House of Representatives rather brusquely, with a sense of authority which one legislative body does not always employ toward another, have decreed that unless the Senate conferees recede from the flexible tariff amendment of the Senate, unless they recede from the export debenture plan, there will be no tariff bill?

Mr. President, the House of Representatives is supposed to want this bill enacted. The President of the United States is supposed to desire that this bill be enacted. If the President and the House of Representatives care so little for the life of this bill as to say that it will be killed, they will permit it to die, unless the Senate recedes from these two amendments, it would seem to me that the desire of the House and of the President for this bill to live is indeed a frail and almost lifeless hope.

Mr. President, this vote means in effect that the Senate conferees will immediately agree; when I say "immediately" I do not mean in an hour; they may wait a week; they may wait 10 days. When I say they will immediately agree, I mean that if this vote releases the Senate conferees the meeting of the minds will occur simultaneously with the registration of the vote.

Who could witness the performance of the Senator from Indiana this afternoon, who could hear the words of the Senator from California here this afternoon, who could observe the maneuvers of the Senator from Utah here this afternoon and not know that as soon as the Senate unties their hands they will immediately walk over and permit the House to tie their hands?

Mr. President, I hope that no member of the coalition who labored here last summer and last spring in behalf of the debenture amendment and in the interest of agriculture will now vote to release the Senate conferees because some tariff schedule may carry a rate on peas. I hope no Senator who stood out last summer for some substantial relief for agriculture will desert that alignment and vote to release the conferees because the bill carries a duty of half a cent on flaxseed or a duty on some other minor agricultural product.

Let no Senator who stood on this floor and by his utterances or by his vote, declared that the House flexible provision was an invasion of the constitutional prerogatives of the Congress, now be made to change his conceptions of constitutional government because some tariff schedule carries a rate on some little product, of inconsequential importance.

Mr. President, these two amendments are absolutely fundamental to the position of the Senate throughout this long tariff struggle. If we accomplished anything here it was accomplished in the adoption of these two amendments. A surrender now, under pressure, under compulsion of the House conferees, would be a surrender of the things for which we have fought and contended throughout this session.

Mr. President, these encroachments of the Executive will continue in the future, and this particular instance will be used as a precedent, just as the vote in 1922 is now being used as a precedent for giving the President still more power than he was given in 1922.

It took the British Parliament 400 long, weary, struggling years to extort from the King the very power we are now being asked to hand back to the outstretched hand of an American President. Hallam, I believe it was, said that the liberties of the British people were erroneously believed to have been purchased by the blood of their heroic ancestors. He said that was an error, that the liberties of the British people had been purchased by money through the control by Parliament of the purse and of the taxing power.

Mr. President, the Senate flexible tariff provision is absolutely fundamental to liberty and to American institutions. I want to see my country survive, but I want to see it survive as a republic, rather than as a monarchy; I want to see it live, but I want to see it live as a democracy and not as a despotism.

If the Senate still has regard for its own dignity, if the Senate still has a desire to insist that when its conferees go into a conference with the House, they shall represent the body which sent them there; if the Senate wants to maintain its prestige and its dignity before the country, it will not to-day vote, because the House demands that they surrender, to instruct its conferees to lie down in their duty to the Senate, which they were sent to represent.

There can not be any doubt of the issue here. There can not be any doubt as to what will happen to the flexible provision and the debenture if this resolution shall be agreed to. Any Senator who believes in either one of those amendments ought to vote against releasing the conferees, and if the conferees are so sensitive about a desire to keep their promise, let us vote down this resolution, and let the conferees later come in, if they so desire, with a resolution that they be instructed, or with a resolution to recede, or with a resolution to adhere, giving the Senate an opportunity to vote upon such amendments separately, as the promise was made back yonder months ago. When that sort of an issue comes, I believe the Senate will know its duty, and, knowing it, will not hesitate to perform it.

Mr. ROBINSON of Arkansas. Mr. President, the resolution presented by the Senator from Utah, which is the subject matter of present consideration, creates an unusual situation in the Senate.

Clearly, if the discussion which has taken place since it was brought forward this morning is a guide to the effect of the resolution, its adoption means a recession on the part of the Senate touching the two questions of greatest interest to the Senate, touching the two amendments of greatest importance incorporated in the tariff bill by the action of the Senate.

It is pathetic to witness the sorrow, the grief, displayed by the Senator from Utah [Mr. SMOOT], the Senator from Indiana [Mr. WATSON], and the Senator from California [Mr. SHORTRIDGE] when they declare that they have solemnly kept their pledge made to the Senate, in which they never had the slightest degree of sympathy. It touches our hearts to witness the remorse which the chairman of the Finance Committee exemplifies when he speaks of having made a promise to the Senate to try to carry out the will of the Senate in the conference on the tariff bill. He tells us that never again while the sun shines and the waters flow will he enter into any such obligation. Hereafter it will be his purpose, when engaging in conferences as the representative of the Senate, to be entirely free from any promise or obligation to the Senate.

Mr. DILL. Mr. President, will the Senator yield?

Mr. ROBINSON of Arkansas. I yield with pleasure to the Senator from Washington.

Mr. DILL. If the motion were that the Senate further insist upon the amendments, the debenture amendment and the flexible provision amendment, would not that leave the conferees free to confer and agree on some compromise with the House?

Mr. ROBINSON of Arkansas. That motion has been so interpreted by a number of Senators.

It is a singular fact that, knowing that the Senate has made this decision as to these two propositions after prolonged debate, not one of the majority conferees has committed himself to the undertaking to induce the representatives on the conference of the body at the other end of the Capitol to take the Senate view as to either of these questions. By a species of mental acrobatics unaccountable in gentlemen so able, they have declared that the effect of their promise not to yield on these two amend-

ments was to bind themselves to do nothing whatever about either amendment in the conference without further advice from the Senate, and now, after having taken that course, they come back to the Senate solemnly declaring they never should have made such a promise; that they have not tried to carry it out by getting the other body to accept the two Senate amendments, but that they have refrained from doing anything. Now they solemnly ask the Senate to repudiate its action taken after months of debate and yield on both amendments.

Oh, I know that is not the legal effect, but before I finish I will convince even the Senator from California that if any meaning is to be given to his words uttered on this floor this morning, that is the only practical effect of the passage of this resolution.

Senators will remember that when the farm relief bill was under consideration and a debenture provision had been incorporated in that measure, we were urged to recede, under the suggestion that such a provision would be appropriate in the tariff bill which the President had recommended in his message to Congress should be enacted as a measure of farm relief.

The fight on the debenture provision, while the farm relief bill was under consideration, was intense and prolonged. There were some of us on this floor then who said that, stripped of the debenture clause, the farm relief bill would prove inadequate for the purposes which we all had in mind.

Let me now ask those who favored the debenture, and those who opposed it, whether that declaration has been proven correct. Are you content, are you pleased, with the condition prevailing in this country respecting agriculture due to the application of the farm-relief measure?

The President had in mind, when he called this Congress into extraordinary session, two measures for farm relief. One of them was the bill known by that name, the bill which we finally passed creating a farm board, providing a large fund, and authorizing the board, under conditions, to make loans to farmers' organizations for the purpose of financing surplus crops. Now, we have the spectacle that great influences in the country are insisting on repealing that provision of the law which gives the Farm Board the authority to make loans to cooperative associations because they make those loans at lower rates of interest than private loan companies can make them and because it is said to put the Government into competition with private business interests.

Whatever may be the interpretation placed upon that act, whatever may be the good faith of efforts to administer it in the interest and for the benefit of a class which has been suffering from depression throughout the postwar period, I think we may all agree that the measure has not yet proved its effectiveness and that the same appalling condition which brought disappointment, sorrow, and despair to millions of men and women who earned their living by toiling in the fields of the United States, the condition which prevailed when the bill passed, exists at this hour.

So if there was ever a time in the history of the United States when men charged with responsibility for legislation should meet the full standard of manliness and courage in the performance of that duty that hour is now at hand. If there was ever a time when an export bounty was needed to improve the condition of agriculture and to offset the increased cost which legislation by the acts of Congress has imposed on farmers that hour is at hand.

What is proposed to be done by this resolution? Having said that notwithstanding the majority conferees were opposed to the debenture amendment and opposed to the flexible provision the majority conferees would keep faith with the Senate and try to carry out its will when they went into conference, they did nothing whatever except, as I submit the circumstances in evidence here in the debate this morning show, to indicate to the House conferees their sympathy with the position of the House conferees and their readiness to find a means whereby to escape from the obligation imposed upon them by the Senate.

Mr. WATSON. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Indiana?

Mr. ROBINSON of Arkansas. I yield.

Mr. WATSON. I categorically deny that statement. In the first place, there was no debate on the debenture; so far as I know the word "debenture" never was mentioned in the conference from the time we met until now.

Mr. ROBINSON of Arkansas. And that is the thing about which I am complaining.

Mr. WATSON. Not a word was said about it. So far as the flexible provision was concerned there were two efforts made to talk about it and they were both resented by the House conferees, as I said, so there was no indication or intimation at any time on the part of the three Senators representing the majority in the Senate that they would yield or not yield on the debenture or on the flexible provision.

Mr. ROBINSON of Arkansas. Mr. President, I rest the conclusion which I am expressing upon the statements of the Senator from Indiana [Mr. WATSON], the Senator from California [Mr. SHORTRIDGE], and the Senator from Utah [Mr. SMOOT]. The Senator from Indiana during the course of his remarks declared that never at any time did the Senate conferees ask any action touching the two amendments; that his interpretation of the promise made to the Senate by the conferees was that they should not attempt to do anything about it, and that is exactly the basis for my complaint. I understand that the Senator from Indiana takes a different view of the question from that which I take. But, Mr. President, it is in evidence here by the arguments of all three Senators of the majority on the conference that they are against the two provisions; that they would like to see them yielded; that they would like to see the bill pass without either of the amendments in the bill. It is upon that declaration that I draw the conclusion that the Senate conferees have not exhausted their energies in an effort to get the House conferees to agree to the two amendments.

But I realize that the attitude of the body at the other end of the Capitol is in opposition to the two amendments in question. In my judgment no better statement has been made of the effect of yielding the debenture provision than is contained in the letter addressed to Senators by the legislative representative of the National Grange, Mr. Fred Brenckman.

There is more need for the debenture clause now than there was when we inserted it in the bill. I have already pointed out the fact that for some reason the farm-relief measure is not working very effectively. I do not believe a Senator here will rise and say that the measure has met the full expectation and hope of those who favored the legislation. Low prices of farm products continue. There exists a proof of agricultural deflation that is astonishing. During the last 10 years, according to the statement of Mr. Brenckman, and I believe it is accurate, farm values and the value of farm equipment have shrunk from nearly $80,000,000,000 to less than $60,000,000,000; and during that same time, while the value of farm property has been declining tremendously, farm mortgages have more than trebled, and now exceed $10,000,000,000.

The tariff bill will increase the farmer's costs without increasing his selling prices, and the only provision in it of general benefit to agricultural producers is the debenture provision, from which it is proposed, through the device of the resolution now before us, to recede.

Let me point out to those high-browed gentlemen who find a basis of criticism of the debenture on the ground that it is not sound in economic principle that there is not the slightest distinction in principle between a protective tariff and an export bounty. Both are at the cost of the general public. Both are in a measure class legislation. When, as in this bill, there are piled up the costs and expenses which the farmers must incur in order to produce their crops, and then they are denied any means of offsetting them, there has been an increase rather than a diminishing of the difficulties under which the farmer struggles. Make no mistake about it. Those Senators who favor the debenture will lose their position and abandon their fight when they vote for the resolution.

Let me take just a moment now to speak of its effect with respect to the flexible tariff. There are many distinctions, which, perhaps, Senators had in mind, touching the House provision on this subject and that which was adopted by the Senate. The Senate associates the flexible arrangement with the legislative department, and that is where the Constitution of the United States contemplates it shall be exercised. As stated by the Senator from Texas [Mr. CONNALLY], it is of great consequence that the taxing power be kept in the control of those who are responsible to the voters and who may be elected or defeated as a direct reason for their abuse of that power.

The House in contrast devolves the rate-making power on the President to the extent of 50 per cent ad valorem of the duties in force. If it is such a necessary and essential thing that the Executive should have the power to make rates, why limit his power to 50 per cent? Is it contended that it is dangerous to intrust him with responsibility for raising rates to meet any standard which may be written into statute, and that the public must be safeguarded against abuses by the Executive by limiting his power to 50 per cent? When that confession is made, Senators concede the vice in their original proposition to give the President the rate-making power.

Then there is another practical reason why the President should not have this responsibility. I speak now without regard to individuals who for any period may occupy the exalted position of President of the United States. You know, Mr. Presi-

dent, and I know, that considering his other numerous responsibilities and duties it is not possible for the President to give personal consideration to any question respecting raising or lowering tariffs, and that in order to exercise the power he must trust the reliability and intelligence of subordinates. If the President of the United States gave to the consideration of reports or findings by the Tariff Commission that which is due them, that which is necessary in order to enable him to perform his duties efficiently, he would not have time for the performance of his more important duties under the Constitution. It would require his entire time. So it is proposed to clothe this Executive rate-making power with a respectability to which it is not entitled. The man who actually decides the issue must be some obscure or relatively obscure and unknown person. It is true the President takes the responsibility for it, but he can not actually perform the functions which the flexible tariff now imposes upon him.

Then there is another consideration. The Senate provision maintains the cost of production as the basis for rates, while the House provision establishes the differences in conditions of competition in the principle market or markets in the United States between domestic articles and like or similar imported articles. That last standard is quite indefinite. It gives leeway for the exercise of the greatest discretion. It is not an accurate standard. Of course, the same, in a less degree, is true of the standard defined as "cost of production," but the standard fixed in the House provision is quite indefinite and means further and further increases in rates which are already for the most part too high. The position of the two Houses has been unchanged since the beginning of this contest.

The issue is sharply drawn. If we shall adopt this resolution, it will be construed as a recession on the part of the Senate from both amendments, and it will mean that the best feature of the tariff bill, in so far as the general public is concerned, in so far as the farmers of the country are concerned, will go out of the bill; and the other most important feature, that which restores to Congress the power that it ought never to have delegated to the Executive, will likewise be defeated.

Mr. SHIPSTEAD. Mr. President, it is quite likely if the pending resolution shall be adopted, that the Senate will recede from its position on the flexible provisions of the tariff and on the debenture. I can not permit a recession on those provisions without a protest. I am not going to take the time of the Senate to discuss that phase of the subject which has been discussed so ably, not only here in the Senate but in the House of Representatives as well, which deals with the constitutionality of the flexible provisions of the present tariff law. The idea it embodies has been sold to the country to a large extent on the claim that it has been of great benefit to agriculture, but the record shows, in my opinion, that that is a misrepresentation of facts.

I want to call to the attention of the Senate the record as to two items where as the result of an investigation by the Tariff Commission the President did raise the tariff on flax and on butter. Throughout the Middle West the raising of the tariff on those two items has been cited as one of the most compelling arguments why the position of the Senate on the flexible-tariff provision should be rejected and the House provision retained.

One of the proponents of the House position who happens to be holding a very influential political position in Washington was quoted in the Twin City newspapers last fall as speaking in favor of the retention of the flexible-tariff provision now incorporated in the law. He pointed to the tariff on flax and the tariff on butter, and said—at least he is quoted in the newspapers as so saying—that the increase in tariff on butter and flax was made possible solely by virtue of the power vested in the President. He was quoted further as asking what would we have done if we had had to wait for Congress to act? I wish to call attention to the fact that, while the Senate has been criticized for taking nearly a year to study and enact a tariff bill, involving more than 20,000 items, under the so-called efficient functioning of the Tariff Commission, that body took seven years to study the one item of flax alone.

What is the record as to butter? Early in the year 1924, within two months the price of butter fell on the New York market from 51 to 36 cents a pound. Early in that year farm organizations all over the country petitioned the Tariff Commission to act in the then existing emergency, brought about by the fact that the Danish crown had fallen to 50 per cent of par. With American dollars one could buy Danish crowns for 50 cents on the dollar, and with the Danish crowns buy butter. As a matter of fact, and as a practical proposition, one could buy Danish butter for 50 cents on the dollar in American money. Under the law the Tariff Commission had authority to act but failed to act. I have in my files copies of requests made by the farm organizations addressed to the Tariff Commission asking that body to act in behalf of the butter market in this emergency. I have also in my files letters addressed by myself to the Tariff Commission calling its attention to the condition of exchange, and, that the question of exchange, the rate at which Danish money could be bought in American dollars, should be taken into consideration in determining the difference in the cost of production at home and abroad, because the cost of a product should be computed at the place where the imported article meets the competition of the local or home product. The record shows that the Tariff Commission failed to act.

On the 17th day of May, 1924, the Senate adopted a resolution introduced by Senator Johnson, of Minnesota, requesting the Tariff Commission to act. It was necessary to have action on the part of the Senate of the United States to compel the Tariff Commission to use the power granted it under the law of 1922 for the benefit of agriculture.

The Tariff Commission then started its investigation. It completed that investigation in April, 1925, but failed to report to the President. Through the summer of 1925 farm organizations and Members of Congress had a constant parade down Pennsylvania Avenue with petitions begging the Tariff Commission to report. The months of April, May, June, July, August, September, October, November, December, and January went by, and yet the Tariff Commission did not report. Then it was found necessary to call all the farm organizations in the United States to meet in Washington in the first week of February and to hold a national convention in protest against the inertia and the apparent indifference of the Tariff Commission in response to the resolution of the Senate.

That convention had delegates representing 700,000 farm families in the United States. It adopted a resolution, and I beg those who believe that the flexibility of the tariff has proven so beneficial to the agricultural communities of the country to listen to the resolution which was adopted by this convention of farm organizations. Let me read it.

RESOLUTION PASSED UNANIMOUSLY BY THE NATIONAL BOARD OF FARM ORGANIZATIONS, FEBRUARY 3, 1926

The United States Tariff Commission should be abolished. Its elusive and labyrinthic method of dealing with questions of great public moment is bringing reproach on all reputable governmental agencies. Its unwarranted delay in arriving at decisions, its prejudiced treatment of parties appearing before it, its method of holding secret hearings with certain parties interested in matters before the commission when other parties understand that the hearings have been closed, all have created a situation which approaches closely to a public scandal.

A just cause can not be harmed by publicity. A just commission receiving proper information and arriving at proper judgments has no need of secrecy.

The legislative functions of government should be exercised only by Congress. We therefore recommend that the United States Tariff Commission be abolished by a special act of Congress, and that if the Congress finds it necessary, for the purpose of obtaining information relating to questions of tariff, that then some agency be created which shall be appointed by Congress and be subject to its direction and removal.

We call upon the Congress to enact at this session not only laws which will protect those farmers who have an exportable surplus of agricultural products but which will also abolish the present Tariff Commission and grant adequate tariffs covering agricultural products suffering from foreign competition.

We further ask for an immediate congressional investigation of the acts and procedure of the Tariff Commission.

That is the resolution which was unanimously adopted by the national convention of the farm organizations of the United States after an experience of four years with the flexible provision of the tariff. That convention also appointed a delegation to wait upon Congress, asking Congress to carry into effect the purposes set forth in the resolution and also to investigate the Tariff Commission. That delegation was made up of the following persons: Mr. A. F. Schelling, of the Cooperative Creameries of Minnesota; Mr. F. E. Lammers, of the Twin Cities Milk Producers' Association; Mr. C. E. Hough, of the Connecticut Milk Producers' Association; Mr. R. Smith Snader, of the Maryland State Dairymen's Association; Mr. P. L. Betts, of the Union Equity Exchange of Illinois; and Mr. F. P. Willits, secretary of agriculture of the State of Pennsylvania.

These gentlemen were selected by the convention to wait upon Congress and ask Congress to act in regard to the Tariff Commission, to ask the Congress by special act to abolish the Tariff Commission, saying that if we had to have a fact-finding commission, it should report to Congress and be responsible to the will of Congress alone.

Resolutions were introduced in the Senate by Senator SCHALL and myself asking for an investigation of the Tariff Commis-

sion; on the 3d day of March the Tariff Commission made a report to the President reporting its findings, and the President raised the tariff on butter 4 cents.

This is the picture of what the Tariff Commission did and what it was compelled to do by Congress. Still we have the idea broadcast over the country that the farmers received the benefit of an increase in the tariff on butter solely by virtue of the power vested in the President, and people are led to infer that if we had had to wait for Congress to act there would have been no action at all.

I did not want, Mr. President, the vote to be taken on this resolution without the facts as found in the record in relation to these items and the effect of the functioning of the Tariff Commission on agricultural products being stated to the Senate.

Mr. SHORTRIDGE. Mr. President, my views as to tariff legislation are fairly well known to the Senate. To express the thought it may be accurate to say that I am what is generally understood to be a protective-tariff man, a believer in a tariff designed to encourage, aid, and protect American industries of all kinds; to protect, aid, and encourage our men, women, and children engaged in labor on the farms, in the mines, in the shops, and in the factories of our country, and by developing all industries to contribute to the prosperity and the happiness of our people. It is not my purpose now to enlarge upon my views but rather to devote a few moments to a consideration of the resolution before us. Not in anger, not in resentment, do I speak; and if, in the haste of exchange of thought, I have expressed any word which was deemed offensive and improper, I can only express my regret for having done so.

I wish to remark, however, to my friends upon both sides of the Chamber that we ought to approach this subject in a spirit of compromise. The Constitution under which we live, and without which we would not be the republic we are, never would have been framed, never would have gone forth from the Philadelphia convention, if there had not been a statesmanlike spirit of compromise in the minds—indeed, in the very hearts—of the great men who gathered in that immortal convention; nor would there have been a ratification of that Constitution if the several legislatures of the several States had not been similarly moved by a spirit of compromise. And within their hearing I wish to say that the great conference recently held in the city of London perhaps never would have reached an agreement if it had not been for the spirit of compromise of our splendid representatives, and of those speaking for other of the nations of the earth.

No one has ever heard me rise and impute to any of our representatives in that great conference anything other than an earnest and patriotic desire on their part to serve their country first, and, if it be so, to benefit and be of service to all mankind. The great document which they have brought here to us, and which is soon to be considered by this body, must be considered and treated with in a spirit of compromise, if you please, between those of us who may differ, and as between us and other great nations of the earth.

It is in that spirit, therefore, that I think the two Houses of Congress should proceed in an honest effort to work out a bill that shall be satisfactory, or as near satisfactory as is possible. It is because I have thought from the beginning that such a bill could be reported that I have insisted with respect—not in arrogance, and not with any assumed superiority—it is because I have so thought that I have patiently urged that we further confer, further consider, in the hope that we could ultimately report a bill which would meet the approval of both Houses of Congress and also meet with the approval of the President and become a law of the land.

We have been engaged in this work for many months. The House devoted months to the preparation and to the passage of the bill. It came to the Senate and was referred to the Finance Committee, and Members of both sides of the Chamber spent many months in hearing and in considering the bill. A great many amendments were added to the measure as it was reported to the Senate and other amendments had been added to it when the bill passed the Senate. Then came that stage in parliamentary proceedings calling for a conference, and conferees were appointed by the respective Houses.

As of that time, Mr. President, there were hundreds—indeed, far beyond a thousand—points of difference existing between the House and the Senate. The conferees met. They adjusted, as far as they could, over a thousand of those points of difference. There remained some eight propositions of prime importance as to which they did not reach an agreement and concerning which, of course, as we know, they did not report to the Senate.

The record is very plain. It is clearly understood, I think, and I have but a few more words to say.

The parliamentarians assure us that by the action of the Senate, deliberately taken, the conferees may resume their deliberations in what is called a free and open conference. It is said that by the action of the Senate subsequent to the first reference the hands of the conferees, if tied, were untied, and that they may now proceed to deliberate, confer, agree, or not agree. I have heretofore undertaken to say that that may be true in a purely parliamentary sense. I have said, and I repeat, and Senators will be good enough to remember what I say, that I considered myself at least to have entered into a gentlemen's agreement that we would not yield, that we would not abandon the position deliberately taken by the Senate. It is a fact, however, which Senators not present may not know but which I remember, that the House conferees considered that inasmuch as we felt ourselves bound in the manner stated they would not even take up the matters mentioned or discuss them.

Personally I thought, and I think, that we were at full liberty to sit, discuss, argue, suggest in or about all the matters in difference between the two Houses, including the two matters which are deemed of vital and paramount importance.

The Senator from Mississippi [Mr. HARRISON] entertained that view, and, in a proper and respectful way, expressed his view. The upshot of the whole matter, however, was that because of the interpretation which certain conferees placed upon this gentleman's agreement, and the attitude of the conferees of the House, there was really no discussion as to the flexible provision or as to the debenture provision—neither the flexible provision as it appears in the House bill nor the flexible provision as it appears in the Senate bill.

A while ago, in a passage between Senators, I made a statement which, perhaps, was expressed clearly, but it may not have been as clear as I intended or as I desire to make it. What I intended to say is what I now say, Mr. President—that I believe in a protective tariff bill. I am well aware that it was not until 1922 that anything like a flexible provision was ever put into a tariff bill; and I remember that the then chairman of the Finance Committee spoke the words which the Senator from Texas [Mr. CONNALLY] read from the RECORD this morning—that it was a temporary expedient and was deemed necessary because of the then unsettled and more or less chaotic condition of the different nations of the world, emerging and not restored from the then very recent World War. What I mean to say is, speaking individually—not as a conferee at all but as an individual expressing my own view and not assuming to express the view of anyone else—that I think it would be highly desirable to pass this bill as it is now agreed to by the conferees in respect to some 1,200 items, or as it may be as to the other 6 items mentioned, even though the flexible tariff provision and the debenture proposition both were eliminated entirely from the bill.

That is my view in regard to tariff legislation. That was, I believe, the view of one George Washington, and one William McKinley, and other more or less and justly distinguished statesmen. I do not, however, wish to enter further into a discussion of the merits of the two policies. There is not a free-trader in this body. No Senator upon either side will rise and say that he believes in the doctrines and the old theory of free trade; and, as for me, I am not overawed and I am not at all disturbed by the proclamation of the college professors who never earned a dollar by the sweat of their brow by honest labor—theorists, dreamers—I am not overawed or disturbed by their pronunciamentos, nor am I disturbed at all by the poll of newspapers, whether they be metropolitan journals or village publications.

I am not afraid to go into any State in this Union and defend the protective-tariff policy, and I am very sure I am not afraid to go down into Mississippi and defend it. No one in this body was more valiant and capable and persuasive and convincing in favor of a protective-tariff duty on the great staple product of Mississippi than my genial and ordinarily very pleasant friend, the Senator from Mississippi. I do not purpose to-day to indulge in sarcasm or irony. It is very easy to do so. In other bodies and elsewhere perhaps I have been betrayed into indulging in sarcasm and imputing wrong motives to men. I do not feel disposed to do so, nor would it be proper for me to do so in this body to-day or at any time; but I am warranted, I think, in calling the attention of the Senate to the fact that not only the distinguished Senator mentioned but other Democratic Senators equally distinguished and equally learned and equally thoughtful stood up and voted, as they should have voted, for a tariff for the protection of the great product, the great cotton industry of the Southern, Southwestern, and Western States.

I said that the criticisms which came to me for my championship of that measure—and it was I who offered the amendment

in the Finance Committee, and it was I who offered it here, and, to the utmost of my ability, strove to pass it through the Senate and to uphold it in conference—I said that the criticisms that came to me were from the automobile-tire manufacturers. I reminded a group of those gentlemen who came to see me that if the tariff should be fully effective, and the agriculturists of the South and Southwest should get 7 cents per pound more on every pound of long-staple cotton they raised, and if the tire manufacturer should be obliged to pay four times 7 cents, or 28 cents, on the 4 pounds of the long-staple cotton, which they claimed was necessary in the making of one automobile tire—a tire which they sell for $25 or $30—I said the manufacturer could well bear that additional cost, but that whether he could or not, we had given a compensatory duty to him in the bill, as he and some Senators apparently have forgotten.

I have not thought it proper until this day, Mr. President, to divulge or to comment upon what goes on in conference, but since so much has been said, I take the liberty of adding that in conference, if it had not been for the Senator from Mississippi—and may I say myself—the House conferees never would have agreed to stand for the 7 cents on long-staple cotton. For days and days we fought that fight in conference, and I rejoiced when they finally yielded, and, as Senators know by the reports, agreed to let the Senate provision of 7 cents on that kind of cotton remain in the bill.

How was it in regard to the products from the great State of Montana? How about the tariff on manganese? Who was it who spoke logically and persuasively in that behalf? It was the senior Senator from the State of Montana, and his colleague joined with him. And who was it that, in his own feeble way, sought to fortify what they said and fought and voted for an appropriate and adequate tariff upon manganese ore, mined and produced so extensively in the fine State of Montana? It was I, the junior Senator from California, who helped.

Who was it that, in 1922, voted and worked for an increase in the tariff on rice, raised in the great State of Arkansas, which is the first rice-producing State of the Union? My distinguished colleagues from that State, of course, both voted for the increase in the tariff on rice, and they did right, and I joined with them.

How was it with the products of Florida, the avocados, the grapefruit, and the tobacco? The two fine Senators from that State, who have walked proudly under the Democratic banner all their lives, asked for and, to the utmost of my ability, I gave to them, adequate tariff rates on the products of their State.

The distinguished senior Senator from North Carolina [Mr. SIMMONS], who has shed luster on his State for so many years—has he not stood here—and if it be proper for me to say it, and I assume it is—did he not stand up before the conferees and plead and argue, and, I think, argue correctly and persuasively, and to me convincingly, in favor of an adequate increase in the tariff on a certain product of North Carolina? He knows and I know that that product can not compete with the comparable product of Japan, as he pointed out so earnestly.

The very courteous junior Senator from Texas [Mr. CONNALLY] undertook to make a political speech, and I recall that he and I stood shoulder to shoulder fighting for a tariff on cotton, and also for adequate tariffs on figs, which are raised in Texas and raised in California and in certain others of the States of the Union. No one was more persuasive in presenting the argument in favor of an added tariff on figs than was the Senator from Texas before the Senate Finance Committee and in the Senate. Before that committee he caused to appear a citizen of Texas, who made a better argument, a better presentation of the case in favor of an added tariff on figs, than was made by any man who came from California. We stood together then, and I think we stand together now in our desire for a protective tariff on the products I have mentioned.

Mr. President, I do not look upon this aisle between the two sides of the Senate as a chasm of hostility or as dividing hostile bands. I never have done so. I stretch my hand across this chasm in the same spirit of cordiality and admiration in which I reach in the other direction. The Senator from Texas stood up for an adequate tariff on wool, did he not? Who is attacking him and me and others of us? Certain manufacturers of New England, or of the eastern manufacturing sections of our country. Foolish men, short-sighted men; for as I would protect them, so I would protect the great agricultural and farming industries of our country.

Seeing the senior Senator from Alabama [Mr. HEFLIN], I am reminded to ask, Who was it that stood here, and with a charm of speech and a power of expression unexcelled by any Member of this body, and plead for adequate tariffs on the products of his State? When I see him I am reminded of the fight we made together in 1922 for adequate tariff protection—call it protective tariff or competitive tariff—for adequate tariff duties on a great mining product of the fine State of Alabama, graphite, and, as in 1922, I voted with the Senator from Alabama, in favor of the rates he was asking, so this year I voted and worked in the Finance Committee, and here in this body, in favor of an adequate tariff on amorphous and crystalline graphite.

I do not say these things to embarrass any Senator. I hasten to add that I am thinking of this proposed tariff measure, not in a partisan sense, I am not thinking of partisanship, of the success or the failure, the triumph or the defeat, of the Republican Party or of the Democratic Party, or of any other party, if any other party exists in the United States. I am trying to consider the subject in a nonpartisan sense, with a view to bringing about the passage of a bill which will aid, not manufacturers alone, not miners alone, not agriculturists alone, but which will develop, aid, and benefit all the industries of our country from Hell Gate to the Golden Gate.

I could proceed for hours pointing out in the bill items where both sides of the Chamber, particularly the Democratic side, have asked for added protection duties, increased duties; and why? As an illustration of the reasons, I may say that I have a resolution adopted by the Legislature of the State of Mississippi. The legislature of that State, by a joint resolution, without one dissenting vote in either branch, called upon the Senators from Mississippi to stand for, to work for, and to vote for a tariff on their great product—namely, long-staple cotton. I was furnished with a certified copy of that resolution, and also with a newspaper containing a letter, addressed to either the editor or the legislature by one of the Senators from that State, saying that he would observe the wishes of the people of his State, and he kept his promise.

If the doctrine of a competitive tariff or of a protective tariff be sound, then I undertake to say that Texas is a protective-tariff State, and that the voice of that State will be for adequate protection on the products and the industries not only of that imperial State but of all other States.

Whether Texas shall be divided into 5 imperial States, with 10 splendid Senators coming here, and, with their eloquence and knowledge and courage of conviction, overwhelm the rest of the country, I know not. If a proposition is made to divide the State of Texas up into five States, I shall favor it, provided one of the present Representatives from that State shall be one of the first Senators to be chosen by one of the States to be erected. Otherwise I shall be unalterably opposed to any such carving up of that great State, in whose sacred soil my brother sleeps.

Mr. HEFLIN. Mr. President, will the Senator yield?

Mr. SHORTRIDGE. I yield.

Mr. HEFLIN. I take it that the Senator has reference to the very able and distinguished Member of the House of Representatives from Texas, Mr. JOHN N. GARNER?

Mr. SHORTRIDGE. I did refer to him, and I was prompted to do so in my poor way by his smiling countenance as I see him now in this Chamber.

Mr. President, I have been betrayed into departing from what I set out to do. I repeat myself to the extent of saying that this is not the time nor is it the occasion to analyze the bill. I repeat what I undertook to say, that I thought we should return to conference feeling freed from any voluntary or involuntary promise given or understanding entered into.

Mr. CONNALLY. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Texas?

Mr. SHORTRIDGE. Certainly.

Mr. CONNALLY. If the Senator goes back into conference utterly free and is presented with a demand by the House conferees that he recede on both amendments or there will be no bill, the Senator would have no hesitation in receding, would he?

Mr. SHORTRIDGE. I would have very great hesitation.

Mr. CONNALLY. But the Senator would recede just the same?

Mr. SHORTRIDGE. No; I do not say that I would. I would put a counter proposition. However, I shall not make any promises with reference to it. I do not know what I shall do. But let me further answer the Senator's question with perfect candor.

Mr. CONNALLY. The Senator and his colleagues made a promise to the Senate that they would not agree to the elimination of the Senate provisions relating to the debenture and flexibility of the tariff without coming back to the Senate for a separate vote. That is true, is it not?

Mr. SHORTRIDGE. Not for a separate vote, as I understand it.

Mr. CONNALLY. A vote on those two propositions?

Mr. SHORTRIDGE. The Senator may so construe it, if he wishes.

Mr. CONNALLY. I shall not insist. If the Senator was forced to the conclusion by the position of the House conferees that they would not confer further, and then came back and asked that he be relieved from that sort of promise, would not he take the same attitude when he goes back and would he not take the dictation of the House conferees and accept the bill stripped of those two provisions? Is not that inevitable?

Mr. SHORTRIDGE. The situation was as generally stated and is with me this: Right or wrong, the majority conferees, perhaps all agreeing, took it that there had been a gentlemen's agreement here that we would not do certain things—a gentlemen's agreement. We were reminded that in view of the action of the Senate there was now an open and free conference and that we could go forward, but it was said, "Here is this outstanding gentlemen's agreement which we can not violate." Personally I have always thought that we might at least have talked and endeavored to agree upon something in respect to both the debenture and the flexible provision.

Mr. CONNALLY. Mr. President, will the Senator yield further?

Mr. SHORTRIDGE. Certainly.

Mr. CONNALLY. Is it true that the majority conferees excluded the minority conferees from the conference?

Mr. SHORTRIDGE. No; that is not true in that sense. At a certain stage it was suggested that the Republicans might wish to confer touching the procedure, and the Democratic Senators retired. It was not as the Senator would seem to indicate. They were all gentlemen and conducted themselves as such.

Mr. CONNALLY. Was anyone other than the conferees permitted to sit in the conference with the conferees?

Mr. SHORTRIDGE. There were various experts there during the discussion.

Mr. CONNALLY. I want to call the Senator's attention to something that appeared in the Nation of May 14, quoting Secretary of Labor James John Davis, who said:

> I sat in with the joint conference of Congress during its final stages pinch hitting for Senator REED who is in London, and aided in shaping the pig iron and cement adjustments.

Is it true that Mr. Davis sat in with the conference committee in that way?

Mr. SHORTRIDGE. No; he was never there for one moment. That must be a misstatement. He may have referred to the Finance Committee, though I do not know.

Mr. CONNALLY. I have quoted from his statement, in which he said that he "sat in with the joint conference committee of Congress." I thought perhaps he might have been permitted to represent the minority members in their absence and to take their places.

Mr. SHORTRIDGE. Mr. President, I appreciate the frame of mind of Senators. It is not necessary for me to say so, but for the benefit of all I undertake to say that, assuming a satisfactory or a generally satisfactory and adequate protective tariff measure, I would favor its passage eliminating entirely the debenture proposition and also the flexible tariff proposition. I remarked a moment ago that from 1789 down to 1922 there never was a flexible tariff provision in a tariff law.

Mr. BORAH. The people then believed in the Constitution.

Mr. SHORTRIDGE. They did and so do I. I therefore have said that I was hopeful that there might be some adjustment as between the House and the Senate in respect of these two propositions. I have not abandoned that hope. I have expressed it elsewhere.

The Senator from North Carolina [Mr. SIMMONS] knows that we were advised by our parliamentary experts that in view of the action taken by the Senate, our conference had become a free and open conference and we could proceed, but there was that supposed outstanding gentleman's agreement which precluded us from going forward. The House conferees so viewed it and said, "We will not discuss these matters because you are not free to discuss them, and any discussion would be purely idle and a waste of time." That was the situation.

I alluded to the position taken by the Senator from Mississippi [Mr. HARRISON] a moment ago and I agreed with him. One day when, after a sort of herculean effort, I got the attention of my associates to pipe up and say a word or two, I joined in the thought that we could at least discuss the matter, even though we might not reach an agreement. But as Senators know, there was no discussion or nothing that was worthy of being called a discussion of the merits of the one or the other of these propositions. It was the same in respect of the other six provisions.

Of course, I may be old-fashioned. I may be backward looking. I may come from the far West——

Mr. BORAH (in his seat). But not from a backward State!

Mr. SHORTRIDGE. But not from a backward State, as my friend from Idaho remarks. I may not be able to grasp these great problems. But I favor a tariff on silver. Why? Because I know the condition of the people and that industry in the State of Nevada. Ah, but the manufacturers here in the East opposed the tariff on silver. I say they are short-sighted and narrow and provincial. We of the West favor a tariff on wool, and certain manufacturers of the East and certain college professors—oh, those college professors; some time I shall take a day off to express my views touching their capacity to guide this Nation! [Laughter.] They are opposed to a tariff on wool.

Mr. ASHURST. Mr. President, will the Senator from California yield?

Mr. SHORTRIDGE. With pleasure.

Mr. ASHURST. Adverting to college professors, when we reach the Boulder Dam appropriation I may have something to say about a certain college professor from very near the Senator's home town.

Mr. SHORTRIDGE. I live at Menlo Park and he hibernates at Palo Alto, a mile away. I have not been much affected by these professional doctrines, by these free-trade doctrines, which if put into operation would bankrupt and pauperize the United States; but there is not a free trader in this body. Did not the learned Senator from North Carolina [Mr. SIMMONS] make a masterly speech in the opening of this discussion? It was a tariff speech. The only difference between him and me is in the use of terms. He calls it a "competitive tariff" and I call it a "protective tariff." He quoted the Democratic platform adopted at the late national convention. Perhaps we quoted the Republican platform. We are both in favor of a tariff, the one called a "protective tariff" and the other a "competitive tariff."

But there is one thing which my Democratic friends have forgotten, and I remind them of it again and again during the discussion. They have forgotten—temporarily and not for any strategic reason—that one of the outstanding purposes of the tariff is the raising of revenue. Why, away out yonder where the sun sets reluctantly as it bids good night to California—[laughter]—in that State which is attracting the best citizens from every State of the Union who are going there to make their homes and be happy ever after——

Mr. ROBINSON of Arkansas. Mr. President, I wish to point out that neither of the Senators from Florida is present. [Laughter.]

Mr. SHORTRIDGE. Out there in California I have heard Democratic statesmen, like my old-time friends W. W. Foote, W. D. English, your former colleagues, Senator Stephen M. White and Senator James D. Phelan, and other distinguished Democrats, make the nights hideous for 25 or 30 years claiming that the fundamental purpose of the Democratic Party was to enact a tariff for "revenue only, with incidental protection."

We have heard nothing here about a tariff for revenue only. We have been talking about a "competitive tariff" and a "protective tariff"—words, words, words! What I want and what every Senator here representing any one of the 48 States wants is an adequate tariff for the products of his State—and properly so—not forgetting to give and not declining to give adequate protection for the products of the other States of the Union, even as we would distribute our favors, if it be so, among the 10 children of our hearts, not preferring one over the other.

I have stood for protection for the interests of Idaho just as cheerfully, just as gladly, and I shall forever, as I would for my own dear State of California. I do not say that to assume a greater love for States than other Senators entertain or have for them. I do not say it for that reason. I say it to rouse, if I can, in the Senate and in the country a belief in helping every State to develop its industries. I know that if Michigan is prosperous the prosperity of that State flows over into other States. If the great State of New York be prosperous and her people be employed, if there be prosperity on farm, in village, in factory and mine, I know that the great State of New York is a market for the products of California, and that its prosperity will contribute to ours. That is so in respect to every State in the Union.

Therefore I have said—some people have thought I said it to play upon words or to creep into the affection of men or to indulge in "trading" or what not—that if there were an industry in South Carolina which needed protection, even though I could not see how it would affect California or New York or Idaho, I would be for it. Why? Because that State is made up of patriotic American citizens, and the Federal Government—I, all of us—should have an affectionate regard for them and for that State. The same thing may be said concerning every one of the 48 States of the Union.

I hope, Senators, if this be the appropriate way in which to proceed, if this be the appropriate resolution, that it may be adopted, to the end that the conferees on the part of the Senate may sit down with the conferees on the part of the House of Representatives and endeavor to agree, to give and to take in a spirit of compromise, to the end that a bill satisfactory to both may be agreed upon and be passed and become a law.

It may be that later on the Senate will want to take other action in regard to these two items, or as to the six other items, including silver, lumber—the other items which are involved in the list of eight. I do not know as to that; what I want is to feel that I am free and be free to advance my views and endeavor to reach an agreement with the House conferees, with whom I do not now agree in a great many respects.

I beg pardon of the Senate for having detained it so long.

Mr. BRATTON obtained the floor.

Mr. WATSON. Mr. President, will the Senator from New Mexico yield to me?

Mr. BRATTON. I yield.

Mr. WATSON. A number of Senators have come to me asking whether or not there would be a vote to-night on the pending resolution. I trust the Senator from New Mexico will not deem it offensive if I ask him how long he is going to speak?

Mr. BRATTON. Not at all, Mr. President. I assure the Senator from Indiana that I purpose to speak not more than 10 minutes.

Mr. WATSON. I do not know of any other Senator who is going to speak; so I can say to Senators on both sides of the Chamber that, in all probability, we will be able to take a vote at the conclusion of the remarks of the Senator from New Mexico.

Mr. BRATTON. Mr. President, no Member of the body is more anxious to dispose of the pending resolution than I am. Accordingly I shall hasten along in submitting a few observations regarding it.

Mr. President, let there be no misunderstanding of the issue that is pending before the Senate, and which will be decided by the vote we are about to cast. The name attached to the pending resolution or its textual content will not determine the effect of its adoption. The question at issue is whether the Senate shall recede from the debenture provision and the flexible provision inserted in the tariff bill by the Senate. Regardless of what may have been thought previously, the debate to-day, particularly the statements made by the Senator from Utah [Mr. SMOOT], the Senator from Indiana [Mr. WATSON], and the Senator from California [Mr. SHORTRIDGE], remove all doubt. Who believes for one moment that, with the House having voted against the Senate flexible provision, with the three majority conferees frankly admitting on the floor of the Senate that they are wholly out of sympathy with it and with the debenture provision, the conference report will be other than to eliminate both those provisions from the bill? That will be the effect. With no pretense of prophetic vision—none being required—I predict that in less than three days the conferees will submit a report with the debenture provision stricken entirely and with the Senate flexible provision torn asunder. The Senator from Utah, the Senator from Indiana, and the Senator from California know that to be a plain statement of fact.

Mr. President, the rate structure of the bill entirely aside, there are some of us who believed throughout the consideration of the measure that the only way to aid materially the agricultural interests of the country was to insert the debenture provision. There are some of us who believe now that that is the only way this bill will aid the agriculturists of the country. However, it is now proposed to surrender that provision and thus increase the disparity against the farmers of the country rather than to minimize it. That question, however, is not fundamental. The fundamental question involved is whether the taxing power shall be exercised hereafter by the executive or by the legislative branch of the Government. It has been asserted over and over again that Congress and not the Executive is the constitutional residuum of the taxing power. Some of us were persuaded, at least in part, to vote for the bill largely because under its provisions the Executive was stripped of the power he now has under existing law to lay tariff taxes to the extent of 50 per cent of an existing rate. Some of us thought that the President should no longer exercise that power; some of us believed that, aside from the legal phase of the proposition, the broad question of policy was involved as to whether the power of taxation by levying tariff duties should be exercised by the legislative, not the executive branch of the Government.

I make no quarrel with the technical accuracy of the decision rendered by the Supreme Court of the United States upholding the flexible provisions of the act of 1922, but, conceding its legal soundness, the broad policy is still involved and will be determined by our vote to-day upon the pending resolution.

As one, Mr. President, who voted for the passage of the bill, believing in the debenture provision as an aid to the farmers of the country, I am unwilling that we shall surrender that provision, and I am equally unwilling to surrender the amendment adopted by the Senate designed to restore to the Congress the power under the flexible provision of the tariff to exercise the taxing power of the country. That is the fundamental question involved, and its importance can not be overstated.

The far-reaching effect of this vote we are about to cast can not be exaggerated through the use of time or the employment of language. The question we are about to determine is whether we shall stand by the flexible provision and by the debenture provision as adopted by the Senate, or whether we shall surrender both of them without further effort, further defense, or further advocacy.

Mr. President, it is ridiculous to believe or assert on the floor of the Senate that, in view of the vote already taken by the House, in view of the sentiment entertained by the majority conferees of the House, and in view of the sentiment entertained by the majority conferees of the Senate, there will be the slightest hesitation in surrendering both the flexible provision and the debenture provision. Such surrender will follow logically; it will follow naturally, and it will follow speedily. Mark my measured words, that is the issue as presented to us and upon which we shall vote momentarily.

Mr. President, entertaining the view which I hold regarding the flexible provision inserted in the bill by the Senate, I am unwilling to surrender now. Let us restore that power to the Congress where it properly belongs; let us restore it to the Congress where it resided from the inception of the Government down to 1922, at which time the flexible provision was inserted in the tariff bill then pending in order to equalize the cost of production here and elsewhere as a temporary expedient to meet unusual and extraordinary conditions following the World War. But now it is proposed to continue that policy permanently and to expand it; not to confine it to equalizing the cost of production but to enlarge it so as to equalize competitive conditions here and elsewhere. It is proposed by those on the other side of the aisle, without any justification or explanation except that they want a tariff bill, to perpetuate the policy and to expand it far beyond the views ever entertained by those who founded the Government.

Mr. President, that is the question we are going to determine presently.

The VICE PRESIDENT. The question is on agreeing to the resolution.

Mr. ROBINSON of Arkansas obtained the floor.

Mr. WALSH of Massachusetts. Mr. President——

Mr. ROBINSON of Arkansas. I yield to the Senator from Massachusetts.

Mr. WALSH of Massachusetts. Mr. President, some time ago I suggested that in voting on the pending resolution the question be divided. I now suggest that perhaps action on my request can be obviated in view of a request for unanimous consent which I understand the Senator from Arkansas intends to present.

Mr. ROBINSON of Arkansas. Mr. President, I ask unanimous consent, in view of the discussion that has taken place and of the request made by the Senator from Massachusetts, that the Senate proceed to vote, first, upon the question, Shall the Senate majority conferees be relieved from their promise relative to a separate vote in the Senate on the export debenture provision; and second, Shall the Senate majority conferees be relieved from their promise relative to a separate vote in the Senate on the flexible tariff provision?

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. Mr. President, if the request should be granted and the vote should be in the negative in either case, would it be necessary then for the Senate to adopt the resolution now pending before the Senate?

Mr. ROBINSON of Arkansas. I think that perhaps it would be necessary to take a third vote on the resolution, and I will incorporate such a suggestion in my request.

Mr. SMOOT. If the Senator should offer his suggestion as a substitute for the original resolution, then there would not be any necessity of voting on the resolution itself.

Mr. DILL. Mr. President, it is impossible to hear the debate.

Mr. ROBINSON of Arkansas. The Senator from Utah has raised the question whether such a unanimous consent would contemplate also a third vote, namely, a vote on the resolution itself. I hardly think that would be necessary.

Mr. SMOOT. I hardly think so.

Mr. ROBINSON of Arkansas. Although it would undoubtedly be necessary if, for instance, the vote should be in the affirmative on one of the propositions and in the negative on the other. In that event, of course, a third vote would be necessary, but I think we will have to wait until the action of the Senate shall be determined. I have no objection to following with any immediate vote that may be necessary to conclude the matter.

Mr. SMOOT. That is what I was going to ask the Senator.

Mr. SIMMONS. Mr. President, I should like to ask the Senator from Arkansas—I was engaged at the time he made his request—to state again what his request is.

Mr. ROBINSON of Arkansas. The unanimous consent which I requested is—and I am submitting it at the suggestion of a number of Senators, as the Senator from North Carolina well understands—that the Senate proceed without further debate to vote, first, upon the question, Shall the Senate majority conferees be relieved from their promise relative to a separate vote in the Senate on the export debenture provision; and, second, Shall the Senate majority conferees be released from their promise relative to a separate vote in the Senate on the flexible tariff provision; and that in the event the affirmative prevails as to one of the questions and not as to both, a third vote be taken on the resolution itself as modified?

Mr. SIMMONS. As amended.

Mr. ROBINSON of Arkansas. As modified.

Mr. WALSH of Montana. Mr. President, I can see no good purpose to be subserved by the third vote.

Mr. SMOOT. I do not either, Mr. President.

Mr. WALSH of Montana. If the vote should be in the affirmative, if the conferees should be released as to one, and the vote should be not to release them as to the other, it would seem as though that would settle the matter.

Mr. ROBINSON of Arkansas. The only reason why I made the suggestion was that it would seem a parliamentary necessity to conclude the resolution. I am entirely willing to take these two votes as decisive of the resolution.

Mr. SMOOT. That is all that is necessary.

The VICE PRESIDENT. Is there objection to the unanimous-consent agreement proposed by the Senator from Arkansas? The Chair hears none, and it is so ordered. The question is on the first provision of the resolution.

Mr. ROBINSON of Arkansas. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

| | | | |
|---|---|---|---|
| Allen | Frazier | La Follette | Shortridge |
| Ashurst | George | McCulloch | Simmons |
| Baird | Gillett | McKellar | Smoot |
| Barkley | Glass | McMaster | Steck |
| Bingham | Glenn | McNary | Steiwer |
| Black | Goldsborough | Metcalf | Stephens |
| Blaine | Greene | Norris | Sullivan |
| Blease | Hale | Nye | Swanson |
| Borah | Harris | Oddie | Thomas, Idaho |
| Bratton | Harrison | Overman | Thomas, Okla. |
| Brock | Hastings | Patterson | Townsend |
| Brookhart | Hawes | Phipps | Trammell |
| Broussard | Hayden | Pine | Vandenberg |
| Capper | Hebert | Pittman | Wagner |
| Caraway | Heflin | Ransdell | Walcott |
| Connally | Howell | Reed | Walsh, Mass. |
| Copeland | Johnson | Robinson, Ark. | Walsh, Mont. |
| Couzens | Jones | Robinson, Ind. | Waterman |
| Dale | Kean | Robsion, Ky. | Watson |
| Deneen | Kendrick | Schall | Wheeler |
| Dill | Keyes | Sheppard | |
| Fess | King | Shipstead | |

The VICE PRESIDENT. Eighty-six Senators have answered to their names. A quorum is present. The question is on the first provision of the resolution.

Mr. WATSON. Mr. President, may the first provision be stated for the information of the Senate?

The VICE PRESIDENT. It will be stated.

The Chief Clerk read as follows:

Shall the Senate majority conferees be relieved from their promise relative to a separate vote in the Senate on the export-debenture provision?

Mr. HARRISON. I call for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BLEASE (when his name was called). I have a pair with the senior Senator from West Virginia [Mr. GOFF]. If I were at liberty to vote, I should vote "nay."

Mr. BRATTON (when his name was called). On this question I have a pair with the Senator from Maine [Mr. GOULD]. The Senator from Rhode Island [Mr. METCALF] is paired with the Senator from Maryland [Mr. TYDINGS]. For the purpose of a double transfer, so that the Senator from Rhode Island [Mr. METCALF] and myself may vote, I transfer my pair with the Senator from Maine [Mr. GOULD] to the Senator from Maryland [Mr. TYDINGS], and the Senator from Rhode Island [Mr. METCALF] transfers his pair to the Senator from Maine [Mr. GOULD], leaving us both free to vote; and the Senator from Maine [Mr. GOULD] stands paired with the Senator from Maryland [Mr. TYDINGS]. I vote "nay."

Mr. BRATTON (when Mr. CUTTING's name was called). On this question my colleague [Mr. CUTTING] has a pair with the Senator from Florida [Mr. FLETCHER]. If the Senator from Florida were present, he would vote "yea," and if my colleague were present he would vote "nay."

Mr. KING (when his name was called). I am paired with the senior Senator from New Hampshire [Mr. MOSES] and therefore withhold my vote.

Mr. KEYES (when Mr. MOSES' name was called). My colleague [Mr. MOSES] is unavoidably absent. He is paired with the junior Senator from Utah [Mr. KING]. If present, my colleague would vote "yea."

Mr. McMASTER (when Mr. NORBECK's name was called). I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] has a pair upon this question with the junior Senator from Pennsylvania [Mr. GRUNDY]. If my colleague were present, he would vote "nay," and if the junior Senator from Pennsylvania were present he would vote "yea."

Mr. WATSON (when his name was called). I have a pair with the senior Senator from South Carolina [Mr. SMITH]. I transfer that pair to the junior Senator from West Virginia [Mr. HATFIELD] and will vote. I vote "yea."

The roll call was concluded.

Mr. HALE. My colleague [Mr. GOULD] is absent from the city. If present, he would vote "yea." He is paired.

The result was announced—yeas 43, nays 41, as follows:

YEAS—43

| | | | |
|---|---|---|---|
| Allen | Goldsborough | Metcalf | Sullivan |
| Baird | Greene | Oddie | Thomas, Idaho |
| Bingham | Hale | Patterson | Townsend |
| Broussard | Hastings | Phipps | Trammell |
| Capper | Hebert | Ransdell | Vandenberg |
| Couzens | Jones | Reed | Wagner |
| Dale | Kean | Robinson, Ind. | Walcott |
| Deneen | Kendrick | Robsion, Ky. | Walsh, Mass. |
| Fess | Keyes | Shortridge | Waterman |
| Gillett | McCulloch | Smoot | Watson |
| Glenn | McNary | Steiwer | |

NAYS—41

| | | | |
|---|---|---|---|
| Ashurst | Dill | La Follette | Shipstead |
| Barkley | Frazier | McKellar | Simmons |
| Black | George | McMaster | Steck |
| Blaine | Glass | Norris | Stephens |
| Borah | Harris | Nye | Swanson |
| Bratton | Harrison | Overman | Thomas, Okla. |
| Brock | Hawes | Pine | Walsh, Mont. |
| Brookhart | Hayden | Pittman | Wheeler |
| Caraway | Heflin | Robinson, Ark. | |
| Connally | Howell | Schall | |
| Copeland | Johnson | Sheppard | |

NOT VOTING—12

| | | | |
|---|---|---|---|
| Blease | Goff | Hatfield | Norbeck |
| Cutting | Gould | King | Smith |
| Fletcher | Grundy | Moses | Tydings |

So the majority conferees were relieved from their promise regarding the export-debenture provision of the tariff bill.

The VICE PRESIDENT. The question now is upon the second provision of the resolution.

Mr. HARRISON. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. BRATTON (when his name was called). On this question I have a pair with the Senator from Maine [Mr. GOULD]. The Senator from Rhode Island [Mr. METCALF] is paired with the Senator from Maryland [Mr. TYDINGS]. For the purpose of a double transfer so that the Senator from Rhode Island [Mr. METCALF] and myself may vote, I transfer my pair with the Senator from Maine [Mr. GOULD] to the Senator from Maryland [Mr. TYDINGS], and the Senator from Rhode Island [Mr. METCALF] transfers his pair to the Senator from Maine [Mr. GOULD], leaving us both free to vote, and the Senator from Maine [Mr. GOULD] stands paired with the Senator from Maryland [Mr. TYDINGS]. I vote "nay." I am informed that if the Senator from Maryland were present and voting he would vote "nay."

Mr. BRATTON (when Mr. CUTTING's name was called). Upon this question my colleague [Mr. CUTTING] has a pair with the senior Senator from Florida [Mr. FLETCHER]. If my colleague were present and voting, he would vote "nay." I am informed that if present and voting the senior Senator from Florida [Mr. FLETCHER] would vote "yea."

Mr. TRAMMELL (when Mr. FLETCHER's name was called). My colleague [Mr. FLETCHER] is unavoidably absent on account of illness. He is paired as has just been stated.

Mr. KING (when his name was called). Making the same announcement as on the previous vote, I withhold my vote.

Mr. KEYES (when Mr. MOSES' name was called). My colleague [Mr. MOSES] is unavoidably absent. If present, he would vote "yea." His pair has been announced.

Mr. McMASTER (when Mr. NORBECK's name was called). I desire to announce that my colleague the senior Senator from South Dakota [Mr. NORBECK] has a pair on this question with the junior Senator from Pennsylvania [Mr. GRUNDY]. If my colleague were present and voting, he would vote "nay," and I am informed that if the junior Senator from Pennsylvania were present and voting he would vote "yea."

Mr. WATSON (when his name was called). I have a pair with the senior Senator from South Carolina [Mr. SMITH], which I transfer to the junior Senator from West Virginia [Mr. HATFIELD], and vote "yea."

The roll call was concluded.

Mr. BLEASE. I have a pair with the senior Senator from West Virginia [Mr. GOFF]. In his absence I withhold my vote. If that Senator were present, I would vote "nay."

Mr. HALE. I wish to announce that my colleague [Mr. GOULD] is unavoidably detained. If he were present, he would vote "yea." He is paired.

The yeas and nays resulted—yeas 42, nays 42, as follows:

YEAS—42

| | | | |
|---|---|---|---|
| Allen | Glenn | Metcalf | Steiwer |
| Baird | Goldsborough | Oddie | Sullivan |
| Bingham | Greene | Patterson | Thomas, Idaho |
| Broussard | Hale | Phipps | Townsend |
| Capper | Hastings | Ransdell | Trammell |
| Couzens | Hebert | Reed | Vandenberg |
| Dale | Jones | Robinson, Ind. | Walcott |
| Deneen | Kean | Robsion, Ky. | Waterman |
| Dill | Keyes | Shortridge | Watson |
| Fess | McCulloch | Smoot | |
| Gillett | McNary | Steck | |

NAYS—42

| | | | |
|---|---|---|---|
| Ashurst | Frazier | La Follette | Shipstead |
| Barkley | George | McKellar | Simmons |
| Black | Glass | McMaster | Stephens |
| Blaine | Harris | Norris | Swanson |
| Borah | Harrison | Nye | Thomas, Okla. |
| Bratton | Hawes | Overman | Wagner |
| Brock | Hayden | Pine | Walsh, Mass. |
| Brookhart | Heflin | Pittman | Walsh, Mont. |
| Caraway | Howell | Robinson, Ark. | Wheeler |
| Connally | Johnson | Schall | |
| Copeland | Kendrick | Sheppard | |

NOT VOTING—12

| | | | |
|---|---|---|---|
| Blease | Goff | Hatfield | Norbeck |
| Cutting | Gould | King | Smith |
| Fletcher | Grundy | Moses | Tydings |

The VICE PRESIDENT. On this question the yeas are 42 and the nays 42. The Senate being equally divided, as Vice President the Chair votes "yea," and the majority conferees of the Senate are relieved from their promise in regard to the flexible provision of the tariff bill.

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Baltimore Sun of to-day relating to the flexible provision of the tariff.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

IT'S CONSTITUTIONAL, TOO

In view of the fact that Congress has made such a mess of tariff revision in general it may reasonably be inquired why one should take the position that the Senate's flexible tariff plan, which transfers the final authority over rate changes from the White House to the Capitol, is far better than the House plan which gives this authority to the President.

Perhaps the simplest reason for preferring the Senate's plan is that if one is going to be robbed it is generally preferable to be robbed in public, where there is at least a chance that shouts will bring some help, than to be taken down a back alley and quietly blackjacked. Thus far the flexible tariff, in the hands of the Tariff Commission and the President, has been a blackjack in hands of powerful interests. Congress has done its pocket picking before a wide public, which at least made it more difficult for the tariff plunderers to get away with the swag, and made it easier to identify and pursue them.

This reason for preferring a plan of flexible tariff making that keeps the final control over rates in Congress does not appeal to President Hoover. He is represented by his friends as believing that if he is given power to raise or lower rates as much as 50 per cent, after investigation by the Tariff Commission, he will not only be able to withstand the onslaughts of those seeking tariff favors at the White House, but actually will be able to undo much of the mischievous rate boosting in which Congress has indulged. It is a position which leaves many observers of affairs in Washington quite cold.

If Mr. Hoover were a proven fighter of the first magnitude it would be extremely doubtful if he could do this. Pressed by extremely powerful interests to shift the flexible tariff upward, and unsupported by an opposing public sentiment because of public ignorance of what is going on, it would be most difficult for him to resist. And on Mr. Hoover's record to date as an antagonist of powerful interests the idea that he would be able to apply the flexible tariff in a rigorously scientific way is little less than absurd.

If he could get authority to try, as he hopes to, it might provide a weak excuse for signing the present bill, with its outrageous rates, but it would not promise any better record of flexible tariff making than that since 1922, and in that period it has been primarily a device for making tariff grabs in private. And, indeed, the prospect is that if the House flexible tariff plan is adopted it will become an even more flagrant source of abuse than the existing arrangement, because it gives tariff grabbers more room in which to operate.

The plan adopted in 1922 provided for changes of as much as 50 per cent to equalize costs of production. There is far from complete agreement upon what constitutes cost of production, but there is enough agreement to put some limits to tariff manipulating. The plan approved by the House makes way for rate changes to equalize competitive conditions. Since there are no standards for measuring competitive conditions here and abroad, this arrangement opens wide the door for rate changes and makes the Tariff Commission and the White House a happy hunting ground for those looking for tariff swag.

In contrast to a situation where the Tariff Commission and the White House, as in the past, would be swarming with quietly operating tariff lobbyists, the Senate flexible tariff plan would make each rate change a matter for general and public discussion in the Halls of Congress. Since the rates would come up singly there would not be room for the logrolling that disgraced Congress during the present revision. And even if there were, public tariff logrolling is more to be preferred than tariff manipulating in secluded corners of the Tariff Commission and the White House.

Incidentally, the Senate flexible tariff plan keeps the taxing power of the Federal Government in Congress, where, according to our most eminent constitutional lawyers, it belongs. The House plan turns the taxing power over to the Tariff Commission and the President with virtually no strings attached. This phase of the flexible tariff may interest relatively few people. If, however, the Senate's plan, in addition to all of its other compelling advantages over the plan approved by the House, happens to be constitutional, that can hardly be held against it.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 10813) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. SIMMONS, Mr. HOLADAY, Mr. THATCHER, Mr. CANNON, and Mr. COLLINS were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 476. An act granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes;

H. R. 5411. An act to provide for the appointment of an additional district judge for the district of Minnesota;

H. R. 8154. An act providing for the lease of oil and gas deposits in or under railroad and other rights of way; and

H. R. 10579. An act to provide for the erection of a marker or tablet to the memory of Col. Benjamin Hawkins at Roberta, Ga., or some other place in Crawford County, Ga.

MEDALS FOR OFFICERS AND MEN OF THE BYRD ANTARCTIC EXPEDITION

Mr. SWANSON. From the Committee on Naval Affairs I report back favorably without amendment the joint resolution (H. J. Res. 327) authorizing the presentation of medals to the officers and men of the Byrd Antarctic expedition, and I submit a report (No. 688) thereon. I call the attention of the junior Senator from Virginia [Mr. GLASS] to this report.

Mr. GLASS. I ask unanimous consent for the immediate consideration of the joint resolution.

There being no objection, the joint resolution was read, considered, ordered to a third reading, and passed, as follows:

*Resolved, etc.*, That the Secretary of the Navy be, and he is hereby, empowered and directed to cause to be made at the United States mint such number of gold, silver, and bronze medals as he may deem appropriate and necessary respectively to be presented to the officers and men of the Byrd antarctic expedition to express the high admiration in which the Congress and the American people hold their heroic and

undaunted services in connection with the scientific investigations and extraordinary aerial explorations of the Antarctic Continent, under the personal direction of Rear Admiral Richard E. Byrd, said medals to be suitably inscribed.

SEC. 2. That such amount as may be necessary for the cost of said medals is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. BINGHAM. I ask the Chair to lay before the Senate the message from the House relative to the District of Columbia appropriation bill.

The VICE PRESIDENT laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 10813) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BINGHAM. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BINGHAM, Mr. PHIPPS, Mr. CAPPER, Mr. GLASS, and Mr. KENDRICK conferees on the part of the Senate.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate Executive messages from the President of the United States, which were referred the the appropriate committees.

ILLEGAL APPOINTMENTS AND DISMISSALS IN THE CIVIL SERVICE

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me on illegal appointments and dismissals in the civil service.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. HEFLIN. Mr. President, you remember that in the first session of the Seventieth Congress there was introduced a resolution, known as Senate Resolution 154, to investigate the illegal appointments and dismissals in the civil service, which was referred to the Audit and Control Committee.

I should like to call the attention of the Senators to the names of those Members of the Senate (on pp. 185 to 186, inclusive) who have received letters from hundreds of people, including many prominent public officials, supporting Senate Resolution 154, to investigate these illegal appointments and dismissals. Their number convinces me that there is merit in the proposed investigation.

The Senators who indorsed the above-mentioned resolution are: Senators BLACK, CAPPER, COUZENS, CURTIS, CUTTING, DILL, Edwards, FLETCHER, FRAZIER, GILLETT, KING, MCNARY, OVERMAN, SHEPPARD, SIMMONS, SMITH, TRAMMELL, Locher, T. J. WALSH, SCHALL, HARRISON, BARKLEY, BROOKHART, GOFF, W. L. JONES, BLAINE, Bayard, MCKELLAR, MCMASTER, NEELY, PINE, RANSDELL, Sackett, SMOOT, SHIPSTEAD, Tyson, WAGNER, and WATERMAN.

Then, after the resolution was referred to the committee, the synopsis of Senators' letters, letters in favor of the proposed investigation, were also referred to the committee. After a long period of deliberation the committee instructed the chairman, the gentleman from Illinois, Mr. DENEEN, to report the resolution back to the Senate favorably with an appropriation of $2,500.

The President of the Senate, then Mr. Charles G. Dawes, appointed a special senatorial committee in pursuance of this resolution to hold hearings and make a report on its findings, as well as such recommendations as would correct the abuses and injustices in the system.

You will remember that as soon as this resolution was introduced and referred to the Audit and Control Committee of the Senate this unscrupulous lobby of bureaucrats began their work to defeat the resolution and prevent the proposed investigation. You will also remember, Mr. President, that this investigation is like all other investigations into bureaucracy, in that the unscrupulous tactics of these bureaucrats to defeat a proposed investigation generally convinces us that there is need for the investigation.

The Audit and Control Committee, after study of the resolution, evidently thought the merit of an investigation overwhelming, for the resolution was reported out on May 28, 1928, after which the Senate passed it unanimously.

The special senatorial committee, composed of Senators DALE, BROOKHART, PINE, GEORGE, and HEFLIN, began hearings on June 15, 1928, and were interrupted on June 20, 1928, by failure of the committee to secure a quorum. Testimony of employees and former employees, including William C. Deming, the then president of the Civil Service Commission, and Harlan Wood, chairman of the Veterans' Joint Committee, Washington, D. C., was given before this committee.

First, you will note that the then president of the Civil Service Commission admits, in an article published in the Washington Post of March 6, 1927, that the Civil Service Commission has deliberately appointed 10,000 people from the District of Columbia, Maryland, and Virginia more than are entitled to appointments.

Second, you will note that the committee requested that the Civil Service Commission furnish the names of the employees by States who had been discharged since April 1, 1919, and of those who had been employed since April 1, 1919, from the District of Columbia, Maryland, and Virginia. You will note, Mr. President, that both Commissioners Deming and Wales protested against furnishing the committee this requested information. I will ask the chairman of this committee why the information concerning these appointments and dismissals were not furnished the committee as requested.

It will also be noted, by the testimony of Commissioner Deming, that there were illegal appointments and illegal dismissals in the civil service, and certain Senators suggested amendments to the law, namely, Nos. 7, 8, and 9, on page 238. These suggested amendments brought vigorous protest from Mr. Deming. Why do you suppose, Mr. President, that this man Deming protested against these suggested amendments?

You will also note, from the testimony of Mr. Harlan Wood, chairman of the Veterans' Joint Committee, and Mr. H. E. Morgan, of the Civil Service Commission, that three of the four personnel agencies, namely, the Personnel Classification Board, the United States Bureau of Efficiency, and the Civil Service Commission, have not been carrying out the acts of Congress as passed and interpreted by several Attorneys General.

For instance, here are several methods used by these bureaucrats to violate not only the spirit but the letter of the law giving preference to honorably discharged soldiers, sailors, and marines, to the widows of such men and to the wives of injured soldiers, sailors, and marines who are not qualified but whose wives are qualified:

First, the United States Bureau of Efficiency admitted under House Resolution 16 that it spent $188,971.97 without a semblance of authority under the law and only $88.20 with authority under the law.

Second, the Civil Service Commission, after Congress passed the act of July 11, 1919, and after President Wilson issued the Executive order, known as Order 3152, to supersede this act of Congress, referred it to the Attorney General through the President for his opinion and construction. The Attorney General rendered his opinion and referred it to the President, who then referred it to the Civil Service Commission (see 32 Op. A. G. 174, on April 13, 1920, p. 237, par. 4).

However, on March 3, 1923, President Harding issued an Executive order, known as Order 3801—consider this, Mr. President—at the instance and request of the Civil Service Commission (pars. 5, 6, and 7).

You will remember, Mr. President, that the life of this special committee was extended on December 14, 1929, in order to complete the hearings and make a report of its findings to the Senate.

On February 18, 1929, the special senatorial committee met, and John A. Savage, attorney, appeared before it for the following persons: Lincoln Wedel, William Stirling Putzki, Miss Epps Jones, Miss Mary Hennanghan, Miss Josephine Peterson, Reese F. Rogers, Mrs. May Loveless, Miss Julia Schroder, and others.

The testimony presented for the above-mentioned persons by Mr. Savage appears on pages 192 to 206, inclusive, and 215 to 235, inclusive.

In the case of Lincoln Wedel the records will show that the charges against Mr. Wedel, which resulted in his suspension, were subsequently dismissed. The falsity of these charges has been proved beyond a doubt. By reference to the pages above mentioned you will see that there was no doubt in the minds of the committee that Mr. Wedel had been outrageously treated and is due compensation from the date of suspension.

The United States commissioner, after the charges against Mr. Wedel were dismissed, requested that the Secretary of the Treasury see that the matter was adjusted and Mr. Wedel restored to duty, but no action has ever been taken in the matter. If you will refer to pages 192 to 206, inclusive, you will find a complete statement of the facts in this case.

This is only one of the many examples of the grave injustices against employees which this committee considered.

In the other cases which I have mentioned the employees were dismissed for various reasons, but the dismissals were no less unjust and illegal, as was definitely proved before the committee.

One of the most startling of these unjust dismissals was that of Louise Myers Swift, who was committed to St. Elizabeths Hospital without counsel and without just trial. Others who were committed in the same outrageous manner include Mary R. Hurley and Mary Ruthven. There are many others. I would suggest that this committee take steps to secure a list of employees sent to St. Elizabeths Hospital from the Government service and investigate their cases.

The young women mentioned were sane when committed to the hospital. This is shown by the wise and judicious manner in which they handled their business affairs. Louise Myers Swift, for example, had accumulated an estate of over $13,000. Do you believe that a lunatic could have done this?

If these young women are insane now it is as a result of the mental strain caused by this illegal incarceration in an asylum and the ill treatment which they have received since they were so committed. The records of these cases are found on pages 211 and pages 334 and 335.

These bureaucrats do not stop at methods outlined so far but resort to even more underhanded and illegal acts. In their effort to get rid of certain persons in the various departments they resort to the use of plain-clothes men, commonly known as "stool pigeons," to spy day and night on people as they attend places of amusement, to follow them on the streets, in buildings, and even into their own apartment buildings.

There is still another method by which this ring of bureaucrats operate through their stool pigeons, in collusion with certain post-office officials. For example, I know of a certain organization which has written letters to many public officials and organizations, including Senators, governors of States, lieutenant governors, committee members, and secretaries of chambers of commerce, asking their support of this resolution and furnishing them with information concerning the hearings.

Repeatedly I am informed this gang of stool pigeons, employed by the unscrupulous bureaucratic ring, intercepted these letters, read them, and checked the information sent. They did not stop here, however. Letters of acknowledgment to this organization were intercepted and tampered with, as was shown by the condition in which the communications were received. Letters I am told which had undoubtedly been opened, read, and resealed included messages from the governors of two sovereign States.

Mr. President, think if it! In a free country, such as ours, where the right of petition, freedom of speech, and freedom of the press is the inalienable right of every citizen, from the highest to the lowliest, such conditions exist! If these bureaucratic agents will not stop at tampering with the United States mail, where can we expect them to stop?

After hearings were held before the special senatorial committee, from June 15 to June 20, 1928, and on February 18, 1929, the standing Civil Service Committee reported out a bill known as S. 5785, to establish a board of appeals for civil-service employees, which would consider cases of this nature. The report of the standing committee was not based upon any evidence given before them but was based upon the evidence predicated in this resolution and upon that before the special senatorial committee.

The special committee was directed to hold hearings and make a report to the Senate within 60 days. An extension of the life of the committee was granted upon the condition that the report would be made during the special session of Congress.

Mr. President, there were many Members of this body who favored and indorsed this resolution when it was introduced.

Those of us who favor, indorsed, and voted for this resolution are in favor of the following things:

First, the making of the necessary amendments to the laws to correct the abuses as shown by the testimony.

Second, the driving out of office these unscrupulous bureaucrats who have willfully violated the civil service laws and those who are responsible for this persecution of employees in the various executive departments.

Third, adjudication of the claims of the persons who were illegally removed from the service as shown by the testimony.

Therefore I ask that the Senate instruct this special senatorial committee to meet immediately and make a report of its findings to the Senate.

In case that is not done, I ask that this special senatorial committee be discharged and the chairman of the standing Civil Service Committee be directed to call his committee, in open executive session, together one day after this motion prevails and prepare necessary amendments to the laws, as outlined on page 238, and adjudicate the claims of the persons who were illegally removed and make a report to the Senate without delay.

### THE POLITICAL SITUATION IN ALABAMA

Mr. HEFLIN. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me on the political situation in Alabama.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD.

Senator HEFLIN said:

I found that the action of the "27" members of the Democratic State committee which is now known to be just what it was intended to be at the outset—an effort to permanently divide the Democratic Party in the State so that the original Smith supporters could use the "party machinery" which they now control in building up an Al Smith-Raskob machine that would enable them to obtain in Alabama an Al Smith delegation for President in 1932. That is being discussed and severely condemned by Democrats all over the State, regardless of how they voted in 1928.

You see, the O'Toole-Brown-Gunter-Pettus-Smith-Raskob ring which controlled the committee's action on December 16, 1929, is composed of the original supporters of Smith. They supported him for the nomination and tried to get a delegation for him from Alabama. In their blind zeal and stupid determination to carry out the instructions of their Tammany masters with regard to the primary for 1930, they misjudged the situation as it really exists among four-fifths of the Democrats of Alabama.

The greatest mistake that the O'Toole-Brown-Gunter-Pettus-Smith-Raskob ring has made since the inexcusable and indefensible blunder of the "27" members of the State committee on December 16, 1929, was when they counted as Smith followers and supporters the 85,000 Alabama Democrats who reluctantly cast their votes for Smith in 1928 after he had been nominated. The truth is they voted for him for no other reason than that of being "regular." Those same Democrats are now saying that they did not then approve and do not now approve the Smith-wet-Roman-Tammany program in the United States.

Smith was supposed to have received 127,000 votes in Alabama, and the count gave Hoover 120,000 votes. Now, when you consider that 65,000 Alabama Democrats opposed to Smith remained away from the polls and did not vote at all, and that 25,000 Democrats who voted the county, district, and State Democratic ticket but did not vote the presidential ticket, and that 26,000 Democratic votes cast for Hoover were not counted at all because managers in certain counties claimed that they were not properly marked, but which were afterwards found to be properly marked, you will get a very definite idea as to just what the situation is with regard to the O'Toole-Brown-Gunter-Pettus-Smith-Raskob ring in Alabama. That ring will control about 42,000 Democrats out of a Democratic voting strength of 290,000 Democrats. That ring in Alabama will be "fatter financially" and their Roman masters wiser politically when this campaign is over. They expect this to be a good "political crop year" and they are looking forward to the "harvest time" when they can "gather in the sheaves from the sidewalks of New York" and elsewhere.

The talk over the State is that they will certainly "feather their nests" in this campaign and be ready to retire "from business"—that the O'Toole-Brown-Gunter-Pettus-Smith-Raskob ring care nothing for home rule and self-government in Alabama, for white supremacy and building up the Democratic Party in the State. They have put local interests and home affairs in Alabama in the background and have put support of Al Smith for President above years of devotion and lifelong service to the Democratic Party in Alabama, and that is one of the reasons that four-fifths of the Democrats of the State condemn and repudiate the action of the Raskob-Tammany-controlled committee in Alabama. The State is literally ablaze with righteous indignation. This is the first time in the history of the Democratic Party in Alabama that a State committee has ever attempted to deprive the Democrats of the State of their right to select the Democrat of their choice to represent them in the United States Senate. It is the first time in the history of the State that a Democratic State committee ever undertook to deprive a Democratic Senator of his right to appear before and be heard by the Democrats who elected him. The Democrats of Alabama know that the action of the State committee is Tammanycratic and not Democratic. They know that alien influences and other "strange influences" directed the course of the "27" members of the State committee when they undertook to make Al Smith a political god in Alabama, to be acknowledged, served, and worshiped hereafter by all Protestant Democrats in the State before they can be candidates for any State or Federal office in the household of their Democratic fathers. More than 40,000 Democrats in Alabama, those who voted for Smith and those who voted for Hoover, coming from every section of the State, have, by resolution, in the last few weeks in public meetings where I have spoken, condemned the action of the State committee and called upon it to rescind said action and order a fair-for-all Democratic primary, just as Virginia, Kentucky, Tennessee, North Carolina, Mississippi, Georgia, and Florida have done.

Out of the forty-odd thousand Democrats who voted to condemn the State committee's action, less than 50 Democrats voted to sustain the committee. The action of the Georgia State Democratic committee by a vote of 63 to 4, in providing a fair-for-all Democratic primary where all Democrats can vote or run for office, had a very fine and wholesome influence on the Democratic situation in Alabama, and now since the Supreme Court of Texas has decided that all Democrats in Texas, in spite of the orders of the Raskob-Tammany machine, are entitled to vote and run for office in the Texas primary, the O'Toole-Brown-Gunter-Pettus-Smith-Raskob ring in Alabama will be repudiated by at least a hundred and fifty thousand majority.

The "27" members of the State committee have not only ignored the primary law in Alabama but have deliberately violated it in order to carry out the "orders" from Tammany to "politically assassinate me" and to penalize and punish every Democrat in Alabama that failed to vote for Alfred "the anointed." Judge Thomas, of the Supreme Court of Alabama, a very learned, able, and courageous judge, has declared the primary plan laid down by the Raskob-Tammany-controlled committee in Alabama to be unlawful, null, and void.

Unless the situation is changed in Alabama so that all Democrats in our State can go into the primary on equal terms just as they are going to do in all the other Southern States, a state-wide Democratic mass meeting will be held at Birmingham on July 4 at which time a definite plan and policy will be announced and candidates named by the Jeffersonian Democrats of Alabama—and in that body of Democrats will be those who voted for Smith and those who voted for Hoover, uniting their forces for the purpose of rescuing the party and preserving in their integrity the great principles of Jefferson.

JUDGE JOHN J. PARKER

Mr. BLEASE. Mr. President, I ask unanimous consent to have printed in the RECORD several editorials and articles relating to the nomination of Judge John J. Parker.

The VICE PRESIDENT. Is there objection?

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[From the Anderson (S. C.) Independent, Friday, May 16, 1930]

WILL BOTHER THEM

As an aftermath of the rejection of the appointment of Judge Parker to be a Justice of the United States Supreme Court, Senator BLEASE stated in the Senate that on the afternoon of the rejection he was riding on a street car in Washington and heard one negro say to another, "Well, we gave the South hell to-day."

BLEASE said he could not resent the remark, as it was true. It was not the negroes who gave the South hell, but southerners sitting in the Senate as representatives of constituencies which believe in white supremacy. Without their adverse votes the nomination of Parker would not have been rejected.

And the pity of it is that they gave those adverse votes with apparently no higher motives than the cheap John idea of embarrassing a Republican President and standing in with a bunch of western radicals who can not be trusted and who had already double-crossed them in voting on the tariff bill.

Their votes for the rejection of Parker are going to be like Banquo's ghost, in that they will not down. They will return to plague those Senators, their States, and their party, if not the country as a whole.

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[From the Greenville County Observer, May 16, 1930]

WILL BOB UP AGAIN

The worst aspect of the defeat of Judge Parker's appointment as a Justice of the United States Supreme Court is that it was obtained by the votes of Democratic Senators. A majority of the Republican Senators stood by the President's appointee.

Most of the Republican Senators who voted against Parker were western radicals or Senators from States in which the negro vote is the balance of power.

The lack of balance of those western radicals is notorious, and nobody expects them to keep from going off on tangents.

The cowardice of Republican Senators from States in which the negro vote is the balance of power is understandable, thought not excusable.

But the purblind folly of the Democratic Senators who voted against Parker to embarrass a Republican President is beyond expression. They won a victory which is not to their credit and which will weaken their party in the confidence of those substantial elements of the country's voters without whose support a party has no chance of success.

The two ablest Democratic Senators—GLASS, of Virginia, and SIMMONS, of North Carolina—voted for confirmation, and so did their colleagues from their States. Both South Carolina Senators—SMITH and BLEASE—joined them. They properly represented their State in this action, many of the ablest South Carolina lawyers and jurists having expressed approval of the Parker appointment.

Hoover tried to recognize the South by the appointment of Parker. It is true that Parker is a Republican, but he had the enthusastic support of both Democratic Senators from North Carolina, his native State. As man, as lawyer, and as judge, he has the respect of the people of North Carolina, regardless of whether they be Democrats or Republicans.

But, when such an appointee is defeated by such unnatural combination as the alliance of a Democratic majority in the Senate with the radical Members of that body, there was nothing left for Hoover to do but what he did—give up the attempt to recognize Southern ability and turn to the North for an appointee for the vacancy on the Supreme Court Bench.

That defeat of Parker by Democratic votes is going to be a plague spot on the record of the Democratic Party and is going to bob up again and again to its serious embarrassment.

What makes it all the worse is that JOE ROBINSON, Democratic leader in the Senate and Al Smith's running mate in the debacle of 1928, was one of those who voted against Parker. What else would you expect of a prohibitionist who would run on a ticket with such a wringing wet as Al Smith? But with such a leader the Democratic representation in the Senate is not apt to take any course which will strengthen the party.

MAY BE A BOOMERANG

One of the charges made to defeat confirmation of the appointment of Judge Parker as a member of the United States Supreme Court was that it had a political motive. That charge is probably true. It is doubtful if any President, except Taft, ever made an appointment, except as a reward of a real close friend, without considering what would be its probable political effect. It would be most unnatural if he did not think about the political phases of an appointment. In selecting a judge, of course, the prime consideration is that a man shall both in character and legal ability and learning be qualified for the place. It would be wrong to appoint a man who was not. But, prospective appointees having met those requirements, it is no sin to select then the one whose appointment will most strengthen the party of the appointing power.

Is there the least doubt that Cleveland and Wilson, the only Democratic Presidents since the first national victory of the Republican Party, fully considered the political effect of their appointments, even to the bench? Taft was unique in his appointment of a Democrat, Catholic, Confederate, and southerner as Chief Justice of the Supreme Court when he himself was a Protestant, a northerner, and a Republican. There has been no other Taft in the Presidency.

Now, what effect was Hoover trying to have on politics by choice of Parker? North Carolina voted for Hoover. North Carolina is normally a Democratic State, but it has a large and respectable Republican Party. Parker is a leader in that party. As its candidate for governor he made a remarkable race, especially considering the fact that he asked the North Carolina negroes to keep out of politics. Parker has the respect of both parties in Tarheelia.

Probably Hoover realized that by the appointment of so capable and popular a man as Parker he would strengthen his party in North Carolina. Any President would have considered such an angle of the appointment.

But if to prevent the strengthening of the Republican Party in North Carolina the majority of the Democratic Senators voted against confirmation, they may yet realize that their votes will have an effect exactly contrary to that which they intended. Their adverse votes are not likely to strengthen their party in North Carolina nor to attract to it men who appreciate and admire Judge Parker.

What makes the votes of those Democratic Senators also unlikely to have the effect they intended is that Parker was fought by professional negroes because his views on the race question, though he is a Republican, are in accord with the majority sentiment of the South. Of course, those Democratic Senators will truthfully say that they did not vote against Parker because the professional negroes did not want him confirmed, but the effect of their action will be to strengthen the hands of the professional negroes and increase the cowardice of Democrats as well as Republicans who aspire to political honors in States where the negroes have an important voting strength.

Senator BLEASE reported to the Senate that on the afternoon of the rejection of Parker's appointment he heard one negro say to another on a street car in Washington: "Well, we gave the South hell to-day." They did not. The dose was administered by the votes of Democratic Senators, many of them from Southern States in which the race question is an ever-present volcano, which is only slumbering at present.

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[From the Dorchester County Record, May 15, 1930]

GAVE SOUTH HELL

Both South Carolina Senators voted for confirmation of the nomination of Judge Parker, of Charlotte, to be a Justice of the Supreme Court of the United States. In this action Messrs. SMITH and BLEASE were right and correctly reflected the sentiment of the State they represent. The Democratic Senators from Virginia and North Carolina also voted for confirmation, and Senators GLASS, of Virginia, and SIMMONS, of North Carolina, are two of the foremost Democrats in the United States.

Parker, a native Tarheel, was appointed to fill a vacancy caused by the death of a Tennesseean, who was a Supreme Court Justice. President Hoover will give the South no more consideration in selecting a man to fill this persisting vacancy. Why should he? Parker would have been confirmed had not a majority of the Democratic Senators, led by Senator ROBINSON of Arkansas, who was Al Smith's running mate in the national election of 1928, voted with a bunch of western radicals and some Senators scared of the labor and negro votes in their States.

There can be no question of Parker's fitness as lawyer and judge for the post. He was defeated on political grounds, which is not to the credit of those who scored that victory. The Democrats who voted against Parker may glory in the fact that they embarrassed a Republican President, but it is going to make trouble for them and their States that they voted against a man fought by professional negroes because he thought it best, when a candidate for Governor of North Carolina on a Republican ticket, for them to keep out of politics. He did not deny their right to vote, but asked them to refrain from exercising it. But he was voted against by Democratic Senators who would go any length to keep negro voters from getting control of their States,

regardless of the number of their votes. That defeat of Parker is going to plague them in the future.

Senator BLEASE stated in the Senate, after the defeat of Parker, that he heard two negroes on a street car in Washington, where negroes are more "biggity" than anywhere else in this country, say: "Well, we gave the South hell to-day." BLEASE said he could not resent the remark as it was true. But, properly analyzed, it was not the negroes, but southern Senators, who gave the South hell. Without their adverse votes Parker could not have been defeated.

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[From the Washington Post, Sunday, May 18, 1930]

PARKER REJECTION SHOWS AWAKENING OF NEGRO INTEREST—BATTLE AGAINST NOMINEE IS WAGED SUCCESSFULLY BY NEW LEADER—ANALYSIS OF VOTES REVEALS INFLUENCE—POLITICAL CONSCIOUSNESS TO BE FACTOR IN CAMPAIGNS, OBSERVER AVERS

By A. H. Ulm

Negro political consciousness, until the last year or two rather vague, has been much stirred by the Senate's rejection of Judge John J. Parker for a place on the Supreme Court. The potentialities of the Negro vote in northern States have been much enlarged by attributes of the recent struggle over the justiceship. At the same time the case may stimulate a revival in parts of the South of the race question as an acute political issue.

One of the most significant aspects of the struggle is the prestige boost given the National Association for the Advancement of Colored People by the result of the fight that organization helped wage against Parker. This probably establishes for that organization a place, in the Negro world, comparable to that long exercised by the Anti-Saloon League in the organized prohibitionists' sphere.

Almost as significant is the managerial prestige given Walter White, the brilliant young negro (who, in fact, is more than four-fifths white) who directed, almost single-handed, the negroes' part of the fight on Judge Parker. No user of pressure tactics in politics ever demonstrated finer generalship than that displayed by Mr. White in opposing the Parker nomination.

SCARCELY NOTICED IN 1916

Barring local instances to the contrary, the negroes, as a peculiar factor in American politics, fell to a low post Civil War point during the period of, say, 1912 to 1924. In the presidential campaign of 1916 they were scarcely noticed. Even the Republican Party managers virtually passed them by. They did not get more than nominal attention in either 1926 or 1924, though by the latter year the augmented negro populations of several Northern States were beginning to count for a good deal in various local political spheres.

The negroes were not particularly cozened as such even in 1928, when the political mindedness of the race was much stimulated by the election of Oscar De Priest, a negro, as a Member of Congress from Illinois. Mr. De Priest is the first negro to sit in Congress since early in the century and the first at all to be there from a northern district.

The election of Mr. De Priest, being due to a local condition, did not stir the negroes as a whole in anything like the extent that the result of the defeat of Judge Parker has done. There are in the effluvia of that result impressive evidences of a "comeback" by the negroes, as a minority voting power, on a scale that may cause them to be reckoned with more seriously than at any time since southern reconstruction days. For negro voters now easily can decide contests between the big parties in a half dozen or more large Northern States. All they need are political mindedness, cohesion, and management. And in the result of the fight over Judge Parker there are makings for all those requirements.

FOLLOWING UP VICTORY

Negro leader and negro press evince a determination to follow up to the full what they rate as an auspicious victory for them in a national contest of major grade, the first of that kind won by them in many years.

They are not offensively boastful about it. They admit that considerations other than their objection to Parker because of his lily-white attitude when running for Governor of North Carolina had much to do with the Senate's action. But they assert, with much corroborative evidence, that the campaign they made turned the Senate scales against President Hoover's first offering as a successor to the late Justice Sanford. And the result shows, they say, that negro voting power now may be marshaled and maneuvered effectively on the national stage in behalf of their race.

The National Association for the Advancement of Colored People is a close organization after the pattern somewhat of the Anti-Saloon League. In its membership and among its officers are prominent white as well as outstanding colored men and women. Control of its operations is concentrated in a small board, on which are whites like Clarence Darrow, William English Walling, Senator Arthur Capper, Charles Edward Russell, Herbert H. Lehman, Lieutenant Governor of New York, and Florence Kelly, together with leading negroes.

There are branches, in the form of local auxiliary committees, in most northern and in some southern cities. Permanent headquarters are in New York, and continuous operations are carried on by a paid staff of skilled workers. Its work is nonpartisan and in much part nonpolitical, consisting in the main of combating what are construed as discriminations against negroes as such. One of its current fights relates to the "segregating" of negro from white gold-star mothers on the excursion to France provided by Congress.

INTELLECTUALS IN CONTROL

Those dominating the organization are, both the whites and blacks, of the "intellectual" genre. The late Morfield Storey was for long its president. May White Ovington, chairman of the board of directors, is author of several books. Dr. W. E. B. DuBois, editor of the Crisis, the monthly magazine of the organization, has long been rated high as a writer of English prose and as a scholar. James Welden Johnson, the secretary, now on leave to make special studies in Japan as a beneficiary of the Rosenwald fund, is a poet and fiction writer of note. Walter White, the acting secretary, is the author of several published volumes and of numerous articles in "quality" magazines.

Mr. White is accreditable in perhaps greater degree than any other one person for the Senate's rejection of Judge Parker. He is a young man of fairer complexion than that of many whites. Unlike Mr. Johnson and Doctor DuBois, who grew up in the North, White was born, reared, and educated mostly in the South. He knows the southern phase of the race question more fully than does any other member of the National Association for the Advancement of Colored People group. He is not a radical like Mr. Johnson or an extremist on the race question like Doctor DuBois. He knows white people as well as he knows negroes. As an investigator he has often moved about as a white man without his relation to colored folk being suspected, even in the South. He spent 1928 in France by virtue of a literary scholarship awarded him from the Guggenheim fund.

Mr. White is singular among negro leaders concentrating on the race question in that he can apply his native sense of humor to the American "conflict" between whites and blacks. He has written amusingly of many of the reactions of both groups to that conflict.

UTILIZED PARKER CONFLICT

It was Mr. White who saw and utilized the opportunity in the Parker nomination of putting the National Association for the Advancement of Colored People upon the map as a protagonist for negro rights. The association had not been accepted fully by the common run of negroes in either the North or the South. It was too "whiteish," too "high brow," and too unemotional for the ordinary negro, who would rather enjoy than to succeed with his agitations.

In the fight on Judge Parker Mr. White introduced the element of emotion into National Association for the Advancement of Colored People operations. He appeared before the Overman subcommittee and made a statement of negro objection to Parker. He arranged through two newspaper correspondent friends of his a direct line of communications. He then took the country where he beat the bushes of negro feeling with all the gusto of an Anti-Saloon League expert on the job of arousing organized prohibitionists. But all the time he kept by telegram and telephone in touch with all the details of the situation, gave commands and made major decisions. Following are some extracts from a detailed official report of the campaign he conducted:

"On Sunday, April 27, the acting secretary addressed a meeting of the Chicago branch, from which meeting 262 telegrams were sent to Senators DENEEN and GLENN (both of whom, good and regular Republicans, were recorded against the confirmation of Judge Parker), 40 of these telegrams were from organizations, one being that of the Colored Republican Women of Illinois, with a membership of 84,000."

TELEGRAMS TO SENATORS

"The acting secretary was in Detroit on Monday and Tuesday * * * speaking at a large meeting. From this meeting 95 telegrams were sent to Senators COUZENS and VANDENBERG (both of whom voted against Parker)."

When it was denied that Judge Parker had spoken as Mr. White alleged about unfitness of negroes for the franchise, Mr. White, far away, put his fingers on a few wires and next morning there were in the hands of several Senators photostat copies of the Greensboro (N. C.) News' report of the Parker speech. And so on.

Now, it appears Judge Parker himself tried to arrange a treaty of peace with White's group. For the following is in the official report:

"On April 19 Mr. Taylor (Robert Gray Taylor, of the Society of Friends' Committee on Race Relations, which was working with Mr. White) telephoned the national office from Judge Parker's office, saying that he had helped draft a letter to be signed by Judge Parker. * * * In this letter Judge Parker sought to set himself right on the negro question. Upon Mr. Taylor's reading the letter to the acting secretary over the telephone the acting secretary pointed out that the letter was not wholly satisfactory in that there was no direct repudiation of lilywhiteism. * * *."

CONFERENCE IN WASHINGTON

There was a conference about it in Washington. All except Mr. White and one other wanted to accept the letter and drop the fight.

Mr. White "pointed out that Judge Parker's letter, though on the surface very favorable, did not answer any one of the objections raised to his confirmation," and on Mr. White's insistence the peace conference ended and the fight went on.

Mr. White obviously dominated the situation with respect to the attack on the score of Judge Parker's attitude toward the negroes. And he made free and skillful use of white folks' political strategies. In winning the fight he probably became the American negro who hereafter must be reckoned with most by politicians operating in the national sphere. For with negroes, as with whites, nothing else counts like success and nothing is more respected than good generalship.

So Mr. White and his organization are apt to have a good deal to do with the functioning of the negro vote for the negroes in northern States. Outstanding among the States where this vote may count for much are New York, New Jersey, Ohio, Illinois, Indiana, and Michigan. Seven Senators from those States were recorded against the confirmation of Judge Parker. Two of these are Democrats and five of them are Republicans, four of the latter being firm regulars. Five Senators from the foregoing States voted for confirmation. Only one of these may be up for reelection this year.

Yet it is difficult to trace positively the effect of White's skillfully conducted campaign against Judge Parker. This is illustrated by analyses of votes cast by Senators from Southern States where the incentive produced by the White attack was opposite that attributable to it in the northern States mentioned.

There are nine southern States wherein "white supremacy" is always a potential political slogan of great potency. In those States disfranchisement laws and white primary systems prevail; negroes can not hit back at the ballot box. The States are Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Texas, and Arkansas. Ten Senators from those States were recorded for and eight against the confirmation of Parker. The two southern Senators most identified in the past with the race question as a political issue are HEFLIN, of Alabama, and BLEASE, of South Carolina. Both are up for reelection this year. HEFLIN voted against while BLEASE voted for confirmation. The latter later put into the CONGRESSIONAL RECORD an editorial from the Columbia (S. C.) Record saying, anent the N. A. A. C. fight on Parker:

"This will not have a healthy effect in the South. It will not tend to decrease race animosities. These have been softening. There will now be another taking of stock and possibly readjustments. It is too early to say what the effects will be. The action of the Senate will not be helpful."

ISSUE NOT OFTEN RAISED

Not within the last 10 to 15 years has a man been elected United States Senator from the South because of his raising, in seeking the office, the race issue in the manner of the Jeff Davises and Vardamans of 20 years ago. Few men have run for the House, or for governor or other important offices, on that issue in the South during recent years as many used to do regularly.

This subsiding of the race question as a political issue in the South paralleled somewhat a marked relegation, at least in national campaigns, of the cultivating of the negro vote in Northern States. The economic situation probably had something to do with the subsiding of the question in the South. Enormous migration northward of negroes, on whom the South depends for most of its common-labor supply, had much effect on political aspects of the race question south of the Mason and Dixon line. Dominance of national issues growing out of the World War probably accounts in most part for the fact that northern political managers did not go much out of the way to cultivate negro voters during the last four presidential campaigns.

Now, there may be changes both in the South and North; for the negroes have demonstrated through their new political strategist, Walter White, that it may not be safe for politicians to ignore the most singular of all the many singular large minority voting groups in this big country of diverse make-up.

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[From the Greer Tribune and the Industrial News]

SOUTHERNERS NOT FIT FOR THE SUPREME BENCH?

We didn't think the day would ever come when a southern Democratic Senator would be influenced by an organized lobby headed by a negro Congressman (DE PRIEST) but it verily seemeth that we do have such so-called southerners in the Senate who have been influenced by the inflammatory negro and socialist element. They have permitted the most sordid and unfair attack upon the South and have not truly represented the great majority of thoughtful and patriotic citizens in permitting these attacks which occurred in the argument against Judge Parker's confirmation as United States Supreme Court judge.

Should any of these same Senators tell you that the Republican Party is responsible and ever again throw up to you anything about the Republican Party failing to pay merited recognition to the South, please refer them to their own disgraceful episode in voting against Judge Parker, a southerner, because of the opposition of the negroes.

Somebody should appoint a commission to "investigate" our so-called southern Senators. As ex-Senator Pepper, of Pennsylvania, said in pointing out to the American Law Institute last week the uselessness of looking to the Senate as an agency for legal reform, anyone who had ever expressed an intelligent opinion on any subject or who had been indiscreet enough to talk in their sleep would be forever excluded from confirmation.

The Newberry Observer asks the question, "is any southerner fit?" and makes its own answer in saying:

"The rejection of Judge Parker for the Supreme Court Bench is far more than a mere ripple in the ugly stream of politics. The rejection of a member of the dominant political party of unblemished character and high ability and learning by the Senate largely because of his having said that it would be better for the negro himself, as well as for the public in general, for the negro to stay out of politics in the South is an insult to southern opinion. It amounts to saying that no representative southern white man, however high his ability and noble his character, is fit to sit in the Supreme Court of the United States. We are unable to understand how southern Democratic Senators gave their votes to stamp this insult on themselves and their section. We congratulate both South Carolina Senators that they favored the confirmation of Judge Parker, although with some of his views it was impossible for them to sympathize. Only one vote changed would have secured his confirmation. The Charlotte Observer hardly puts it too strongly in saying that it is the Nation's shame that that one vote could not be found in the whole Senate."

ADJOURNMENT

Mr. McNARY. I move that the Senate adjourn until to-morrow at 12 o'clock.

The motion was agreed to; and the Senate (at 4 o'clock and 55 minutes p. m.) adjourned until to-morrow, Tuesday, May 20, 1930, at 12 o'clock meridian.

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## NOMINATIONS

*Executive nominations received by the Senate May 19, 1930*

PROMOTIONS IN THE NAVY

Lieut. Commander Charles J. Moore to be a commander in the Navy from the 10th day of May, 1930.

Lieut. Commander Thomas Moran to be a commander in the Navy from the 11th day of May, 1930.

Lieut. (Junior Grade) Frederick J. Eckhoff to be a lieutenant in the Navy from the 16th day of January, 1930.

Lieut. (Junior Grade) Herbert E. Berger to be a lieutenant in the Navy from the 5th day of March, 1930.

Lieut. (Junior Grade) James G. Sampson to be a lieutenant in the Navy from the 11th day of March, 1930.

Ensign Harper D. Scrymgeour to be a lieutenant (junior grade) in the Navy from the 3d day of June, 1929.

Medical Director Ammen Farenholt to be a medical director in the Navy, with the rank of rear admiral, from the 7th day of December, 1926.

Passed Asst. Paymaster Leslie R. Corbin to be a paymaster in the Navy, with the rank of lieutenant commander, from the 7th day of January, 1930.

Lieut. (Junior Grade) Joseph L. Bird to be an assistant naval constructor in the Navy, with the rank of lieutenant (junior grade), from the 2d day of June, 1929.

Ensign John B. Smyth to be an assistant naval constructor in the Navy, with the rank of ensign, from the 2d day of June, 1927.

Electrician Walter J. Chambers to be a chief electrician in the Navy, to rank with but after ensign, from the 13th day of October, 1929.

Carpenter Gerald C. Oaks to be a chief carpenter in the Navy, to rank with but after ensign, from the 22d day of April, 1929.

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## HOUSE OF REPRESENTATIVES

MONDAY, *May 19, 1930*

The House met at 12 o'clock noon.

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

Our merciful Father, Thou art the light of the world! Come with us, for we need Thee. Give power and sensibility to that which is dull and dark in us. Ever lead us toward the completeness of the more abundant life. May our faith discern the invisible, and bless us with the sense of recovery from all failures. Give peace when trouble scowls and rest in the midst of tumult. Rebuke us if our range of charity, tolerance, and unselfishness is narrowed. At the close of the day send us forth

to our homes to bless and cheer them with joy and gladness, and to all may life be worth living and its ends worth striving for. Amen.

The Journal of the proceedings of Friday, May 16, 1930, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 5411. An act to provide for the appointment of an additional district judge for the district of Minnesota; and

H. R. 10579. An act to provide for the erection of a marker or tablet to the memory of Col. Benjamin Hawkins at Roberta, Ga., or some other place in Crawford County, Ga.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 6807. An act establishing two institutions for the confinement of United States prisoners; and

H. R. 10340. An act granting the consent of Congress to the State Highway Commission of Arkansas to construct, maintain, and operate a toll bridge across the White River at or near Calico Rock, Ark.

The message also announced that the Senate had passed a bill of the following titles, in which the concurrence of the House is requested:

S. 2370. An act to fix the salaries of officers and members of the Metropolitan police force and fire department of the District of Columbia.

DEMURRAGE CHARGES ON UNDELIVERED MAIL PACKAGES

Mr. SANDERS of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1234) to authorize the Postmaster General to impose demurrage charges on undelivered collect-on-delivery parcels, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table the bill H. R. 1234, with a Senate amendment thereto, and concur in the Senate amendment. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 10, strike out the figures "10" and insert the figure "5."

The SPEAKER. Is there objection?

Mr. GARNER. Mr. Speaker, is this such an emergency as warrants its being taken up on consent day? I do not know a think about this, I do not know what it is. I would like to have the gentleman make some explanation of it.

The SPEAKER. It is a House bill with a Senate amendment, and it is customary for Members to call such bills up in this way.

Mr. GARNER. But some time when you change the figures "10" to the figure "5" it makes a great deal of difference in the law.

The SPEAKER. The Chair knows nothing about that, of course.

Mr. SANDERS of New York. Mr. Speaker, this bill provides for a charge on undelivered collect-on-delivery mail parcels. The original House bill provided for not exceeding 10 cents per day. The Senate amendment provides for not exceeding 5 cents per day. This simply reduces the amount that was in the bill as it passed the House.

Mr. GARNER. Did this bill pass the House by unanimous consent?

Mr. SANDERS of New York. It did.

Mr. STAFFORD. This reduces the fee from 10 cents to 5 cents a day for demurrage.

Mr. COLLINS. The bill went through the House with an amendment, as I understand it.

Mr. SANDERS of New York. No; there was no amendment in the House.

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

Mr. SANDERS of New York. Yes.

Mr. PALMER. Does this increase the postage charges?

Mr. SANDERS of New York. It simply provides that charges may be made for demurrage on undelivered packages.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

TRANSFER OF PROHIBITION BUREAU

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent to call up from the Speaker's table, for present consideration, the bill (H. R. 8574) to transfer to the Attorney General certain functions in the administration of the national prohibition act, to create a bureau of prohibition in the Department of Justice, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments. This is the bill providing for the prohibition transfer from the Treasury Department to the Department of Justice.

The SPEAKER. The gentleman from South Dakota asks unanimous consent to take from the Speaker's table the bill H. R. 8574, with Senate amendments thereto, and concur in the Senate amendments. The Clerk will report the bill and the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 20, insert:

SEC. 3. (a) The Secretary of the Treasury and the Attorney General by joint regulation shall, as soon as may be after the passage and approval of this act, create an enforcement division in the Bureau of Prohibition in the Treasury Department and place in and apportion to such enforcement division so much of the personnel, appropriations, records, files, and property of said bureau as they shall agree upon.

Page 2, line 21, strike out "Sec. 3. (a)" and insert "(b)."

Page 3, line 6, strike out "(b)" and insert "(c)."

Page 3, line 13, strike out "(c)" and insert "(d)."

Page 3, line 22, strike out "thereof" and insert "of such act and laws."

Page 3, line 24, strike out "act" and insert: "act, and offenders against the internal revenue laws if a violation of such act is involved."

Page 4, line 18, after "therewith," insert "and the power to make seizures and arrests for violations discovered in the course of such investigations."

Page 5, line 3, after "act," insert "and offenders against the internal revenue laws if a violation of such act is involved."

Page 7, after line 20, insert:

"SEC. 9. Section 2 of the act entitled 'An act relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes,' approved March 3, 1925, is amended to read as follows:

"'SEC. 2. Any vessel or vehicle forfeited to the United States by a decree of any court for violation of the customs laws or the national prohibition act may, in lieu of the sale thereof under existing law, be ordered by the court, upon application of the head of the department by which the seizure is made, to be delivered to the Department of Justice for use in the enforcement of the national prohibition act, or to the Treasury Department for use in the enforcement of such act or the customs laws.'"

Page 7, line 21, strike out "9" and insert "10."

Page 8, line 1, strike out "10" and insert "11."

Page 8, lines 1 and 2, strike out "first day of the second month after its approval" and insert "1st day of July, 1930."

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

Mr. GARNER. Mr. Speaker, reserving the right to object, so that the RECORD may show it, is the gentleman from South Carolina [Mr. GASQUE] in favor of the request? He would be a conferee upon the part of the minority.

Mr. WILLIAMSON. Mr. Speaker, I talked with the gentleman from South Carolina [Mr. GASQUE] this morning, and the amendments of the Senate are satisfactory to him. He told me that I could call it up at any time so far as he was concerned.

Mr. GARNER. Then, if the bill were sent to conference, the House conferees would agree to the Senate amendments, and, therefore, there is no use of sending it to conference, if they are going to acquiesce in the Senate action.

Mr. WILLIAMSON. So far as I know, that would be the situation.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. COCHRAN of Missouri. Referring to the new section which has been added, has the Treasury Department the power now to use vessels that are seized under the prohibition law?

Mr. WILLIAMSON. I think not. I think they are obliged to dispose of them, to sell seized vessels.

Mr. COCHRAN of Missouri. This section gives them an opportunity to create a great big enforcement navy, if they so desire? No limitations as to number.

Mr. WILLIAMSON. This will give them the option of either selling them at public auction or using them in their operations.

Mr. COCHRAN of Missouri. Under existing law they have no power to use them, but they must sell the vessels.

Mr. WILLIAMSON. I think that is correct.

Mr. COCHRAN of Missouri. I am in favor of the transfer, but opposed to giving the Attorney General the right to prescribe regulations in connection with the permit section. I have always been opposed to that section. I opposed it in commit-

tee and when the bill was before the House. I regret very much the Senate did not see the wisdom of amending that section. The physicians, druggists, hospitals, and legitimate users of alcohol, grain and industrial, will, in my opinion, have obstacles placed in their path when they try to secure the alcohol to which they are entitled.

The amendments of the Senate are rather perfecting amendments, other than the new section to which I referred, as I understand them.

Mr. LAGUARDIA. Mr. Speaker, there is one amendment to which I wish to call attention, in regard to searches and seizures.

Mr. WILLIAMSON. That is subdivision (b) of section 4.

Mr. LAGUARDIA. I take it that this right to make searches and seizures is naturally based on existing law requiring a warrant in order to permit such search or seizure.

Mr. WILLIAMSON. The effect of this law is to preserve the existing law. As the bill passed the House, it might take from the Secretary of the Treasury the right to make seizures and arrests under this paragraph. We are leaving that power in the department where it is, as well as extending the power to the Department of Justice.

Mr. LAGUARDIA. Can I have the assurance from the chairman of the committee that nothing in the bill changes existing law, and it is not the intent of Congress in passing this bill to give added powers in the matter of searches and seizures, and it requires a search warrant to make the search?

Mr. WILLIAMSON. That is my understanding of the language of the bill.

Mr. LAGUARDIA. With that, I have no objection.

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

Mr. WILLIAMSON. Yes.

Mr. BRIGGS. May I inquire if the employees in the legal division of the Prohibition Bureau lose their civil-service status when they go to the Department of Justice?

Mr. WILLIAMSON. They will not retain their civil-service status if they go into the Department of Justice.

Mr. BRIGGS. An effort is being made to retain those in the Bureau of Industrial Alcohol and in the Treasury Department. Is that correct?

Mr. WILLIAMSON. That is my understanding.

Mr. BRIGGS. Their status will not be disturbed?

Mr. WILLIAMSON. That is my understanding. In other words, as to all attorneys who desire to preserve their civil-service status, an effort will be made to either use them in the Treasury or to transfer them to some department where their civil-service status can be retained.

Mr. BRIGGS. I understand the committee and the Department of Justice have had some consultation about this matter, and that is the conclusion reached by them?

Mr. WILLIAMSON. I have personally had some consultations with the departments on the subject. I can not speak for the balance of the committee. It was, of course, discussed at the hearings.

Mr. O'CONNELL. Mr. Speaker, will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. O'CONNELL. Does this transfer involve additional expense—and how much?

Mr. WILLIAMSON. There will not be any additional expense in the operation of the law in the Department of Justice or any additional expense in the Treasury, so far as the terms of this bill are concerned. This simply makes the transfer.

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

Mr. WILLIAMSON. I yield.

Mr. McKEOWN. Do I understand that this new section 3 (a), on page 2, creates a bureau of enforcement in the Treasury Department?

Mr. WILLIAMSON. The purpose of that amendment is to definitely segregate the enforcement division of the Bureau of Prohibition in the Treasury Department, so that when the transfer is made they can take over the personnel in a body. It is a temporary arrangement to facilitate the transfer of personnel and equipment.

Mr. McKEOWN. The purpose is to take the enforcement division of the Bureau of Prohibition in the Treasury Department and place such enforcement division in the Department of Justice?

Mr. WILLIAMSON. I can say that the only purpose of that amendment is to enable the Treasury and Department of Justice to segregate the employees who are to be transferred. It is a temporary set-up for the purpose of transfer only.

Mr. McKEOWN. Not for permanent use?

Mr. WILLIAMSON. No; for transfer only.

Mr. McKEOWN. Will the gentleman explain the amendment to section 5 on page 8? Is it the purpose to use these vessels and vehicles seized?

Mr. WILLIAMSON. Under the existing law the Government now utilizes seized vehicles of all kinds, instead of placing them on sale at public auction. But it can not do that with respect to vessels. This provides that the department making the seizure may use the vessels, should this seem advisable in place of disposing of them.

Mr. McKEOWN. This includes a violation of the custom laws as well as of prohibition laws?

Mr. WILLIAMSON. It includes a violation of the custom laws so far as it relates to intoxicating liquor.

Mr. McKEOWN. Then there is nothing here that takes away the right of innocent parties to come in and claim this property—the right of parties whose vehicles have been seized?

Mr. WILLIAMSON. I do not think that part of the law is changed.

Mr. McKEOWN. You do not try to take away a vehicle from the owner, an innocent man, who has a lien or loan or retained lien, and take it and use it, and deprive him of the chance to get his property?

Mr. WILLIAMSON. I do not think there is any change in the law from what it is at the present time.

Mr. McKEOWN. Is the gentleman sure about that?

Mr. WILLIAMSON. I can not be absolutely certain.

Mr. McKEOWN. I know, but there is no intention to do that?

Mr. WILLIAMSON. I do not think there is.

Mr. SCHAFER of Wisconsin. Reserving the right to object, Mr. Speaker, is my understanding correct that the Senate amendment changes in no way the language of the bill incorporated in the amendment that I offered in committee, which was adopted, and which amendment requires that the Attorney General discharge all prohibition agents who he finds have heretofore violated or shall hereafter violate any penal provision of the prohibition law?

Mr. WILLIAMSON. I will say to the gentleman that the Senate Judiciary Committee struck that provision out, but it was restored. It is in the bill now just as it left the House.

Mr. SCHAFER of Wisconsin. That is the best provision in the bill, and I shall not object to the gentleman's request.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10813) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1931, and for other purposes, with Senate amendments, disagree to the Senate amendments, ask for a conference, and ask that conferees be appointed.

The SPEAKER. The gentleman from Nebraska [Mr. SIMMONS] asks unanimous consent to take from the Speaker's table the bill H. R. 10813, with Senate amendments, disagree to the Senate amendments, and ask for a conference and the appointment of conferees.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. SIMMONS]?

Mr. GARNER. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Nebraska [Mr. SIMMONS] if this is entirely agreeable to the minority Members. I am under the impression that it is agreeable to the gentlemen who will probably be the minority conferees, but I would like to have the RECORD show that.

Mr. SIMMONS. I will say to the gentleman from Texas [Mr. GARNER] I have been unable to get in touch with the gentleman from Missouri [Mr. CANNON], the ranking Member on the minority side, but I feel certain that this request is satisfactory to the minority Members.

Mr. GARNER. Mr. Speaker, further reserving the right to object, I would like to ask the gentleman from Nebraska [Mr. SIMMONS] the disposition of the conferees with reference to the amendment placed on by the Senate, increasing the obligation of the Government to support the District of Columbia in excess of $9,000,000. While I am on my feet, in that connection may I state that from conversations with the membership on the minority side of the House, it is my opinion that 75 per cent of the membership on the minority side is opposed to accepting the Senate's amendment. I am conservative in that statement. I think it is nearer 90 per cent of the membership on the minority side. I would not be disposed to permit this bill to go to conference if the conferees did not express some hope or give some

assurance that they would not agree to the Senate amendment until the House has had an opportunity to express itself.

Mr. SIMMONS. The gentleman from Texas [Mr. GARNER], I think, understands my views, which, I think, are shared by the members of the subcommittee who will probably be named as conferees. There is no disposition on our part to yield to the Senate on that proposition.

If the gentleman will permit under his reservation, I would like to make a short statement to the House on the effect of the Senate bill.

The Senate has accepted the proviso placed in the bill by the House that taxes shall not be reduced in the District of Columbia during the next fiscal year, so that the proposal of the Senate to increase the Federal contribution from $9,000,000 to $12,000,000 will not reduce the taxpayers' bill next year. That is out of the question. The bill as it passed the House carried an appropriation of $45,333,000. The Senate reduced that to $44,420,000. The net appropriations out of general revenues, taking into consideration the reductions on account of water revenues and gas tax revenue, will be $41,663,000, as provided in the House bill, and $40,667,000, as amended by the Senate.

The District carries over into the fiscal year of 1931 out of the so-called surplus $4,179,000. The United States has contributed to the creation of that surplus. So that there will be net revenue, estimated, to take care of this bill in 1931, $43,927,000, which includes the above surplus and excludes the $3,000,000 cash reserve. The surplus then, under the House bill, remaining in the Treasury at the end of the fiscal year 1931 would amount to $2,263,000. The surplus, under the Senate amendments and without increase of the $3,000,000 which they propose to put in, would amount to $3,259,000.

However, there are certain appropriations and deductions which must be cared for, such as refunds, condemnation awards, pensions, and matters of that kind. So that if the House bill should finally become law there would be a net surplus in the District Treasury at the end of the fiscal year 1931 of $1,403,000, and with the $9,000,000 contribution under the Senate amendments there would be a net surplus of $2,399,000, or if we accept the Senate's amendment of $12,000,000 there would be a surplus of $5,399,000 had by the Senate bill.

Mr. CRISP. Will the gentleman yield?

Mr. SIMMONS. I yield.

Mr. CRISP. As the gentleman knows, the Government of the United States owns property in each of the 48 States, and the Federal Government does not make contributions to the expenses of any municipality in the respective States. Can the gentleman state what per cent of the taxable property in the District of Columbia is owned by the United States Government?

Mr. SIMMONS. I do not have those figures available just now. I put the figures in the RECORD last year. I can not give it in percentages. If the Government were paying taxes on the Federal property in the District of Columbia, it would pay somewhere between $7,000,000 and $8,000,000, at the current tax rate. This accepts as correct the assessors figures as to values of Government property.

Mr. HUDSON. Will the gentleman yield?

Mr. SIMMONS. I yield.

Mr. HUDSON. On the question of the water system, is that being placed back by the Senate upon the users of the water?

Mr. SIMMONS. The Senate proposal would put about one-quarter million dollars of the cost of the water system upon the general revenues. As the House bill carries it, and as it has been carried for several years, the water department is self-supporting.

There are certain possible expenditures that must be considered in addition to those heretofore set out, amounting to possibly $1,300,000. So that with the current estimated revenues and at the current tax rate, plus the estimated $1,300,000 that may be spent in addition to the amount provided in the House bill, the House bill would still leave a surplus in the Treasury to the credit of the District of $101,000.

The Senate bill, without the added $3,000,000, would leave $1,097,000 in the District treasury. Now, to add to that the $3,000,000, which the Senate proposes, or to accept the $12,000,000 contribution, would leave in the Federal Treasury to the credit of the District of Columbia a surplus under the Senate bill, deducting possible deficiencies, and so forth, of $4,097,000 unexpended, out of which the Senate proposes to make no expenditures and to give no relief to the taxpayers. So we are going into conference on this bill, if consent is given, with a proposal on the part of the Senate that we transfer from the Treasury of the United States to the treasury of the District of Columbia $3,000,000, not to spend one dollar of it and give no relief to the taxpayers of the District of Columbia next year.

In this statement I have omitted the $3,000,000 cash reserve that is always held back unappropriated under the present law in order to keep the District on a cash basis.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. SIMMONS, HOLADAY, THATCHER, CANNON, and COLLINS.

ADDRESS BY HON. LINDSAY C. WARREN

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a short address delivered yesterday at the Congressional Cemetery on Thomas Blount, a former distinguished Member of this House, by his great-great nephew, Hon. LINDSAY C. WARREN, of North Carolina.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The address is as follows:

THOMAS BLOUNT

Among the many accomplishments and aspirations of the Sons of the American Revolution there are none more important than this seeking out of the last resting places of those who gave us the Nation and the recalling of their services in its conception. One of these early patriots was Thomas Blount, to whom we dedicate this marker. He is worthy of commemoration, for he played a dominant and conspicuous part both in the struggle for independence and the early life of the Republic.

Of cavalier stock, his line goes back without a break to Siegfried the Dane and the early Kings of Denmark. Wheeler's History of North Carolina says that the Blount family was coincident with civilization on the American Continent, and that its part in history has been notable and outstanding down through the ages.

Thomas Blount, one of seven brothers, all of whom became famous, was born at the ancestral home at Blount Hall, near the Beaufort-Craven line, now Pitt County, N. C., on May 10, 1759. His family was rich and powerful, and his home was the center of culture and hospitality that brought there the prominent people of the day. His eldest brother, William Blount, and another brother, Willie Blount, were later to go to Tennessee, and were conspicuous in charting and molding the history of that new Territory and State, both of them becoming its governors. It will be remembered that it was William Blount, as United States Senator from Tennessee, who figured in the first impeachment trial of the country, when he was charged with a plot having as its ultimate aim the attachment to the Nation of the Spanish possessions, but he returned to Tennessee a hero, and counties and towns bear his name and that of his wife. It was the vigorous Willie Blount, who as governor of one of the frontier States, did as much as any man to establish orderly society and government. For him was named the famous Camp Blount, about to be perpetuated now by Congress—the starting point and rendezvous of all of General Jackson's campaigns against the Indians. Another brother was the famous John Gray Blount, friend of Washington and Jefferson, who gave lavishly to the cause of the Revolution, and was later rewarded by them with such land grants that he became one of the three largest individual landowners in the Nation. John Gray Blount, as a young boy seeking adventure, was a chain bearer for Daniel Boone in his pilgrimage to Kentucky. Then there was Maj. Reading Blount, who rendered conspicuous service in the Continental Army. The other brothers, Jacob and Sharpe Blount, were men of outstanding patriotism and influence.

Tutored at his father's home, Thomas Blount was deprived of a collegiate education, for at the age of 16 he entered the Continental Army. In the course of time he became a lieutenant of North Carolina troops, and acquitted himself under fire with great heroism. Captured by the British near the close of the war, he was sent to England as a prisoner, and was not released until the termination of hostilities. Shortly after the war he rose to the rank of major general. He returned to North Carolina and engaged in business at Tarboro, being sent as a member of the State house of commons in 1788. He was elected to Congress, and served as a Member of the Third, Fourth, and Fifth Congresses—March 4, 1793, to March 3, 1799—in both the administrations of Washington and Adams. His constituency covered all of the district in North Carolina that I now represent plus additional territory. Of strong will, extensive learning that he had himself acquired, and possessed of an unusual intellect, he was at once recognized as a leader and as a foremost student of government. From the beginning he was an ardent Jeffersonian and allied himself with that school of thought that was to prevail for nearly a half century. He detested Adams and his policies, and was always a lusty partisan.

He was reelected to the Ninth and Tenth Congresses—March 4, 1805, to March 3, 1809—this time serving under Jefferson. He was then defeated by the Federalist candidate, William Kennedy, also of Beaufort County, who had likewise defeated him in 1803, but in the elections for the Twelfth Congress Blount again triumphed over Kennedy, and served from March 4, 1811, until his death in the District of Columbia on February 7, 1812. His remains have rested here in the Congressional Cemetery undisturbed since then.

The debates of Congress during the early life of the Republic disclose Thomas Blount as one of the leaders of the House of Representa-

tives. He participated actively in all important questions and measures. He sat by the side of the great Nathaniel Macon, of North Carolina, called by Jefferson the "last of the Romans," and imbibed his vast wisdom and knowledge. He upheld and supported Madison in his constitutional arguments, and he acquitted himself creditably in debates with the temperamental John Randolph, of Roanoke. Thomas Blount was one of the first great advocates of a navy and for adequate national defense. As chairman of the Committee on Naval Affairs during the Jefferson administration, he saw clearly the approach of the War of 1812, and when others on the floor of Congress were declaring that the building of a navy would forever mean the end of peace, Blount met the challenge with a bill for the construction of 188 gunboats, and for the fortification of every coast town from Portland, Me., to New Orleans. This legislation was strenuously opposed by New England, and excited only casual interest in New York, which brought forth a statement from Mr. Blount that if New York City was not interested in seeing itself protected, there were enough votes in the House outside of that territory to give that city proper defense. To Mr. Blount was referred the message of the President dealing with the outrage on the Chesapeake by the British ship *Leopard*, and he made a scathing report to the House on British aggressions, and sounded a clarion call for retaliation.

His life and accomplishments can not be set forth in this short memoir. His place as one of the founders is secure, and as a soldier, patriot, and statesman he fully measured up to his notable colleagues of that period in our history.

In the name and on behalf of the District of Columbia Society, Sons of the American Revolution, I dedicate this marker to the perpetual memory of Thomas Blount.

EXTENSION OF REMARKS

Mr. LAGUARDIA. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter received from the National League of Women Voters on the question of Muscle Shoals.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by printing a communication from the National League of Women Voters on the subject of Muscle Shoals. Is there objection?

Mr. UNDERHILL. Mr. Speaker, I object.

PROPOSED CONSERVATION LEGISLATION

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on Senate bill 2498.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his own remarks. Is there objection?

There was no objection.

Mr. PITTENGER. Mr. Speaker, I want to discuss with Members of the House S. 2498. Its companion bill in the House is H. R. 6981. The alleged purpose of this legislation, as set forth in the title of the Senate bill, is to promote the better protection and highest public use of lands in northern Minnesota. The companion bill in the House also, in addition, proposes the development and extension of recreational uses, the preservation of wild life, the protection of streams and lakes, and the joint development of indispensable, international, recreational, and economic assets.

The real objects of the legislation appear to be to prevent the raising or lowering of the levels of lakes or streams and to prevent the cutting of timber along shore lines.

In view of the fact that this proposed legislation affects some 3,000,000 acres in the eighth congressional district in northern Minnesota and does not affect any other congressional district, I feel that there are certain facts which should be brought to the attention of the Members of the House. I do this at the present time because efforts are now being made to bring this matter before the House for action.

I am opposed to the legislation in its present form because, as I have said above, it involves and affects some 3,000,000 acres of territory entirely within my district.

RESTRICTED AREA AMENDMENT

I want to direct the attention of the Members of the House at this time to the Pittenger bill, H. R. 8968, which is substantially along the lines of the above proposed legislation, but which differs substantially in respect to the area involved. Section 1 of the Pittenger bill provides for a restricted area and cuts down the boundaries in the other bills so that the area is limited to 1,200,000 acres. If this legislation is to pass, it ought to be amended to provide for the boundaries provided in section 1 of the Pittenger bill; and this can be accomplished by striking out the following language in section 1 of S. 2498 and H. R. 6981, reading:

That all public lands of the United States situated north of township 60 north in the counties of Cook, Lake, and St. Louis, in the State of Minnesota—

and by inserting in lieu thereof the following language taken from section 1 of the Pittenger bill, reading as follows:

That all public lands of the United States, exclusive of mineral lands, situated in the following-described area, to wit: Beginning at a point on the international boundary line where the westerly boundary line of range 3 east, extended northerly, intersects said international boundary line; thence southerly along the westerly boundary line of range 3 east to the northerly boundary line of township 63 north, as the easterly boundary of the area to be included therein; thence westerly along said northerly boundary line of township 63 north, across Cook and Lake Counties to the easterly boundary lines of range 18 west, in St. Louis County; thence northerly along said easterly boundary line of range 18 west to the northerly boundary line of township 65 north; thence westerly along said last-named line to the westerly boundary line of range 21 west; thence northerly along said westerly boundary line to the international boundary; thence following the said international boundary line southeasterly to the point of beginning on said westerly boundary line of range 3 east.

I am calling this to the attention of the Members of the House because, to date, the proponent of H. R. 6981, while he does not live in my district, has opposed the amendment such as I have indicated above.

Under the suggested restricted-area amendment, it is possible to accomplish every alleged purpose of H. R. 6981, because the Rainy Lake watershed is all contained within the area of the Pittenger bill. H. R. 6981 includes Cook County, a large portion of Lake County, and a rich agricultural section in St. Louis County in the vicinity of Cook, Gheen, and Orr, Minn. Some towns and villages and several thousand people come within the area provided in H. R. 6981. The area provided in the Pittenger bill, H. R. 8968, of twelve hundred thousand acres, excludes the above communities and the people there who object to the boundaries of the bill H. R. 6981, but still leaves the actual wilderness area in the northern part of my district, and there are perhaps not more than a thousand people who are actually living in the area of the Pittenger bill, H. R. 8968. So I say that if this legislation is to pass, and powerful influences are at work to secure its passage, I ask the Members of this House to give careful consideration to the wishes of my constituents and to the people who are included in the area provided in H. R. 6981 and who do not wish to be so included.

This proposed legislation has considerable history behind it. It was a matter brought before the State Legislature of Minnesota during the 1929 session thereof. This matter of restricted area came in for much discussion. Substantially the same amendment which I have suggested above and substantially the same description which I have set forth above in section 1 of the Pittenger bill was prepared by State Senator Charles E. Adams and brought before the Minnesota State Senate. His amendment provided for a restricted area in this territory, just as the Pittenger bill, H. R. 8968, now seeks to have the legislation limited to a restricted area.

Mr. Adams ranks as one of the leaders in the State senate and is, at the present time, Lieutenant Governor of the State of Minnesota. In view of the importance of the restricted area to the people of my district, I asked him to set forth his views upon this proposition, and I incorporate in and make a part of my remarks his letter to me on this subject. It is as follows:

LIEUTENANT GOVERNOR ADAMS FAVORS RESTRICTED AREA

STATE OF MINNESOTA,
SENATE CHAMBER,
*May 16, 1930.*

Hon. W. A. PITTENGER,
*House Office Building, Washington, D. C.*

DEAR MR. PITTENGER: You have requested me to furnish you a statement relative to the restricted area in the so-called Pittenger bill, now pending before a House committee, relating to the protection and use of lands of the United States and adjacent lands and waters along the international boundary in St. Louis, Lake, and Cook Counties, including reasons for restricting such area as described in your bill, and history of the matter in the 1929 Legislature of Minnesota.

I am pleased to comply with your request, and I will cover the matter briefly.

As you know, I have served in the State Senate of Minnesota continuously for the past 16 years as Senator from the fifty-seventh district, which includes all of Cook and Lake Counties and the easterly portion of Duluth and six congressional towns in St. Louis County. I have also during the past 15 years traveled over much of the area in my district and have fished and camped along the Canadian border on more than a dozen of these lakes that would be affected by this bill or the Shipstead-Nolan bill. I not only know the country intimately and am an ardent lover of this wilderness region but favor its preservation

for recreational purposes, which in my opinion are the highest public use to which the border lakes and lands referred to can be devoted under present conditions. I am not opposed to the fundamental purposes of the Pittenger bill or the Shipstead-Nolan bill, but I am strongly opposed to going far beyond what is reasonably necessary to accomplish the expressed purpose of protecting and preserving the international boundary waters by including in the provisions of the Shipstead-Nolan bill all lands in St. Louis, Lake, and Cook Counties north of township 60 in those counties, including the natural shore line of Lake Superior.

The amendments placed in the Shipstead bill (S. 2498) by the committee makes that bill satisfactory to me, and I believe will make it satisfactory to the district I represent, except as to the area still included in the Shipstead-Nolan bill, which is still very objectionable to my district and to the vast majority of people in the six counties in your eighth congressional district.

Shortly after the opening of the Minnesota Legislature in January, 1929, a joint resolution was introduced by Senator Edwin MacLean, of Minneapolis, senate folio 166, now resolution No. 11, Laws of Minnesota for 1929, found on page 697 of the 1929 session laws, memorializing the Congress to pass the old Shipstead-Newton bill and urging the President to approve the same. The chief objection to the old Shipstead-Newton bill was that it included all the area north of the north line of town 60 between Lake Superior on the east and the westerly line of St. Louis County on the west, including a half million acres of well-developed agricultural region, and extending southerly from the international boundary and border waters as much as 60 miles south on the westerly line of St. Louis County, to as much as 30 miles south on the Lake Superior shore south of Grand Marais. While it is true the bill only proposed to restrict the appropriation or other use of unentered Federal lands, it cast doubt and uncertainty over other lands and the uses they might be put to, if this Shipstead-Newton bill became law in its original form, including its vast area of approximately 3,000,000 acres in the three counties. Immediately I began to hear objections from the people in my legislative district. Soon they began coming to St. Paul to protest. Then a meeting of 75 to 100 representatives came to the capital, representing county boards, city and village councils, and sportsmen's clubs, and an all-day conference was had in which all differences were harmonized and an amendment agreed upon, proposing to reduce the area to be included in the Shipstead-Newton bill to the north line of township 63 north, in place of the north line of township 60 north, and by limiting the easterly boundary to the westerly boundary line of range 3 east, in Cook County, which would exclude the Lake Superior watershed, but leave the international boundary lakes and streams included in the Rainy Lake watershed and about one and one-quarter million acres of the northern area of the three counties still included in the restricted area. Every one in the conference group was satisfied that this was fair to all concerned.

The next day when the bill came up for final passage in the Senate I offered an amendment to the MacLean resolution, proposing that the area described in the Shipstead-Newton bill be reduced as stated above, which reduced area conforms to the area included in the Pittenger bill; but on the final roll call in the senate there were 28 votes for and 38 against my amendment. Every senator, eight in number, representing the counties in your congressional district, voted for my amendment. After the amendment failed of adoption many of those who had voted for my amendment voted for the adoption of the resolution, explaining their votes by short speeches to the effect that they were in favor of the general purposes of the bill and therefore voted for it although opposed strongly to so large an area being included therein. I was one of those who so voted and explained my vote.

The record of these proceedings are found on pages 320 to 322, inclusive, of the senate journal for the 30th day of the 1929 session of the Minnesota Legislature.

I have attended many public meetings at which speakers for and against the Shipstead-Newton-Nolan bills spoke, including Messrs. Oberholtzer, Warren, Doctor Bagley, Stafford King, and others favoring the measure. All claimed the purpose of the bill was to protect the border lakes and the Rainy Lake watershed against the alteration of water levels without action by Congress.

If such be the primary and ultimate purpose of this legislation, it seems to me self-evident that it should be sufficient to include the areas described in my senate amendment and now included in the Pittenger bill, without going 18 miles farther south and embracing nearly 2,000,000 acres more of area in St. Louis, Lake, and Cook Counties, including farms, roads, villages, cities, school districts, and almost the entire county of Cook.

I understand clearly that the bill could only define and limit the use of unentered Federal lands within the area, some 26,000 acres scattered about over an empire of 3,000,000 acres; but the proposed act casts such uncertainty upon the whole area as to how it will operate and affect other lands and community life that I find at least 75 per cent or more of the people in the affected areas violently opposed to including the larger area in the bill. On the other hand, if a compromise could be agreed upon so as to include the smaller area included in your bill, nearly everybody now opposed would be satisfied and harmony would prevail. Passing the bill with the smaller area therein could not possibly defeat or interfere with the protection of border waters.

I think you will be doing a fine public service if you can hold up the passage of the Shipstead-Nolan bill until it is amended to conform substantially to your description.

All other features of the bill are satisfactory to the majority of the people in your congressional district, in my opinion.

Stand by your proposition and if you have to go down to defeat, go with your colors waving and your good voice protesting the unfairness of the area demanded by the Shipstead-Nolan bill.

Very truly yours,

CHARLES E. ADAMS.

I have set forth at length the discussion by Lieutenant Governor Adams not only because of the position he occupies as a State official of Minnesota, with long years of public service to his credit, but because of his thorough familiarity with the territory and the area involved in these pending bills. He has no ulterior or selfish object in taking the position which he does take in favor of a "restricted area."

ORIGIN AND PURPOSE OF PITTENGER BILL

I want to recite briefly the origin of the Pittenger bill, H. R. 8968, which contains the description of the restricted area. When I was elected to Congress in 1928, I found one of the problems confronting me to be the question of a conservation program affecting my district. I was advised that legislation would be introduced in Congress, when I became a Member thereof, relating to this question; and I proceeded as best I could to get together the facts and to ascertain the sentiment of the people in the various communities involved. I found out many interesting things.

I satisfied myself that the northern Minnesota conservation legislation was the outgrowth of a feud and business rivalry between two great industrial enterprises, with their headquarters located in Minneapolis. One of these organizations had acquired power and dam sites along the international boundary. The other organization was anxious to see that they did not utilize the same. Consequently, the people of my section of the country were presented with a conservation program, which had for its concealed purpose a background of hatred and jealousy.

Of course, this program was made to look respectable and as time went on there was organized what was known as the Quetico-Superior council. This is a high-sounding name and, upon investigation, I have found that it has no membership but consists of a board of directors, and its announced purpose is to work through the Izaak Walton League to accomplish its aims and objects. It is self-styled, self-constituted, self-operating, and responsible to no one.

Consequently the conservation program, as it has developed, has been surrounded with high-sounding phrases and in the literature of this organization we find that their purpose is to protect and expand the rare public values in the Rainy Lake watershed. It has the lofty desire to take care of the paramount public character of the region and point the way toward public utilization of natural resources. It is interested in unique public values of flora and fauna, health, beauty, and historical interest of my district. It believes in the establishment in my district of a wilderness sanctuary. It seeks to establish a comprehensive policy of development in conformity with the geographic, historical, and economic unity of the region. One of its objects is to preserve intact one of the most historical regions of North America as it originally was—with its forest, its game, its lakes, its waterfalls, and its richly romantic past.

This organization expects to earn the blessings of our children evermore by accomplishing its purposes.

When they discuss this conservation program for northern Minnesota they speak of the higher social uses of the territory.

Thus captivated, numerous well-intentioned people, of unquestioned integrity, have become interested in the conservation movement.

While I proceeded to study the question, I also took into account the interests and desires of my constituents. I held a conference with Lieut. Gov. Charles E. Adams and obtained from him the story of the fight in the Minnesota Legislature to protect the people of northern Minnesota against the Minneapolis propagandists. I consulted with the county officials of Lake and Cook Counties and with other of their citizens. I consulted with the people in the agricultural section in St. Louis County, in the vicinity of Cook, Gheen, and Orr. I consulted with Martin Hokanson, representative of the Duluth Engineering Club, who submitted to me several amendments to the old legislation which had been introduced in the past Congress. The Minnesota Arrowhead Association also sent me a communication, protesting against former legislation unless there were amendments to protect the district. I talked with

citizens in Duluth, who were interested in the future welfare and development of the district.

As a result of this study and these conferences, I prepared a bill, H. R. 8968, which embodied the essentials of the conservation legislation proposed by the Minneapolis people but, at the same time, trying to meet the objections which came from the people of northern Minnesota. In the preparation of this bill, I did not consult either of the great business rivals out of whose difficulties the proposed conservation legislation was born. Neither of them knew that I intended to introduce the bill, H. R. 8968. I had no connections with either of them and prepared my bill with reference to the best interests of the district.

I want to say to the Members of the House that I am in favor of conservation of our natural resources. I do not favor their exploitation. I want to see the scenic beauty of northern Minnesota preserved and made available for all of our citizens. At the same time, while this is being done I do not want to see industrial and forestry development of this region "bottled up" and rendered impossible. I believe that the great objects of conservation and industrial and forestry development can go hand in hand, and I believe that any legislation ought to have these objects in view.

THE PITTENGER BILL

The Pittenger bill was introduced under these circumstances and is as follows:

H. R. 8968, Seventy-first Congress, second session

IN THE HOUSE OF REPRESENTATIVES,
*January 22, 1930.*

A bill to withdraw from entry certain lands in northern Minnesota, to conserve the natural beauty of these lands bordering on lakes and streams, and to preserve the natural water level of these lakes and streams within a certain area, and for other purposes

*Be it enacted, etc.*, That all public lands of the United States, exclusive of mineral lands, situated in the following-described area, to wit: Beginning at a point on the international boundary line where the westerly boundary line of range 3 east, extended northerly, intersects said international boundary line; thence southerly along the westerly boundary line of range 3, east to the northerly boundary line of township 63 north, as the easterly boundary of the area to be included therein; thence westerly along said northerly boundary line of township 63 north, across Cook and Lake Counties to the easterly boundary lines of range 18 west, in St. Louis County; thence northerly along said easterly boundary line of range 18 west, to the northerly boundary line of township 65 north; thence westerly along said last-named line to the westerly boundary line of range 21 west; thence northerly along said westerly boundary line to the international boundary; thence following the said international boundary line southeasterly to the point of beginning on said westerly boundary line of range 3 east, including within this area the natural shore lines of the lakes and streams forming said international boundary so far as they lie within the area, are hereby withdrawn from all forms of entry under the public land laws of the United States, subject to prior existing legal rights initiated under the public land laws, so long as such claims are maintained as required by the applicable law or laws: *Provided*, That lands which were open for entry and which were entered and possessed by persons for the purpose of acquiring settlement rights, as actual settlers, and on which improvements, clearings, and cultivation were actually made, prior to the Executive order of May 26, 1928, withdrawing land within the above-described area from entry, shall not be affected by the provisions of this act: *Provided further*, That the Forest Service of the Department of Agriculture shall, upon written application and upon proof of convenience and necessity, grant such rights of way for railways and highways within this area as are necessary to the development of mineral resources and to the economic utilization of forest products.

SEC. 2. That the principle of conserving the natural beauty of shore lines for recreational use shall apply to all Federal lands which border upon any boundary lake or stream contiguous to this area, or any lake or stream within this area, and that for the purpose of carrying out this principle logging of all such shores shall be done only as permitted by and under the supervision of the Forest Service of the Department of Agriculture.

SEC. 3. That in order to preserve the shore lines, rapids, waterfalls, beaches, and other natural features of the region in an unmodified state of nature, no further alteration of the natural water level of any lake or stream within or actually bordering upon the designated area shall be authorized by any permit, license, lease, or other authorization granted by any official or commission of the United States which will result in flooding beyond the normal high-water line lands of the United States within or immediately adjacent to the Superior National Forest, unless and until specific authority for granting such permit, license, lease, or other authorization shall have first been obtained by special act from the Congress of the United States covering each such project: *Provided*, That nothing herein shall be deemed to prohibit the local development of small-scale hydroelectric power on private lands for private purposes: *Provided further*, That, with the written approval and consent of the Forest Service of the Department of Agriculture, reservoirs not exceeding 100 acres in area may be constructed and maintained for the transportation of logs or in connection with fish-breeding ponds and authorized recreational uses of national-forest lands: *Provided further*, That the provisions of this section shall not apply to any proposed development for water-power purposes for which an application for license was pending under the terms of the Federal water power act on or before January 1, 1928: *And provided further*, That nothing herein shall be construed to prevent the Secretary of Agriculture from listing for homestead entry under the provisions of the act of June 11, 1906 (34 Stat. 233), any of the above-described lands found by him to be chiefly valuable for agriculture and not needed for public purposes.

THE PITTENGER BILL PROTECTS THE DISTRICT

I challenge any fair-minded man, who favors, from disinterested motives, the pending conservation legislation affecting my district, to point out anything in the Pittenger bill that is in opposition to a program to conserve natural resources and scenic beauty of the Arrowhead country in any way. Whatever changes are made in the Pittenger bill, and in whatever way it differs from the other bills, it still has for its object the above purposes and, in addition, will permit of industrial and forestry development in this section of the country.

But the Pittenger bill did not meet with favor on the part of the Minneapolis propagandists. In this connection, let me say that I have no quarrel with the good people of Minneapolis or with any organization, because there are many splendid people and many splendid organizations supporting pending measures and opposing the Pittenger bill, due to misinformation and misunderstanding of the facts. They have been misled in the whole proposition and have become the victims of a campaign calculated to put over a program by designing people who will brook no change in their plans. With these people I take sharp issue. They have not acted fairly toward the people of northern Minnesota.

The pending legislation, S. 2498 and H. R. 6981, the Minneapolis legislation, before it left the committees had to be amended in nine different particulars to meet objections that were so valid and so apparent to the committees in charge as to make it necessary for the committees in charge to put in those amendments in order to make it possible at all for the legislation in question to be acceptable to the committees of the House and the Senate.

In passing, let me say that most of those amendments are substantially contained in the Pittenger bill and have the same objects which were sought in the Pittenger bill. I, therefore, feel that I have a right to be suspicious of these people outside my district bearing gifts to the people who live in this territory.

LOBBYING BY OBERHOLTZER

The man who has apparently been in charge of the program of the Minneapolis propagandists is one Ernest C. Oberholtzer, of Minneapolis. He can be careless with the truth and careless with the facts when it serves his purpose. He has seen fit to carry on a campaign, using whatever tactics were necessary, to get action on the Minneapolis legislation, S. 2498 and H. R. 6981, and, at the same time, to cast reflections upon the Pittenger bill, H. R. 8968. I do not underestimate his ability. He knows how to get results. I think he is one of the best lobbyists I have ever seen operate. He has admitted that he has been engaged in this noble work of saving northern Minnesota for the past five years. I appreciate fully that he is clever and industrious. His sanctimonious method, like the gentle purring of a cat, never fails.

He has been in Washington practically all winter in connection with this proposed legislation. He is responsible for various Members of Congress being circularized by various individuals and various organizations, many of which have never had an opportunity to learn about the Pittenger bill. His productivity in the field of propaganda is enormous.

I am surprised that some of our friends interested in tariff legislation have overlooked this human prodigy. I charge him, however, with bad faith in having legislation introduced which has had to have nine amendments in order to make it possible for its proponents to say that it was at all workable. I charge him with lack of sincerity. I claim he is unfair to northern Minnesota in his violent opposition to the restricted area of the Pittenger bill.

SOME IMPORTANT FACTS

People have been told that there was great haste for this legislation. What are the facts? No application is pending pertaining to any of the boundary waters before the International Joint Commission at this time. If any such application should

be filed, under existing law the people of northern Minnesota would have a right to appear at public hearings held for that purpose and investigate and, if necessary, protest against any such application as might be filed.

It is interesting to note that at this session of Congress legislation has been enacted under which the President of the United States is to appoint a commission to study and report on the conservation and administration of the public domain of the United States. In this connection it is significant that Ray Lyman Wilbur, the Secretary of the Interior, on February 10, 1930, reported adversely against the Minneapolis proposed legislation, giving as his reason the commission to which I have just referred, and suggesting that it was not advisable to have piecemeal legislation on the conservation question. It is also true that, as soon as Mr. Wilbur's report became public, the Minneapolis propagandists were enabled to have this decision reversed and favorable report made.

As is indicated in the discussion by Lieutenant Governor Adams, this proposed conservation legislation is experimental. The literature of the so-called Quetico-Superior Council clearly indicates that they do not propose either a national park or a national forest for this region. They have higher and loftier purposes.

Getting down to earth, the proposed legislation would prevent the raising or lowering of the water levels along the international boundary and in the area described. What effect the "Canadian amendment" will have on this proposition no one knows. It is a matter of conjecture as to what the courts will hold. If the courts should hold that the Canadian amendment, found in S. 2498 and H. R. 6981, exempts the international waters from the provisions of the legislation in question, then the argument in favor of the legislation fails entirely.

There is another aspect of this case which requires consideration. The State of Minnesota is interested in water-power development. When this bill becomes a law, if it does become a law, there is taken from the State of Minnesota control and domain over water-power matters in the area in question. That power becomes lodged in Congress. The people of Minnesota should think carefully before they decide that the State should surrender its rights and its prerogatives in this important matter.

If legislation is to be enacted now, by all means, let us have the restricted area because the danger of bottling up industrial and forestry development in northern Minnesota is reduced and minimized. I do not wish to be a party to any legislation that will be the cause of more unemployment, more men seeking work, as a result of hampering and preventing legitimate business progress.

There are many other phases of this question that I would like to discuss. Time will not permit. I want to conclude by saying that northern Minnesota is vitally interested in the restricted area amendment, to which I called attention at the beginning of these remarks. They have never actually had an opportunity to appear at a hearing on the restricted area proposition, either before the House committee or the Senate committee. I feel confident that the sound and able discussion of Lieutenant Governor Adams, hereinbefore referred to, will appeal to every fair-minded Member of Congress, and I urge you to indorse his position in supporting an amendment of the character that I have proposed. The cause of conservation of our natural resources will, in no way, be hampered by this amendment but will be promoted and the best interests of the district served at the same time.

ADDRESS OF HON. THEODORE ROOSEVELT, GOVERNOR OF PORTO RICO

Mr. DAVILA. Mr. Speaker, I ask unanimous consent to have printed in the RECORD an address delivered by the Governor of Porto Rico, Hon. Theodore Roosevelt, over Station WMAL, Thursday, May 15, 1930, relative to conditions in the island.

The SPEAKER. The Commissioner from Porto Rico asks unanimous consent to extend his remarks in the RECORD by inserting an address delivered by Colonel Roosevelt, Governor of Porto Rico. Is there objection?

There was no objection.

The address is as follows:

PORTO RICO

The average person in the United States has but little knowledge of what Porto Rico is or what it means to this country. They think of it vaguely as a small island of but little importance lying somewhere to the south, if they think of it at all. Within the last few months I have had letters addressed to me, Porto Rico, Philippine Islands; Porto Rico, Cuba; and one, even, American Ambassador, Porto Rico, South America. Quite a number of times I have known of people asking how long it took to go by automobile from the United States to Porto Rico.

As a matter of fact, the island is of very real importance to the United States and can play an influential rôle in our future. Its people are of Spanish blood, culture, and tradition, but citizens of our country, and loyal citizens. They are related by blood kinship to the people of South America, but they have married into our family.

As far as the United States goes, I firmly believe that the most important relationships we have outside of our own borders are those relationships which deal with the sister Republics that lie to the south. For our good and for their good the future must bring a close friendship based on mutual comprehension and understanding for the mutual benefit of all.

Porto Rico is logically our emissary in this great undertaking. She stands in a position where she can interpret the culture and feelings of South America to our people here in this country, and in turn interpret our ideals and aspirations to them. At this moment, and always, the southern countries are watching Porto Rico, watching to see in what fashion we cement our relationships here.

As an illustration of just what Porto Rico may mean, take our university at Porto Rico. It should be in the real sense of the word a Pan American institution of learning. Right now we have in that university a school of tropical medicine which has been founded with the aid of Columbia University and to which young men, not only from the continental United States and Porto Rico but from the South American countries, come to study. We are founding a school of tropical agriculture with the assistance of Cornell, which will serve in the same fashion. To-day there are Porto Rican born American citizens, graduates of our agricultural college, who are working in Colombia, Venezuela, Peru, and other countries. In the future there will be many more. We have a school of business, organized with the cooperation of Boston University. We are trying to establish a postgraduate course in Latin civil law for the benefit of continental American students who believe that their business connections will place them in business contact with the south.

In addition we are planning a course in public service, business, and social and industrial laws of the United States, which might be attended by students from South America. That gives in brief what Porto Rico may mean to the United States.

What are we? We are an island 100 miles long by 35 miles broad. We have a population of 1,543,000 American citizens. In other words, we have a population equal to or greater than the population of approximately half of the States of the Union. We have a population equal to the combined population of Vermont, Delaware, Arizona, New Mexico, Nevada, and Wyoming, but we have only one-one hundred and thirty-third of their area. Conditions have never really been good on our island. At times we have shown a fictitious prosperity, but it has always been the prosperity of the few, not of the many. At no time has Porto Rico been in such shape that the majority of our people were prosperous and healthy. We have never had the only real prosperity—that which reflects itself in the pay envelope. A year and a half ago the hurricane struck us and left us in desperate condition. At the present moment 60 per cent of our children are suffering from malnutrition. Many of them have but one scant meal a day. We are ravished by disease. Our tuberculosis rate is the highest in the Western Hemisphere and four and one-half times that of the United States. Our death rate from malaria is fifty times that of the United States; our infant mortality is two and one-half times. To phrase it differently, some 200,000 of our people are suffering right now from malaria, perhaps 30,000 from consumption, fully 600,000 have hookworm. The average wages are from $150 to $200 a year. Sixty per cent of our people are out of employment, either partially or wholly, during the year.

That is the present condition of the island. It can and must be remedied. I am confident we have a bright future. Our people are intelligent and industrious. If given the opportunity they will easily demonstrate their worth, and it is to that end that we must direct our efforts.

When I arrived at the island last autumn I found, due to the hurricane, not only the conditions above stated but, in addition, that we were in a grave financial crisis, because our revenues had fallen while our needs increased. We had a large floating debt and we were running behind every month in our insular revenues. It was clearly evident two things had to be done. The first was to meet the present crisis and strive to save the lives of children. That we undertook through an appeal for funds to be used in our school lunchrooms. That, however, was only a palliative. The other part of our problem, the more difficult and the more important, was to seek for a permanent remedy.

Our island in the past had been principally agricultural. Even to-day the vast majority of its people gain their livelihood directly or indirectly from agriculture. What we decided we must do was to bend every effort to building up the small farmer. Our principal crops had been sugar, fruit, tobacco, and coffee. We felt that we could add to this still another—vegetables—which could be sold in the north, particularly during the fall and winter months, and canned during the others. We felt that the solution of our trouble was intensive agriculture. We felt that we must try to get the information out to the small people.

In order to accomplish these ends we have decided to work through the schools by developing our consolidated rural schools, emphasizing

agricultural and vocational instruction. We have now 13 of these vocational schools and we are hoping to add 15 more this year. There should be 100 when we can find the money necessary to establish them. These rural schools teach reading, writing, arithmetic, and English, but 60 per cent of their curriculum is practical. Around each school there is a farm. There the boys are taught farming, not by blackboard demonstration, but by raising the crops themselves under the direction of a practical farmer. Where the boys' families have farms, they are encouraged to keep small market gardens at home. There are now over 20,000 of these. And they are inspected by the school authorities and prizes awarded—practical prizes such as a pig, or some chickens. Meanwhile, the girls are taught home economics, not theoretical home economics adapted only for ideal circumstances, but the home economics from which they can benefit in the simple surroundings in which they live. They are also taught sewing, and embroidery as a commercial asset. There is a social worker at each school who visits the families and explains to them in their little huts the basis of sanitation and health. These schools cost approximately only $9,000 to $10,000 a year to maintain, because the students build the school furniture, raise the food for the school lunchrooms, and cook the food. It is work of this kind that reaches back into the country, not only preparing the generation that is to come, but teaching the parents through their own children.

Of equal importance to the schools of this type is our Homestead Commission. Far too much of our land has passed into the hands of a few large holders. The Homestead Commission has for its purpose the amelioration of this situation. With Government money it buys cheap land when such land comes on the market. It divides this land then into farms of some 2½ to 20 acres. Each farm is then rented to a suitable individual. He builds his house thereon, and pays back to the government the original cost of the land in annual installments. The government has, in connection with each one of these settlements, a small government farm and an inspector. The inspector visits the surrounding farmers, helps them in their problems, advises them on their crop, aids them in organizing cooperatives and in selling their produce. We have now some 1,200 farms and have only had about 1 per cent of defaults in payment. We are going to use every effort to extend this work.

A third matter we are undertaking is the organization of farm bureaus like those that we have in the continental United States, cooperatives composed of the farmers, whereby the farmers can aid themselves.

We are working in 50 other ways toward the same end, encouraging packing firms to establish on the island; encouraging canneries, etc. Already we are beginning to see the fruits of our efforts in an increased productivity and in the opening up of certain markets that we were unable to reach before.

Though farming is perhaps our first concern, we can not exist by farming alone, for we have 430 people to the square mile. We therefore made up our minds we should do our best to industrialize the island. We have abundance of intelligent industrious labor. We have potential water transportation to all markets. We have hydroelectric power. We are developing in our schools industrial education. We have organized a government bureau of commerce to aid in any fashion possible new industries that may wish to establish themselves, or old industries that may wish to expand.

In this too, we are beginning to show results. A half dozen firms are now either establishing themselves or trying to establish themselves in Porto Rico. Old industries are increasing their capacity. The tide is turning, but, of course, it will be a slow process.

Last and of equal importance with farming and industry is health. I have sketched briefly above the health condition of the island. In order to meet it we must of course feed the children, for no one can be healthy without proper food, and the roots of most of our difficulties lie in malnutrition. We are also planning to extend our system of health units, modeled on those in this country, and to wage with whatever means we may be able to obtain a war against tuberculosis.

Naturally, all of the above endeavors depend upon a properly maintained and developed road system, for you can not have schools, or collect your farmers' produce, or your material for your factories, or carry on a health service without roads. We therefore have got to maintain our road system in good condition.

To embark on all this, of course, will require money. Due to the hurricane we were loaded with debt and our expenses were exceeding our revenues, which had shrunk considerably. We set to work and cut every conceivable expense we could from the insular budget. We made two men do one man's job. My secretary, for instance, is serving, as well, as commissioner of elections, and getting only the salary for but one position. We have no head for our insane asylum. The health commissioner is acting in that capacity. We have pooled our government transportation. We are watching every penny. That, however, was not sufficient, for an estimate of the treasury gave us receipts, on the basis of last year's taxes, of but $9,500,000. We felt that sum would not suffice, and even with conditions as they are, we decided to raise our taxes. We raised the gasoline tax by 50 per cent and provided $300,000 more than way. Then the question of Congress appropriating $3,000,000 for additional hurricane relief came up, of which $2,000,000 is for the rehabilitation and maintenance of our roads. This was a life-saver for us. It enabled us to extend the practical work I have outlined above, and undertake, in some measure, the rehabilitation of Porto Rico and the care of the children.

At this moment the appropriation is before Congress. I earnestly hope it may prevail. If it does not, we will have to curtail our rural education, abandon our farm bureaus, our demonstration farms, the extension of our health service, and our bureau of commerce. That, of course, would call a definite halt in our struggle to furnish our fellow citizens of Porto Rico—men, women, and children—with a fair opportunity in life.

The work I have outlined above is only the beginning. It forms a basis for the future, but it heardly touches much of our needs for the present, as our funds are small. The American Child Health Association, under the direction of President Hoover, has made a survey of the island, which I believe will soon be made public.

We will need aid from the people of the United States to meet the emergency that exists. We must have funds to fight disease and hunger now if we are to save the lives of hundreds of our children. Porto Rico in the future will more than justify what may be done to aid her now.

CONSENT CALENDAR

The SPEAKER. To-day is Consent Calendar day. The Chair will say for the information of the Members that, so far as he knows, he will recognize only one motion to suspend the rules. That will be on Senate bill 1171, to establish and operate a national institute of health. The Chair expects to recognize the gentleman from New York [Mr. PARKER] about 4 o'clock. The Clerk will call the first bill on the Consent Calendar.

COMPACTS OR AGREEMENTS WITH RESPECT TO THE DIVISION AND APPORTIONMENT OF THE WATERS OF THE COLORADO AND CERTAIN OTHER RIVERS

The first business on the Consent Calendar was the bill (H. R. 200) granting the consent of Congress to compacts or agreements between the States of Colorado, New Mexico, Utah, and Wyoming with respect to the division and apportionment of the waters of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers, and all other streams in which such States or any thereof are jointly interested.

The Clerk read the title of the bill.

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

Mr. SIMMONS. Mr. Speaker, reserving the right to object, it is my understanding that the gentleman from Colorado is to offer certain amendments to this bill definitely specifying and limiting its application to the Colorado River and tributaries thereof. With that understanding, I shall not object.

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I want to ask the gentleman from Colorado and also the gentleman from Nebraska if the recommendation made by the Department of the Interior is included in the bill, the recommendation being contained in the department's letter of January 15, 1930, in which they recommend the elimination of the colon in line 4, page 2, and the insertion of the following:

> Except as to those streams for the apportionment of whose waters provision has been heretofore otherwise made.

I do not think that purpose is carried out as the bill is now drafted.

Mr. EATON of Colorado. Mr. Speaker, the text will be entirely changed if these amendments are adopted.

Mr. LAGUARDIA. Does the gentleman intend to so amend the bill as to carry out the recommendation of the department which I have just quoted?

Mr. EATON of Colorado. That particular recommendation; yes.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, and I should be very sorry indeed to have to object, because there is no Member in the House for whom I have a higher regard or warmer friendship than I have for the gentleman from Colorado [Mr. TAYLOR], as I understand, one of the proposed amendments provides for the striking out of the requirement that a representative of the Government, to be appointed by the President from the Department of the Interior, shall be present at these negotiations. These negotiations have a far-reaching effect upon the use of the waters of the Colorado for irrigation purposes in various States. We have one branch of the Government whose business it is to study these problems. The Bureau of Reclamation is familiar with pending private and public projects for the use of water in connection with irrigation. It seems to me it would be negligent on the part of the Congress to authorize a conference to be held between various representatives of the States named without also providing that there

should sit in at that conference a representative of the United States and that representative should be from the Bureau of Reclamation, which has the responsibility for these problems.

I have no objection to the other amendments proposed and I have no objection to the bill as it has been reported from the committee, but I would be obliged to object to the bill coming up if the provision in section 2 making the presence of such a representative of the United States mandatory be striken out.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. CRAMTON. Certainly.

Mr. TAYLOR of Colorado. Mr. Speaker, and ladies and gentlemen of the House, the Colorado River compact between the seven Southwestern States, as some of you will remember, made an apportionment and allocation of the waters of the Colorado River, and provided that eight and a half million acre-feet of water should be awarded to the three lower States of California, Arizona, and Nevada, and that seven and a half million acre-feet should be awarded to the four upper States of Colorado, Wyoming, Utah, and New Mexico. While section 19 of the Boulder Canyon project act of December 21, 1928, authorizes those States to enter into compacts or agreements supplemental to the Colorado River compact for a comprehensive plan for the development of that river, and provides that a representative of the United States, to be appointed by the President, shall participate in the negotiations and report to Congress, and so forth. Nevertheless, that Colorado River compact has never yet been approved by Arizona, and that State has for years been defiantly opposing the compact and the Boulder Canyon project act and is still doing so and threatening litigations in the United States Supreme Court, and the Federal Power Commission has announced its determination to commence granting permits or licenses for large diversions of water from that river; and for other reasons I have doubted whether or not that provision in that act was a sufficient protection to the rights of those four upper States, and I introduced this bill as a kind of a safeguard so that any two or more of them could get together now or whenever we want to and make such mutual arrangements for the division and use of that water as may be most beneficial without having to wait for possibly several years of litigation and uncertainty. That national compact provided for in that act can very properly divide that seven and a half million acre-feet of water up between those four upper States. But they probably will not get down into the details of the manner of use of the share of each State as between each of the States. For instance, between Colorado and Utah, a local committee of the two States can best work out that problem.

Practically two-thirds of all the water that flows down the Colorado River comes from my congressional district. The Secretary of the Interior in a letter to me of April 2, 1930, concerning this bill H. R. 200 says:

> This bill as now amended does not appear to be in conflict with section 19 of the Boulder Canyon act of December 21, 1928 (45 Stat. 1057) * * *. The present bill is more comprehensive in that it provides for compacts among the States of Colorado, New Mexico, Utah, and Wyoming affecting all the waters in which the States named, or any of them, are jointly interested.

The gentleman from Utah [Mr. COLTON] and I live in adjoining counties, right near each other, and there are six very large rivers, tributaries of the Colorado River, that go from my district into his. As to some of these streams, his constituents may want practically all of the water in his State, and as to some of them my constituents may want to first use nearly all of the water in my State. This is a matter purely between our two States. It is something that is immaterial to the Reclamation Service, or anybody else but us.

I introduced this bill a year and a half ago. It passed the House and went to the Senate, and the Senate amended it and passed it and sent it to conference. The conferees never agreed. The bill died in conference. What I am trying to do, and all I am trying to do, is to provide authority for these States to get together and as between themselves divide the waters that cross the boundary lines of the States. We may want to put reservoirs in Colorado and they may want to put reservoirs in Utah, and we want the authority to negotiate amicable agreements whereby we can divide this water.

The gentleman from my State, my colleague Mr. EATON, has some amendments. Of course, I would like to have had the bill passed the way it was introduced, but I will not object to his amendment so far as I am concerned, because I feel that it is very important to pass this bill. I want to prevent litigation and trouble between the States if I can. Colorado and Kansas were in litigation for 10 or 12 years and are now in litigation, and Colorado and Wyoming were in litigation in the United States Supreme Court for some 11 years, and we have spent hundreds of thousands of dollars trying to divide the water of the Arkansas River and the Platte River between the States by litigation, and I want to divide it by an amicable and practical agreement without expending a cent.

Mr. CRAMTON. If the gentleman will permit, I am in entire sympathy with all the gentleman has said, but what I am suggesting is that when the conference is held between any two or more of these States there should be participating in the negotiations respecting said streams, to make a report to the Congress on the proceedings, a representative of the Government from the Bureau of Reclamation. The bill provides that this is to be done without any expense to the States, and any expense incurred would come from the Federal Treasury. I would think they would welcome the presence of this Government expert in their conferences. I can see no reason for insisting on eliminating this representative, and I could not consent to the bill coming up with the amendment proposed in section 2.

Mr. TAYLOR of Colorado. Will the gentleman yield further?

Mr. CRAMTON. Yes.

Mr. TAYLOR of Colorado. I may say I have tried very hard to convince some gentlemen in another legislative body and also some representatives from one or two of the other States and the water commissioners of some of the States that the position of the gentleman from Michigan [Mr. CRAMTON] is correct, but they seem to want the amendment that is suggested by my colleague [Mr. EATON]. Personally, I think it is entirely too small a matter to cause the killing of the bill, as it did in the last Congress, and thereby interfere with a tremendously important amicable adjustment between these various States of this very large and valuable amount of water.

Mr. CRAMTON. Of course the gentleman will recall that one of those water commissioners has been quoted publicly as stating that these States could go ahead and make their agreement without asking any odds of Congress.

Mr. TAYLOR of Colorado. Yes.

Mr. CRAMTON. And evidently that same influence is the influence that is insisting on no representative of the Government sitting in on the conferences. I think this is important. I think it is important in the interest of States that have to do with the Colorado that might not be in the conference that a representative of the Government be there.

This bill names a half dozen States and any two of them under this bill may hold a conference. I think a representative of the Federal Government who would be familiar with the situation in the other States not represented would be desirable and important.

Mr. TAYLOR of Colorado. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. TAYLOR of Colorado. Does the gentleman from Michigan feel that that provision is of sufficient importance to prevent the passage of an important matter like this?

Mr. CRAMTON. I can not see any reason why the gentleman asking for this legislation should be so insistent that no representative of the Bureau of Reclamation shall sit in at the conference. On the other hand, I think it is very important to the irrigation interests of other States concerned, as well as the interests of the Federal Government, that the Government be represented. The expense is not large and the States bear no part of that expense.

Mr. TAYLOR of Colorado. Let me suggest: I introduced a bill in accordance with the gentleman's idea. This House passed two bills of mine during the last Congress, one for Colorado and New Mexico and the other for Colorado and Kansas, and Oklahoma on the Arkansas River, with the provision that the gentleman from Michigan asks to have go in this, and I thought it was right and that the Reclamation Service should be represented. But I do not think it is of very great or vital importance, so I have said to these gentlemen who insist on this provision, that so far as I am concerned, that I would not object to it because I do not want that provision to again kill the bill if I can avoid it.

Mr. LAGUARDIA. Will the gentleman yield? What status does this Federal member have—is he there as an observer?

Mr. TAYLOR of Colorado. He is appointed by the President of the United States to represent the Federal Government and he assumes to be a kind of an umpire and adviser of all parties concerned.

Mr. LAGUARDIA. I understand that, but after the commission is formed what status has this representative in the conference?

Mr. TAYLOR of Colorado. Oh, he acts as chairman and master of ceremonies and is a very important individual.

Mr. CRAMTON. He participates in the negotiations and makes a report to Congress, and afterwards Congress is to act on that report.

Mr. LAGUARDIA. He is an observer for Congress and makes an impartial report?

Mr. CRAMTON. Yes; but these two States are not the only ones interested in the water. This representative of the Bureau of Reclamation will know how other States are affected, if at all, and one good reason for the necessity of this is the very fact that these certain elements are so insistent on not having him there.

Mr. LAGUARDIA. Is there any serious objection to what the gentleman recommends at this time?

Mr. CRAMTON. The bill as reported was entirely agreeable to me, and I have no objection to any of the amendments except the amendments in lines 8 and 10, page 2. I think the gentleman would not want to insist on those.

Mr. COLTON. Will the gentleman yield? In answer to the suggestion of the gentleman from New York under the provisions of section 19 of the Boulder Canyon Dam act there have been conferences between the States. The representative appointed by the President has participated in these conferences, and is thoroughly familiar with the questions involved and in other respects.

Mr. LAGUARDIA. Is that the only difference?

Mr. COLTON. I am not speaking for those who are offering this amendment.

Mr. LAGUARDIA. I am trying to ascertain the reason for the opposition to having a representative of the Department of the Interior.

Mr. COLTON. One objection is that the gentleman appointed by the President has sat in the conferences and is thoroughly familiar with the problems and has demonstrated his ability. I would dislike very much to see him eliminated from these conferences by this amendment.

Mr. LAGUARDIA. What assurance has the gentleman that this particular person would sit in in the conferences provided in the bill now before us?

Mr. COLTON. I have no such assurance.

Mr. CRAMTON. It would add an additional expense, and he is no more familiar than the officials of the Bureau of Reclamation would be.

Mr. COLTON. I will say to the gentleman from New York that we have no assurance that the President under that bill would not appoint a representative from the Interior Department. I understand those interested in the amendment want to give the President a free hand.

Mr. CRAMTON. But the amendment goes much farther than that. Under the amendment no representative is to be appointed except on request of the governors of the States.

Mr. SIMMONS. Will the gentleman yield? I take it you have no objection to the amendment limiting the bill to the Colorado and its tributaries?

Mr. CRAMTON. That is up to the gentlemen from those States.

The SPEAKER. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, this bill has been on the calendar for a long time. We may as well dispose of it to-day, and I think we can if the House will indulge us for a few moments longer.

Mr. CRAMTON. Mr. Speaker, as I understand it, the gentleman from Colorado [Mr. TAYLOR] is agreeable to the amendments offered by his colleague [Mr. EATON].

Mr. TAYLOR of Colorado. I have agreed with him not to oppose them. The bill is too important in my judgment to allow it to be killed, whether that provision is in or out.

Mr. CRAMTON. And he is not insistent on proposed amendments to section 2. My suggestion is that the gentleman from Colorado [Mr. EATON] offer the other amendments, but omit the two to which I have objected. If I have that assurance, I would not object to the consideration of the bill; otherwise I would.

Mr. EATON of Colorado. As I understand the procedure, I should offer an amendment to the first paragraph of the bill. Would that be agreeable?

Mr. CRAMTON. The procedure is this: Consent is not yet given for the consideration of the bill. If the gentleman gives notice that he is going to offer only certain amendments, and then consent is given for the consideration of the bill, he would have opportunity to offer these amendments. I have no objection to any of the amendments suggested, except to those suggested in lines 8 and 10 on page 2, and unless I have an understanding that those amendments will not be offered, I shall have to object to the present consideration of the bill.

Mr. EATON of Colorado. Mr. Speaker, the amendment which I am about to submit was sent to me by the water commissioner for the State of Colorado, Hon. Delph E. Carpenter, in a letter under date of May 6, in which he stated that—

> Owing to ambiguity in section 19 of the Boulder Canyon act, the commissioners for the upper basin States (Colorado, New Mexico, Utah, and Wyoming) have decided that it will be wise to legislate to authorize those four States to agree among themselves, or with Arizona, respecting the waters allocated to the upper basin by the Colorado River compact.

The essential difference between the bill of my colleague [Mr. TAYLOR of Colorado] and the amendment is that the latter defines the jurisdictions of commissioners to be appointed to the Colorado River and all tributaries thereto above Lee Ferry, which is in the State of Arizona.

In the original bill it is provided that the compacts or agreements to be made thereunder shall be subsidiary to and subject to the terms of the Colorado River compact signed at Santa Fe, N. Mex., November 24, 1922, if and when approved. The words "if and when approved" are omitted from the amendment and instead the words inserted are "and now effective in accordance with the act of Congress, December 21, 1928." This amendment speaks for itself.

The principal subject of the debate is the amendment proposed by the commissioners in the first clause of section 2, which is written in the original bill in these words:

> Such consent is given upon condition that a representative of the United States from the Department of the Interior, to be appointed by the President, shall participate in the negotiations * * *.

The commissioners have suggested in this and other like legislation that the language shall be in the following words:

> Upon request of the governors of said negotiating States, a representative of the United States to be appointed by the President shall participate in the negotations * * *.

The dispute is whether the appointee of the President shall be limited to an official or employee of the Department of the Interior, or whether Congress shall permit the President to use his discretion as to whether an officer or employee of that department shall represent the United States in negotiations.

My recollection is—and I think it is accurate—that President Hoover himself was the first appointee as the representative of the United States to sit with the commissioners of the States mentioned in this bill, together with Nevada and California, to negotiate the Colorado River compact, which was concluded and signed at Santa Fe in 1922. In 1928 he resigned and the then President appointed a representative who at that time was from the Department of Justice and not from the Department of the Interior.

I believe that it is a correct statement to say that the commissioners do not understand why any Member of Congress should insist upon limiting the field from which the President should select his representative, and they do not wish to be put in the position of insisting that they consent to such limitation. It is possible that some of the matters incident to the negotiations of the past year have created a situation which the gentleman from Michigan [Mr. CRAMTON] believes can best be protected by such limitation.

I think it is not out of place to state that in a conference with the Secretary of the Interior a few days ago the direct question was asked him whether he thought that the appointing power of the President for such a representative should be limited in the bill to officers or employees of the Department of the Interior. His answer was unequivocally negative.

The Colorado water commissioner agrees with the Secretary of the Interior, and I understand that the gentleman from New Mexico [Mr. SIMMS] and the gentleman from Wyoming [Mr. CARTER] are both advised by the water commissioners of their respective States that they are of the same mind.

However, in the light of matters disclosed by the debate, I shall withhold offering the amendments to section 2, which are on the Speaker's desk, but I desire to have the text thereof set forth at this place in the RECORD as having been here under discussion.

(The text just referred to by Mr. EATON of Colorado, not to be offered, follows:)

> SEC. 2. Upon request of the governors of said negotiating States, a representative of the United States appointed by the President, shall participate in the negotiations respecting any of the proceedings and of any compact or agreement entered into. Other than the compensation and expenses of such representative, the United States shall not be liable for any expenses in connection with such negotiations. Payment of such expenses is authorized from the appropriations for cooperative and general investigations for the Bureau of Reclamation.

Mr. LAGUARDIA. Under the agreement, is it possible for the President to designate anyone he desires as a representative of the Federal Government at this conference?

Mr. EATON of Colorado. No; the designation must be of a representative of the United States from the Department of the Interior only.

Mr. LAGUARDIA. Why does the gentleman from Michigan insist upon the Department of the Interior?

Mr. CRAMTON. Because they are the men who know the situation, and there will be no extra expense in securing their services. They will be available also whenever Congress wants to call them before it.

Mr. LAGUARDIA. I agree with the gentleman's purpose in having a representative of the Federal Government there, but I do not go as far as the gentleman from Michigan does and insist that the representative must be selected from the Department of the Interior.

Mr. CRAMTON. A representative from the Bureau of Reclamation knows this business. There is some sense in having him there. The other gentleman they speak about may now know something about this matter, but when he was sent out there he did not know any more about the irrigation problem or irrigation law than any easterner knows who has not been west of the Mississippi.

Mr. LAGUARDIA. Oh, I disagree with the gentleman in that suggestion. It is not necessary to have a residence in the West to know something about irrigation. This gentleman is a very able and competent man.

The SPEAKER. In the interest of the dispatch of public business, the Chair thinks that debate on these bills should be limited to some extent.

Mr. ARENTZ. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection?

Mr. CRAMTON. I object unless I am assured that those amendments to lines 8 and 10 of section 2 are not to be presented.

Mr. TAYLOR of Colorado. I trust that my colleague will give that assurance.

Mr. EATON of Colorado. I shall limit my amendments to amendment of the first paragraph of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby given to the States of Colorado, New Mexico, Utah, and Wyoming to negotiate and enter into compacts or agreements providing for an equitable division and apportionment between such States of the water supply of the Colorado, Green, Bear or Yampa, the White, San Juan, and Dolores Rivers and of the streams tributary thereto and of all other streams in which such States are jointly interested: *Provided, however,* That such compacts or agreements shall be subsidiary to and subject to the terms of the Colorado River compact, signed at Santa Fe, N. Mex., November 24, 1922, if and when approved.

With the following committee amendment:

Page 2, line 4, after the word "agreements," insert "relating to the Colorado River and its tributaries."

The committee amendment was agreed to.

Mr. EATON of Colorado. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. EATON of Colorado: Strike out all below the enacting clause and insert in lieu thereof the following: "That the consent of Congress is hereby given to the States of Colorado, New Mexico, Utah, and/or Wyoming, and/or to said States and the State of Arizona, to negotiate and enter into compacts or agreements providing for an equitable division and apportionment among such negotiating States of the water supply of the Colorado River and all tributary streams above Lee Ferry: *Provided, however,* That such compacts or agreements shall be subsidiary to and subject to the terms of the Colorado River compact signed at Santa Fe November 24, 1922, and approved by Congress December 21, 1928: *And provided further,* That the provisions hereof shall apply with respect to pending negotiations between said States."

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

The amendment was agreed to.

The Clerk concluded the reading of the bill, as follows:

SEC. 2. Such consent is given upon condition that a representative of the United States from the Department of the Interior, to be appointed by the President, shall participate in the negotiations respecting any of said streams and shall make report to Congress of the proceedings and of any compact or agreement entered into. Other than the compensation and expenses of such representative, the United States shall not be liable for any expenses in connection with such negotiations, compact, or agreement. The payment of such expenses of such representative is authorized to be paid from the appropriations for cooperative and general investigations for the Bureau of Reclamation.

SEC. 3. No such compact or agreement shall be binding or obligatory upon either of such States unless and until it has been approved by the legislature of each of such States and by the Congress of the United States.

SEC. 4. The right to alter, amend, or repeal this act is herewith expressly reserved.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

On motion of Mr. EATON of Colorado the title was amended to read as follows: "A bill granting the consent of Congress to compacts or agreements between the States of Colorado, New Mexico, Utah, and/or Wyoming, and/or between such States and the State of Arizona with respect to the division and apportionment of the waters of the Colorado River and all tributary streams above Lee Ferry."

### ADDRESS OF HON. GILBERT N. HAUGEN

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address by my colleague from Iowa, GILBERT N. HAUGEN, on Norwegian Independence Day, at the 17th of May festival of the Norwegian National League, Second Naval Battalion Armory, Brooklyn, N. Y.

The SPEAKER. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

The address is as follows:

#### NORWEGIAN INDEPENDENCE DAY

Mr. Chairman, ladies and gentlemen of the Norwegian National League, I feel highly honored to be invited to address this meeting of Norwegians at New York, where so many have first gazed upon this land of liberty, opportunity, and promise—among them my good father and mother 84 years ago.

I voice the sentiments of all, I am sure, in saying the Norwegian National League is typical of the indomitable spirit which, coupled with the admirable traits of frugality, courage, respect for law, incessant hard work, and love of home, recognized as attributed and characteristic of the Norwegian, of which we are proud to say has done so much to make the Norwegian an outstanding element of our national citizenship.

Naturally on occasions like this our hearts are filled with joy and gratitude. Indeed, we have many things to rejoice over. In our respective communities we have been blessed with bountiful harvests, augmented by wonderful material, intellectual and spiritual development. We are at peace with the world and enjoy the confidence, respect, and admiration, and good will of the people of the world.

The organization of the Norwegian National League and festivities such as arranged for here to-day are indeed commendable; allowing a few hours for recreation and relaxation, and affording opportunity to clasp the hands of friends, neighbors, and kinsmen; to renew acquaintances, to make new friends, and meet our coworkers in our pursuit of happiness, material, spiritual, and intellectual development, and to manifest our appreciation of our own country, as well as of the motherland, and the class of people who have contributed so much to our national growth and greatness.

In showing interest and pride in one's motherland, of course no disrespect or disloyalty is intended to our own or adopted country. Although all take a just and pardonable pride in their motherland, all foreign-born American citizens take a greater pride in their own or adopted country—yes, naturally so, in our land of equal rights and opportunities, with its great and glorious Government and its splendid and magnificent institutions.

The young man who departs, with his mother's Bible under his arm and his father's blessing on his head, who bids adieu to his kinsmen, friends, and neighbors, fjelds and fjords, and all so near and dear to him in his childhood days, who comes to America, and who through his enterprise, intelligence, integrity, and ability builds his home and who appreciates the blessings of American citizenship, day by day becomes more and more devoted to his adopted country. Though he enjoys and appreciates the blessings of American citizenship, he relinquishes none of his love for his motherland.

It is natural that the Norsemen should seek our shores, as no people have a greater love for freedom and personal independence. To be free and independent has always been the greatest desire and ambition of every true Norseman.

History tells of them: They would endure the rigid climate of the North and the burning sun of the South, they would suffer inconveniences, privations, poverty, and distress. They would make the forests

their habitation, but would never give up 1 inch of their rights as free men. Their love of personal independence amounted to passion. No king or ruler has ever been able for any length of time to be absolute master of the Scandinavian people. No foreign nation has been powerful enough to subjugate them. Sweden and Denmark dethroned their absolute monarchs. Norway dared to draw the sword against Europe and demand national independence.

The Norsemen are noted for their firmness, courage, and independence. Besides being independent, firm, determined, and courageous, on the whole, they are honest and truthful. They had a sense of honor to sacrifice their lives rather than their word. A promise once given, either to friend of enemy, had to be complied with unconditionally. Cunning and deceit under no circumstances were tolerated. They were earnest, broad-minded, bold as sailors, and daring adventurers. They were conservative in politics and religion, commerce and speculation, and radical reforms were repugnant to their very nature. Above all, they were honorable, sympathetic, and conciliatory.

During the greater part of the fourteenth and fifteenth centuries, Sweden and Denmark and Norway were united under one government. Then for 400 years Norway remained practically a province of Denmark. In 1814 Norway separated from Denmark and joined with Sweden. During this union, for a period of 91 years, there was some strife and contention, but it was honest differences, and at all times conducted on a high plane with honesty and dignity, and let it be said to the credit of Norway, and Sweden as well, that in the separation on June 7, 1905, their differences were settled and an amicable adjustment made without drawing of swords, firing of guns, or the spilling of a drop of blood—an event that history will record as the most noteworthy and commendable event of the century. As a result, the cordial and friendly relations that have always existed between these people are continued, and the bonds of friendship are as strong as ever.

While I am American-born, I am indebted to the Hallings from Flaa for the blood that runs through my veins. I am proud of Norway, her traditions, her history and achievements, her sturdy men, her sweet, charming women, her fjelds, and fjords. Wherever her people have settled in the world, and especially in the United States, we find them in the foremost ranks, associated with the best, gallantly marching onward and upward and to victory in times of peace and war. We find them in our institutions of learning, in commerce, on the farms, in the pulpit, in journalism, in public and private life—in fact, in every walk of life—commending and deserving of the respect, confidence, and admiration of their fellow men.

My knowledge of them, and I have some knowledge of them, having been associated with them all my life, is that it can be said that Norwegians, generally speaking, are open, frank, affable, pleasing, and courteous; they are industrious, frugal, peaceful, and law-abiding, and possess a great amount of energy and business prudence.

If one would study our history and note the marvelous progress and achievements here at home and of the men and women who have reared our homes, towns, and villages; who have constructed our vast systems of public schools, colleges and universities, and temples of religion; many in sickness, in reverses, in privations, and sorrow; others in health, wealth, joy, and prosperity, sympathizing with each other's woes and sharing each other's joys, step by step advancing along the lines of refinement, culture, and wealth until to-day we boast that we rank among the most civilized, Christianized, successful, practical, and intelligent people on earth. Our onward march to greatness has placed us in the foremost ranks of modern civilization and thought. Surely these achievements, the morality and intelligence of our people, are not the achievements of an indolent or ignorant people. To the contrary, they are the achievements of an intelligent, industrious, liberty-loving people and bear upon them the impress of the most enlightened views and policies, executed with the greatest prudence, firmness, and wisdom. Truly they are the trophies of freedom and the grandest monument of our national glory, carved out by an industrious and intelligent people. Though a rich and fertile soil, sunshine and rain, industry and intelligence have had much to do with it, well may the Norseman be proud of having contributed his part in making this country the grand and glorious Government, its splendid and magnificent institutions what it is.

With our grand and glorious Government, with our splendid and magnificent institutions, with our marvelous resources and results obtained in general, with so much of it due to the Norwegians, well may we cling to it, live for it, work for it, pray for it, and contribute to its support.

If we take a just and pardonable pride in our Nation's growth and greatness and the services rendered by the pioneers, what can and what should be done in order that this grand march onward and upward may continue? The destiny of our country lies in the coming generation; your children, my children, our children's children in posterity. If so, naturally our deepest concern is in our young men and women who ultimately shall take on the work so well begun. The first and all-important question then is, "What can we do for our boys and girls?" Generally the answer is, give them a good education. Yes, very well.

Knowledge is power; it always was power and always will be power. The importance of a general education in a Republic that must be sustained by the virtue and intelligence of her people can not be too highly appreciated. Knowledge is the greatest security of freedom, and all we have and enjoy of human liberty was acquired by the people. They fought the battles of the Revolution; they declared our independence; they made our Constitution and have sustained it in peace and war. These people this Republic demands; and, I am proud to say, it receives liberal provision for a general education.

But knowledge is not sufficient. What else? We must have high-class citizens; not only intelligent people, but industrious, law-abiding, and liberty-loving people. If so, what is the best capital a young man or woman can start in life with? Not only a good education, but good morals, sound judgment, foresight, and character of the highest type, founded on integrity, robust health, with a will to work honestly and bravely. If a young man's ambition is to be a truly great man, he must have something to do. Toil is the price of success. Work is what God intended us to do. The Good Book says: "In the sweat of your face shall thou eat bread until thou returnest to the ground." "If any man or woman will not work, neither shall he eat."

No one has a right to expect a fortune unless he earns and deserves it. One reaps what he sows. Every man and woman is the architect of his or her respective fortune. A life of constant and useful employment is the only safe and happy one. Every article used represents more or less labor. It is toil that has made our glorious country what it is. It is toil that has made our farms and our homes, and has built our towns, villages, cities, our factories and mills, our schools and temples of religion, and anyone who has contributed his share to this work may well feel proud of his part in developing this great and glorious country. "An idle brain in the devil's workshop, a lazy man the devil's bolster." "Errors, like straws, upon the surface flow. He who would search for pearls, must dive below."

Longfellow says that—

"The heights by great men reached and kept
Were not attained by sudden flight,
But they, while their companions slept,
Were toiling upward in the night."

Longfellow's advice is "Do the duty that lies nearest to you, and have no thought of fame." Crockett's advice is "Be sure you are right, then go ahead."

If one's ambition is to have a good business, a big farm, a congenial and happy home, and all that this world affords, what is there to hinder him from having it in this land of plenty under our grand and glorious Government, with its splendid and magnificent institutions, which Washington, with his band of patriots, so nobly provided for us? Nothing whatever. Industry, with proper economy, will bring it. Live within one's income and redeem every obligation, great or small. First, be sure that one's occupation is an honorable one, a good one, one that is to his liking; then live for it, pray for it, harden his hands, sweat his face, tax his brain, throw in one's mind, might, and strength in his actions for it, and his efforts will be crowned with success; if so, he will know that work is not a curse, but, to the contrary, a blessing that an All-wise Providence has provided for the development of man.

If one will study the life and character of our great men, the shining lights, men of prominence, eminence, and influence, he will find that most of them early in life took up an honorable occupation, shouldering heavy burdens, assuming great responsibilities, competing with keen and sharp competition, thus developing their power and influence in the field of employment, and gradually going onward and upward.

We must have not only worthy and legitimate enterprises, churches, schools, intelligent, industrious Christian, and law-abiding people; we must have a patriotic people. In that respect, I believe, speaking as a whole, we are exceedingly fortunate. In our Nation's progress of civilization, colonization, and Christianization, Uncle Sam has held out his hands and has received with open arms the cream of the world, which has been assimilated, crystallized, and amalgamated into a Nation of more than 150,000,000 of the most intelligent, industrious, patriotic, and law-abiding people on earth. They have never failed to answer their country's call. They have always been found marching on to victory in time of peace and in time of war. Here they have come to this land of equal opportunity because of their love of liberty. Here they have established their homes and reared their families, and here in sun-kissed, heaven-blest America, with its grand and glorious government and its splendid and magnificent institutions, lie all their future hopes and aspirations.

We must have not only industrious, frugal, law-abiding people, we must have just laws and an honest administration of such laws. We can not afford to be contented with anything else. It must be legislation that will not deprive any individual or corporation of a single dollar honestly acquired, nor to meet the views of the demagogue or the one without respect for government or property rights, but legislation dealing with all questions judiciously in a broad and comprehensive manner, with intelligence and the spirit of justice and fairness to all concerned; laws obtained in a dignified manner to promote intelligence, morality, industry, science, art, and for the betterment, advancement, and happiness and comfort of all people and to all enterprises.

I shall not delay you in discussing legislation at length, but do want to speak very briefly on legislation in connection with agriculture.

My section of the country is largely agricultural. The farmer rejoices over the progress and prosperity of others. Unfortunately, agriculture has been struggling against adverse conditions. The farmer produces new wealth. All wealth springs from Mother Earth. Every year the farmer by his labor affords the opportunity of the combined acts of the sun, rain, and soil to bring into existence the very essentials of home life, the food we eat, and the clothes we wear. Notwithstanding the continued decline of the farm population in recent years of more than 2,000,000 a year, we still have a farm population of 28,000,000, which makes up approximately one-fourth of our population, of which approximately six and one-half million farmers are engaged in tilling a like number of farms producing approximately one-fourth of the world production of wheat, three-fourths of the world's production of corn, and two-thirds of the world's production of cotton, supplying about one-half of our exports.

The current value of capital invested in agriculture in 1919–20 was $65,000,000,000, which exceeded the total capital invested in manufactures of $44,000,000,000 and $20,000,000,000 in railroads. Farm and farm property represent nearly one-fifth of our tangible wealth. In recent years it has contributed about one-sixth of the national income. It supplies material upon which depend industries giving employment to one-half of our industrial workers. It supplies about one-eighth of the total tonnage of freight carried by our railroad systems. It pays $10,000,000,000 annually for services and goods produced by others. It pays indirectly at least $2,500,000,000 of the wages of urban employees. It pays one-fifth of our cost of government—Federal, State, county, and municipal.

Recent experience has demonstrated with absolute finality that the stability, growth, and greatness of our Nation, the progress, prosperity, and happiness of our people, depend upon our basic industry, agriculture. We recall that following the deflation policy, only a few years ago, which resulted in a disparity in prices between agricultural commodities and the products of industry. Here we were with six and one-half million farmers, constituting about 35 per cent of the purchasing power, because of the low prices of their commodities in contrast with the high prices they had to pay for what they had to buy, found themselves without money or credit to purchase the things necessary to operate their farms. Naturaly consumption fell. Production, of course, declined correspondingly, resulting in separating more than 6,000,000 wage earners from the pay rolls. Naturally, wage earners became intensely interested. Representatives of, I believe, all labor groups appeared before the Committee on Agriculture, pleading with the committee to report out legislation that might restore the purchasing power of the farmer so that they might go back to work.

Edgar Wallace, a grand and lovable character, representing the American Federation of Labor, stated:

"The farmers are our customers; when they have no money we can not work. We are the farmer's customers. * * * Hence, I think it to the interest of all the workers * * * I can not see any hope for improvement, except the farmers can buy. * * * These are the people on whom we depend. * * * I do not see any difference in confiscating a farmer's product by force or forcing upon him confiscatory prices that will have the same effect. * * * What does it profit us if we can buy meat for 10 cents a pound, if we haven't the 10 cents."

Again, only a few days before passing away, Mr. Wallace appeared before my committee and said:

"I am sorry to say, Mr. Chairman, that what I apprehended a year and a half ago is now a fact; that is, as we are sitting here to-day 40 per cent of the workers of this country are idle because no man has hired them. * * * So we are heading for the dump."

Mr. Wallace also stated:

"I believe that we have the highest standard of living to-day. I believe our standard of living is higher than that of any country in the world—higher than it has been anywhere."

I have stated this to point out the general interest Congress takes in legislation helpful to every worthy and legitimate enterprise.

Being mindful of the party platform pledges of practically all political parties, and appreciating the important place the basic industry—agriculture—holds in the economical life of the Nation and the urgent need of farm relief, and the fact that our interests are in common, all join hands in an honest effort to enact laws to restore agriculture on an equality with industry and labor.

We all take a just and pardonable pride in our Nation's growth and greatness, in the fact that we are living in this age of marvelous expansion, and are moving forward with a mighty speed; that the wheels of industry are moving; the fact that we rank among the most practicable, prosperous, and intelligent people on earth; that progress, prosperity, and happiness are in evidence everywhere. We feel it our duty, no matter what our political affiliation, creed, occupation, or prejudice may be, to strive to benefit this country, to relieve the distress, to protect the weak, to uplift humanity, to promote and to perpetuate trxe greatness, to give honest and thoughtful consideration in securing full benefit for our natural resources, for the development of mechanical appliances and the skill and genius of American labor; to see to it that nobody is imposed upon, that everybody is given adequate protection against any invasion on the part of unscrupulous and dishonest interests, in order that we may have the fullest development of every worthy and deserving enterprise.

AMATEUR BOXING IN DISTRICT OF COLUMBIA

The next business on the Consent Caledar was the bill (H. R. 9182) to prevent professional prize fighting and to authorize amateur boxing in the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. HOOPER. Mr. Speaker, reserving the right to object, I have no special wish to object to the consideration of the bill, but I would like to have one or the other sponsors of the bill present. I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

CONSTRUCTION OF RURAL POST ROADS

The next business on the Consent Calendar was the bill (H. R. 7585) to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this is the bill that I discussed on the last consent day and suggested amendments to. I am heartily in favor of the general policy proposed. Where the Government owns all of the land it ought to be willing to build a road across it to connect Federal-aid highways, the Federal land not being taxable. But as I see it, this bill does not get anywhere.

This bill, if it becomes a law, means that there shall come to Congress another bill authorizing an appropriation that is hereby authorized to be authorized, and then a third attempt when the appropriation is up.

I want to suggest that if this comes up we amend it on page 2, line 10, by striking out lines 18 to 21, which read:

The roads constructed and maintained under the provisions of this section shall be of the same standard as to width and character of construction as the Federal Government requires of the States under like conditions.

As to that, all the expenditure is by the Federal Government, and since the Bureau of Roads has been making a special study of these areas with the possibility of getting by with a lower cost of construction, I suggest that we leave that to the discretion of the department, and strike out those lines. On line 9, after the word "hereafter," strike out the words "authorized to be expended" and insert "appropriate for the fiscal years 1931, 1932, and 1933 not exceeding $3,000,000 for each year," so that instead of it being as the bill now stands, an authorization for a later bill to authorize the appropriations, this bill will in itself be an authorization of appropriations, but limited to three years, and each of these fiscal years being limited to a maximum of $3,000,000 per annum. Then unless the Committee on Public Roads bring before the House a bill for an extension, it ends in three years.

Mr. COLLINS. What is the purpose of that?

Mr. CRAMTON. My idea was that this should be $2,500,000. Congress passed a bill fixing it at $3,500,000. My suggestion for this bill was to compromise at $3,000,000. I think that would be a fair figure. But the gentleman from Mississippi suggests $2,000,000. I am broad-minded and willing to compromise and now suggest we agree upon $2,500,000.

Mr. COLLINS. I have no objection to agreeing to that.

Mr. LAGUARDIA. These roads are to be built exclusively with Federal funds?

Mr. CRAMTON. Yes.

Mr. LAGUARDIA. We have passed a bill and it has passed the Senate whereby the Federal Government will help construction, and that will accomplish as much road building as was originally proposed?

Mr. COLTON. It was the intention of those responsible for this legislation simply to amend the basic road law and give to the public-domain lands the same status as was given to the national forests in the original act. That was the purpose of this bill. Of course, it is not intended that the appropriations shall be anything like the amount used in the forests. If it is desired by the Members here to take the short cut and make the authorization here, of course we shall not object. I want to keep faith with the Roads Committee, however, and it was understood a later authorization bill would be passed.

Mr. LAGUARDIA. I think the gentleman should accept that.

Mr. COLTON. Heretofore we have asked for $3,500,000. We would probably accept $2,500,000, although we would prefer at least $3,000,000 annually for at least three years.

Mr. CRAMTON. There is a tremendous area involved.

Mr. EVANS of Montana. The gentleman is right to accept the $2,500,000, I am sure.

Mr. LAGUARDIA. I think that $2,500,000, with the changed conditions, and permitting the Government to use prison labor, would be satisfactory.

Mr. COLTON. I do not object.

Mr. CRAMTON. I do not object.

Mr. LAGUARDIA. Regular order, Mr. Speaker!

The SPEAKER. The gentleman from New York demands the regular order.

Mr. LAGUARDIA. I withdraw that, Mr. Speaker.

Mr. McCLINTIC of Oklahoma. Mr. Speaker, will the gentleman from Utah yield?

Mr. COLTON. Yes.

Mr. McCLINTIC of Oklahoma. Does it include the State of Oregon?

Mr. JOHNSON of Washington. The public domain in the State of Oregon.

Mr. COLTON. This bill would include Oregon.

Mr. McCLINTIC of Oklahoma. For the third time I call the attention of the House to the fact that the public lands in the State of Oregon are now being assessed at a figure as high as $100 an acre. If they were homesteaded they would only bring to the Government $1.25 per acre. So long as I am confidentially advised by men high in the Department of the Interior that there should have been no such legislation enacted into law, this body should not pass a bill of this kind until that question is satisfactorily settled.

Mr. HAWLEY. There is not an acre of public land on the public-tax roll in the State of Oregon.

Mr. McCLINTIC of Oklahoma. That does not make any difference. The money comes out of the Treasury and goes to the counties of Oregon. I do not think we ought to pass a bill carrying such benefits as are provided in this bill so long as this situation exists.

Mr. HAWLEY. The moneys to which the gentleman refers are moneys that the Congress of the United States adjudged to them by law in the disposition of certain recaptured lands, which gave to the counties in which the lands are located for roads and other purposes 25 per cent of net receipts from the sales of these lands. The Government is taking over the interests of the counties in these lands and the timber on them. The interest of the Government has increased in these lands dollar for dollar for every dollar paid to the counties. These lands were ordered sold by Congress, and the net receipts were ordered to be distributed as follows: Twenty-five per cent to the counties, 25 per cent to the State school fund, 40 per cent to the general reclamation fund, and 10 per cent to the Federal Treasury. The percentage that the Government has in these lands is continually increasing as it acquires the interest of the counties, and is suffering no loss. The Government can reimburse itself at any time by the sales of these lands and timber. The present situation is due to the delay of the Government in disposing of these lands and timber. Congress intended that it should.

Mr. McCLINTIC of Oklahoma. I am sorry I can not view this question in the same way as the gentleman from Oregon [Mr. HAWLEY] for the reason that I know of over $7,000,000, which has been taken out of the Treasury to pay counties in Oregon, and that the total cost of this reimbursement amounts to more than $11,000,000, and it is continuing year by year.

Mr. HAWLEY. And the Government has taken over out of these lands an additional $7,000,000 interest in the lands themselves and the timber thereon.

Mr. McCLINTIC of Oklahoma. I understand; but these lands could only bring to the Government $1.25 an acre when disposed of under the homestead laws.

Mr. HAWLEY. I beg to say that the information of the gentleman is in error.

Mr. McCLINTIC of Oklahoma. Not to exceed $2.50 per acre.

Mr. HAWLEY. Oh, no. The gentleman is in error. The principal value of these lands is in the timber, and that timber has been cruised and it is sold at its appraised value, and it brings a very large amount per acre, depending upon the amount of timber. The principal value of the lands is in the timber.

Mr. McCLINTIC of Oklahoma. I have received information from a high-ranking official in the Department of the Interior, and that official said that the timber interests of Oregon would not allow these lands to be sold, and they are not being sold, at the present time.

Mr. HAWLEY. The gentleman's informant is in error in that, because the timber on these lands was cruised many years ago, and has been placed on the market and is being sold. The timber would have been sold in larger quantities except the Forest Service asked that the Department of the Interior do not sell this timber for less than the Forest Service fixed price, which has held up the sale of the timber.

Mr. COLTON. Will the gentleman yield?

Mr. McCLINTIC of Oklahoma. I yield.

Mr. COLTON. This bill would not apply at all to the lands which the gentleman has in mind. The lands that would be affected by this bill are nontaxable Government lands. It provides for the building of roads on the public domain. They are not taxed at all. If they are taxed, they are not included in what is commonly known as the public domain. This bill would have nothing whatever to do with the situation which the gentleman from Oklahoma [Mr. McCLINTIC] is describing. The situation which the gentleman is describing deals only with some lands that were affected by legislation passed some time ago, and this bill would neither add to nor subtract anything from the lands which the gentleman has in mind.

Mr. McCLINTIC of Oklahoma. I would like to say to the gentleman from Utah [Mr. COLTON] that I was a member of the Public Lands Committee when we passed the recapture bill which brought back the California and Oregon lands to the Government.

Mr. COLTON. They have never been placed in the public domain.

Mr. McCLINTIC of Oklahoma. I did not know until recently that any legislation had been enacted into law which would allow counties to assess these lands as high as $100 an acre and take money out of the Treasury; and as long as that condition prevails I think it is my duty to call the attention of this House from time to time to that unfair legislation, or legislation discriminating against other public lands and against other States throughout the Nation.

On December 1, 1928, I received the following letter and memorandum from Gov. William Spry, Commissioner of the Land Office:

DEPARTMENT OF THE INTERIOR,
*Washington, December 1, 1928.*

Hon. JAMES V. McCLINTIC,
*House of Representatives.*

MY DEAR MR. McCLINTIC: Pursuant to your telephone call of November 30, 1928, I inclose herewith a memorandum prepared in this office, containing the information requested by you in connection with the Oregon & California land grant.

Very truly yours,

WILLIAM SPRY.

MEMORANDUM IN RE OREGON & CALIFORNIA RAILROAD GRANT LAND

1. Title to approximately 2,772,000 acres of the Oregon & California grant lands revested in the United States under the act of June 9, 1916 (39 Stat. 218).

2. Two dollars and fifty cents per acre was paid the railroad company for each acre for which it received patent or was entitled to receive patent under its grant. The total amount paid the railroad company as a final settlement by the Government was $4,102,215.28.

3. The requirements necessary to homestead these revested lands are contained in the inclosed Circular No. 1103, approved December 10, 1926.

4. One hundred and eighty thousand five hundred and eighty-five and twenty-four one-hundredths acres, final homestead entry, $451,463.10; 277,464.95 acres, no final proofs, $138,732.48.

Total acreage homesteaded, 458,050.19 acres.

Total amount paid, $590,195.58.

5. No law has been passed making the undisposed-of lands taxable by the local authorities. The act of July 13, 1926 (44 Stat. 915), provides, however, for the payment to the counties embracing such lands, by the Federal Government, amounts of money equal to the taxes that would have accrued against said lands if they had remained privately owned and taxable; or, in other words, had title not been revested in the Government.

6. The following are the total amounts paid to the several counties for the years 1916 to 1927, inclusive:

| | |
|---|---|
| Benton | $292,464.32 |
| Clackamas | 377,012.29 |
| Columbia (does not include 1927) | 144,742.25 |
| Coos | 593,782.25 |
| Curry | 31,369.58 |
| Douglas | 1,825,782.36 |
| Jackson | 1,367,798.89 |
| Josephine | 625,513.02 |
| Klamath | 128,772.55 |
| Lane | 1,279,863.66 |
| Lincoln | 41,137.93 |
| Linn | 247,522.68 |
| Marion (does not include 1927) | 130,337.97 |

| | |
|---|---|
| Multnomah (see below) | $31,810.67 |
| Polk (does not include 1927) | 213,873.17 |
| Tillamook | 49,343.68 |
| Washington | 73,363.41 |
| Yamhill (does not include 1927) | 58,078.57 |
| Clark County (Washington) | 3,764.57 |
| Total | 7,514,333.82 |

The statement noted after several of the counties "does not include 1927" indicates that the claims of those counties for 1927 have not been finally adjudicated or paid. In the case of Multnomah County the claims for the years 1926 and 1927 have not been finally adjudicated or paid.

7. As stated under paragraph 5, no law has been passed making the undisposed-of lands taxable. The payments made by the Government under the act of July 13, 1926, are based on unit valuation used by the Secretary of the Interior for the year 1915. These so-called units embrace from 1 to 640 acres. This 1915 valuation ranges from $2.50 per acre to $100 per acre. There are in the neighborhood of 8,000 separate tax units within the revested area.

It is impossible to state the number of acres of Oregon & California land in each county subject to homestead entry. However, the inclosed copy of the vacant-public-land circular dated July 1, 1928, on page 11, gives the unentered lands in each of these counties as of that date. The counties, however, embrace land outside of the Oregon & California grant.

On several occasions I have called this House's attention to the fact that these public lands were being assessed or taxed and that the proceeds of the same were being paid to certain counties in Oregon. The gentleman from Oregon [Mr. HAWLEY] has repeatedly stated that the lands were not taxed; however, it will be noted in paragraph 7 of the memorandum furnished by the Commissioner of the Land Office that the following language is used: "There are in the neighborhood of 8,000 separate tax units within the revested area," and regardless of what term is applied to the method of obtaining this money from the Government, the effect is the same, as the money is taken out of the Treasury and paid to the various counties that are enumerated above, which is the same result as if the lands were taxed.

It will be interesting to the Members of this House to know that when a bill was enacted into a law which caused these lands to be restored to the Government, that there were certain provisions included in the act which provided that a certain percentage of the proceeds should be paid to the various counties in Oregon where the land was located. However, there was nothing contained in the act which would allow these counties to assess this land at a valuation up to $100 per acre and then collect the money from the Government. I maintain that there were not 20 Members of Congress that knew the effect of this piece of legislation, and that it is the only piece of public land in this Nation that ever was assessed or taxed in such a way as to cause money to be taken out of the Treasury and paid to certain counties.

The amazing result of the entire controversy is that these lands are subject to homestead entry at $1.25 per acre, and the Government will dispose of them at this price whenever the rules and regulations are properly lived up to by some one who desires to gain possession by carrying out the provisions of the homestead act.

I also wish to say that I have had occasion to talk to certain officials that occupy high positions in this Government, and from the confidential information given to me this is one of the most unjust, unfair, discriminatory pieces of legislation that was ever allowed to be slipped through Congress without the purport of the legislation being known to the Members.

It will be interesting to every person who reads what I have to say in this connection to know that I have been told that some of the counties that are the beneficiaries of this act have not only paid off their indebtedness, but have constructed new public buildings out of the funds derived from this source, which, if I view the situation correctly, is unfair to the balance of the taxpayers of the Nation.

The Commissioner of the Land Office by telephone advises me to-day that the total amount that has been paid to the various counties as referred to in this legislation is $8,324,170.84, which, added to the amount that was necessary to pay the railroad company, less the sum received from homestead filings, brings the total net loss to the Government up to the present date up to $11,836,190.54.

Therefore, in view of this situation and the fact that there is apparently no end in sight, and unless legislation is enacted into a law repealing this bill, which is so unjust and unfair, certain counties in Oregon will continue to be beneficiaries of the Government in a way that I think is unjust and wrong, I feel that it is my duty to object.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. McCLINTIC of Oklahoma. I object.

ADMINISTRATION OF NATIONAL PARKS

The next business on the Consent Calendar was the bill (H. R. 8163) to facilitate the administration of the national parks by the United States Department of the Interior, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object——

Mr. COLTON. Mr. Speaker, if objection is not made, I ask unanimous consent to substitute a similar Senate bill which is on the Speaker's table.

Mr. STAFFORD. Mr. Speaker, I wish to make an inquiry as to the full purport of the provision in section 5, authorizing authority to bury indigent persons who die in the national parks. I would like to inquire whether under this phraseology the Park Service would be authorized to bear the entire expense of burial, in case an indigent person should die there, whether his home be 2,000 or 3,000 or 5,000 miles away from the park?

Mr. CRAMTON. Will the gentleman yield?

Mr. STAFFORD. I yield.

Mr. CRAMTON. It would be burial at a suitable place in the vicinity of the park. There would be no free transportation for any 1,000 miles.

Mr. STAFFORD. Under the phraseology of this bill I think it would bear the construction that the Park Service would have the right to have the Government bear the entire expense, regardless of the distance.

Mr. CRAMTON. The situation is that occasionally——

Mr. STAFFORD. I am not objecting to the Park Service having authority to provide for their temporary care and even removal, but I do not think the Government should bear the expense of transporting them to their homes 1,000 or 2,000 miles away.

Mr. CRAMTON. That would never be contemplated.

Mr. STAFFORD. Well, the language bears that construction, I would say to the gentleman from Michigan [Mr. CRAMTON] with all respect. The amendment by the committee has rather broadened the original intent of the act: "The Secretary of the Interior is authorized, out of any money," and so forth, "for the temporary care and removal from parks of indigents, and in case of death provide for their burial."

I was going to suggest, to carry out the intention of the committee, an amendment to strike out the clause "and removal from the park" and insert after the word "indigents," in line 23, on page 3, "and for their removal outside the park limits"; and then strike out "and in case of death provide for their burial"; and at the end of the paragraph to insert the following: "And in case of death of any such indigent in the park, to provide for their burial therein."

Mr. CRAMTON. The only thought is that we might not want to establish a cemetery in a park.

Mr. STAFFORD. Oh, the parks are large.

Mr. CRAMTON. Not always. For instance, General Grant Park is only 1 mile square. The conditions in some of the parks are such that we would not want to establish cemeteries there.

Mr. STAFFORD. I do not think there is much likelihood of finding any indigent person in a park of such small area. The larger the park the more likely there will be indigent persons, yet there could not be any great objection to burying a person in a park. I gave the right lately to bury a poor pet dog on a piece of lake property out in our resort country.

Mr. CRAMTON. I am opposed to the requirement of the establishment of a cemetery in a national park. I think that the general purpose would be accomplished if the section is left as it is, and at the end of the section put in a comma, after the word "purposes," and add "this section, in no case to authorize transportation of indigent or dead to their homes."

Mr. STAFFORD. Or outside of the parks?

Mr. CRAMTON. Well, not more than 25 miles outside the parks.

Mr. STAFFORD. That would be satisfactory. I do not think we should authorize the Government to bear the expense of transporting the remains 1,000 or 2,000 miles.

Mr. CRAMTON. Would not 50 miles be more satisfactory?

Mr. STAFFORD. That will be agreeable. With that limitation in the bill, I shall not object to the present consideration of the bill.

Mr. CRAMTON. I should call attention to this situation, that in the bill as introduced there were sections 3 and 11.

They were stricken out by the committee and they do not appear in the Senate bill, it being suggested that what is known as the uniform contract bill would take care of those matters. The uniform contract bill, which I introduced, has been the subject of hearings, but it has not as yet been reported to the House. While we are always hopeful it is not at all certain that it will be passed at this session of Congress, or even at the next. Therefore my suggestion is that we restore those sections to the Senate bill. I believe that will be agreeable to the committee, as I understand they do not object to those provisions. Therefore I suggest that we restore those two sections to the bill and add them at the end of the Senate bill.

Mr. COLTON. The gentleman from Michigan has explained the reason for the elimination of these sections by the committee. The committee favored the sections, but eliminated them with the understanding that they would be taken care of in another bill.

Mr. STAFFORD. What is the real purport of section 3, which was stricken out by the committee? I examined this bill yesterday with section 3 and section 11 eliminated.

Mr. CRAMTON. I have here a statement from the Director of the National Park Service covering the matter in question, which I will insert at this point:

APRIL 16, 1930.

In connection with H. R. 8163, a bill to facilitate the administration of the national parks, this is to call attention to the fact that a similar bill, S. 195, passed the Senate on April 14, and it would probably expedite action by the Congress if the Senate bill is substituted for the House bill. The Senate bill as passed does not contain the two rather important provisions which were eliminated from the House bill in committee and which were intended to be covered by appropriate amendment of the general contract bill now pending in Congress. However, as pointed out by Congressman CRAMTON on the floor of the House, the contract bill may not become law for some time, and it would be advisable to have the two provisions referred to added to S. 195. It is suggested, therefore, that S. 195 be amended by adding thereto two new sections, as follows:

"SEC. 10. That the Secretary of the Interior is hereby authorized to contract for services or other accommodations provided in the national parks and national monuments for the public under contract with the Department of the Interior, as may be required in the administration of the National Park Service, at rates approved by him for the furnishing of such services or accommodations to the Government and without compliance with the provisions of section 3709 of the Revised Statutes of the United States."

This would authorize the Secretary to contract with public operators in the parks and monuments for services or accommodations without soliciting competitive bids. Services furnished in the national parks and monuments under authorization of the Secretary of the Interior are limited to the particular operator, who is protected under contract so far as the furnishing of the particular service is concerned. Therefore, it would not only be impracticable for the Government when in need of such services to secure competitive bids but such procedure would also be inconsistent with the contract authorization. Rates at which such services are furnished under concession or operating contracts are also approved by the Secretary of the Interior and in connection with the approval of such rates special rates for furnishing such services to the Government would be approved at that time and which would be the basis of all Government contracts for such services or accommodations.

"SEC. 11. Hereafter the National Park Service may hire, with or without personal services, work animals, and animal-drawn and motor-propelled vehicles and equipment at rates to be approved by the Secretary of the Interior and without compliance with the provisions of sections 3709 and 3744 of the Revised Statutes."

This provides that the National Park Service may hire, with or without personal services, work animals and animal-drawn and motor-propelled vehicles and equipment at rates to be approved by the Secretary of the Interior and without advertising for bids and the entering into of a contract. Certain language of general application to the various bureaus of this department has been carried in the Interior Department appropriation acts for the past several years apparently for the purpose of authorizing the hiring of teams and motor equipment with or without driver at prevailing rates and without advertising as required by law, but this language, in the opinion of the service, is not broad enough to accomplish the purpose desired. Owing to the short working season in the parks it is far cheaper to hire teams and, to a certain extent, trucks and other equipment during the 4-month working period than to provide Government-owned teams and equipment, which would have to be kept during the entire year. At the opening of the working season it is necessary to hire a large number of teams from owners in the vicinity of the parks. Under the present procedure it is necessary to secure competitive bids from each man owning a team, and the park generally has need for practically every team which is available in the immediate vicinity. This results in dissatisfaction among the teamsters after arriving on the job, and often very much needed teams leave the park rather than to work for less than others that are getting a higher rate of pay for similar teams and services. Furthermore, the parks frequently lose the benefit of the services of good teams because many teamsters will not enter into a contract. They want to be free to leave at any time and will not take the responsibility of keeping their teams on the job. In order to get the best results, the Park Service must pay the prevailing rates in the particular locality. It is desirable that teams and other needed equipment be secured at established rates based on current charges in the community and without the formalities of contracts.

HORACE M. ALBRIGHT, *Director*.

Mr. STAFFORD. I remember reading what the gentleman has just referred to. The Park Service points out that some difficulty arises because of different rates being extended to different private contractors and that there is disappointment, whereas if they are given authority to let these services without open bidding they will all be at one rate and there will not be that disappointment.

Mr. CRAMTON. No; that is not quite the situation. Their practice is to have only one contractor on a certain class of service and the rates for that service are regulated by the Government under that contract, so there can not be a question of which contractor is giving the best rates. The Government determines the rates, and this is simply to permit them to select the contractor without advertising. That is all.

Mr. COLTON. For that particular service.

Mr. CRAMTON. Yes. The other section has reference to the hiring of animals, vehicles, and so forth.

Mr. COLTON. I may say that the work of providing animals in the parks is given to an individual and then his animals are at liberty to be used for doing other work in the parks, which results in effecting a saving both to the Government and to the owner furnishing the animals.

Mr. STAFFORD. However, there is this conflict as to rates for furnishing the same service and disagreements arise by virtue of that situation, and the department wishes to avoid that conflict.

Mr. COLTON. That may be one phase of the question; yes.

Mr. STAFFORD. Therefore I was right in the position I originally took. I well remember reading to that effect in the report only yesterday. With that understanding, Mr. Speaker, I have no objection to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COLTON. Mr. Speaker, I ask unanimous consent to substitute Senate bill 195 for House bill 8163.

The SPEAKER pro tempore. The gentleman from Utah asks unanimous consent to substitute Senate bill 195 for House bill 8163. Is there objection?

Mr. O'CONNELL. Mr. Speaker, reserving the right to object, are they identical? Was there not some reference to two additional paragraphs being added by the Senate?

Mr. COLTON. They were eliminated from the Senate bill and we are going to add them to the Senate bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior is hereby authorized to purchase personal equipment and supplies for employees of the National Park Service, and to make deductions therefor from moneys appropriated for salary payments or otherwise due such employees.

SEC. 2. That the Secretary of the Interior, in his administration of the National Park Service, may authorize the payment of not to exceed 3 cents per mile for a motor cycle or 7 cents per mile for an automobile used for official business, including travel at official stations, when, in his judgment, the expense of travel can be reduced thereby: *Provided*, That he may authorize not to exceed 10 cents per mile for an automobile used in localities where poor road conditions or high cost of motor supplies prevail and he finds that the average cost to the operator is in excess of 7 cents per mile: *Provided further*, That he may authorize the payment of toll and ferry charges, storage, and towage for such automobiles in addition to mileage allowances.

Mr. CRAMTON. Mr. Speaker, I offer an amendment, that section 3 of the bill as originally introduced in the House be added at this point as an amendment.

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2 of the Senate bill, after line 10, insert a new section, as follows:

"SEC. 3. That the Secretary of the Interior is hereby authorized to contract for services or other accommodations provided in the national parks and national monuments for the public under contract with the

Department of the Interior, as may be required in the administration of the National Park Service, at rates approved by him for the furnishing of such services or accommodations to the Government and without compliance with the provisions of section 3709 of the Revised Statutes of the United States."

The amendment was agreed to.

The SPEAKER pro tempore. Without objection, the Clerk will be authorized to renumber the sections of the bill.

There was no objection.

The Clerk read as follows:

SEC. 3. That the Secretary of the Interior be, and is hereby, authorized in emergencies when no other source is available for the immediate procurement of supplies, materials, or special services, to aid and assist grantees, permittees, or licensees conducting operations for the benefit of the public in the national parks and national monuments by the sale at cost, including transportation and handling of such supplies, materials, or special services as may be necessary to relieve the emergency and insure uninterrupted service to the public: *Provided*, That the receipts from such sales shall be deposited as a refund to the appropriation or appropriations current at the date of covering in of such deposit, and shall be available for expenditure for national park and national monument purposes.

SEC. 4. The provisions of section 3651 of the Revised Statutes shall not be construed so as to prohibit the cashing of traveler's checks or other forms of money equivalent in customary use by travelers, exclusive of personal checks, when tendered in payment of automobile license fees charged at national parks under the jurisdiction of the Secretary of the Interior, or other collections made within the national parks or national monuments.

SEC. 5. That the Secretary of the Interior is hereby authorized, in his discretion, to provide, out of moneys appropriated for the general expenses of the several national parks, for the temporary care and removal from the park of indigents, and in case of death to provide for their burial, in those national parks not under local jurisdiction for these purposes.

Mr. CRAMTON. Mr. Speaker, I offer an amendment. Page 3, line 15, after the word "purposes," strike out the period, insert a comma, and add the following:

This section in no case to authorize the transportation of such indigents or dead for a distance of more than 50 miles from the national parks.

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: At the end of the paragraph, after the word "purposes," strike out the period, insert a comma, and add the following: "This section in no case to authorize the transportation of such indigents or dead for a distance of more than 50 miles from the national parks."

The amendment was agreed to.

The Clerk read as follows:

SEC. 6. That hereafter the Secretary of the Interior in his administration of the National Park Service is authorized to reimburse employees and other owners of horses, vehicles, and other equipment lost, damaged, or destroyed while in the custody of such employee or the Department of the Interior, under authorization, contract, or loan, for necessary fire fighting, trail, or other official business, such reimbursement to be made from any available funds in the appropriation to which the hire of such equipment would be properly chargeable.

SEC. 7. That the Secretary of the Interior may require field employees of the National Park Service to furnish horses, motor and other vehicles, and miscellaneous equipment necessary for the performance of their official work; and he may provide, at Government expense, forage, care, and housing for animals, and housing or storage and fuel for vehicles and other equipment so required to be furnished.

SEC. 8. That hereafter the Secretary of the Interior may, under such regulations as he may prescribe, authorize the hire, rental, or purchase of property from employees of the National Park Service whenever the public interest will be promoted thereby.

Mr. COLTON. Mr. Speaker, I offer as an amendment section 11 of H. R. 8163.

The SPEAKER pro tempore. The gentleman from Utah offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. COLTON: After line 12, on page 4 of the Senate bill, insert a new section, as follows:

"Hereafter the National Park Service may hire, with or without personal services, work animals and animal-drawn and motor-propelled vehicles and equipment at rates to be approved by the Secretary of the Interior and without compliance with the provisions of sections 3709 and 3744 of the Revised Statutes."

The amendment was agreed to.

The Clerk read as follows:

SEC. 9. Appropriations whenever made for the National Park Service which are available for general administration may be used for the payment of traveling expenses, including the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

SPANISH-AMERICAN WAR PENSIONS

Mr. HOPKINS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of pensions for Spanish-American War veterans.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOPKINS. Mr. Speaker, I am whole-heartedly in favor of Senate bill No. 476 with the amendments proposed by the Committee on Pensions of the House of Representatives. This measure goes a long way toward correcting the inequalities that now exist between the beneficiaries of our pension laws. I sincerely hope that the Senate will accept the amendments proposed by the House and send the bill to the President for his signature at an early date. It is such a worthy piece of legislation that it should not be longer deferred.

For all soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or China relief expedition, who served 90 days or more, from April 21, 1898, to July 4, 1902, increases are provided as follows:

*Rates for 90-day service*

| | |
|---|---|
| Present law per month: | |
| One-half disabled | $30 |
| Three-fourths disabled | 40 |
| Totally disabled | 50 |
| Proposed law per month: | |
| One-half disabled | 35 |
| Three-fourths disabled | 50 |
| Totally disabled | 60 |

If disabled to the extent that the regular aid and attendance of another person is needed or required, the rate is $72 per month.

The bill as amended also gives a pensionable status to all soldiers, sailors, and nurses who served but 70 days within that period, as follows:

| *Rates for 70-day service* | Per month |
|---|---|
| One-tenth disabled | $12 |
| One-fourth disabled | 15 |
| One-half disabled | 18 |
| Three-fourths disabled | 24 |
| Totally disabled | 30 |

If disabled to the extent that the regular aid and attendance of another person is needed or required, the rate is $50 per month.

In addition, there is a provision, based on age, wherein veterans of 70 days' service will receive the following rates:

| | Per month |
|---|---|
| 62 years of age | $12 |
| 68 years of age | 18 |
| 72 years of age | 24 |
| 75 years of age | 30 |

These provisions make it possible for many disabled veterans to receive greatly needed aid who have not heretofore received any and will also grant increases to many others. I regret that the bill could not have gone through with certain other more liberal provisions, but, in the opinion of the committee, this is the most practical form in which to assure its passage. I had particularly hoped that more liberal provisions would be made covering cases affecting the widows of the veterans.

The experience we are having daily as Members of this Congress in dealing with the veterans of our various wars should convince everyone here of the necessity of working out a uniform plan of handling pension cases. The veterans of one war should be accorded the same privilege and benefits as veterans of another war. The Committee on World War Veterans' Legislation, of which I am a member, has recommended to this Congress that a thorough study be made of the whole subject of pensions and compensation, with the end in view of working out a more fair and equitable plan for the veterans of our wars.

INDIAN LANDS WITHIN IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (H. R. 5282) authorizing the deferring of collection of construction

costs against Indian lands within irrigation projects, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I am in entire sympathy with the purpose of this bill, but as it is drafted it does not properly meet the situation. For instance, the present financial arrangement of certain projects, like the middle Rio Grande, and I think possibly the Pima and the Yuma, and maybe the Fort Hall, would be superseded. I do not believe it is intended to do this. It ought not to do that.

The bill, as it stands, is not limited to restricted Indians and what are known as Indian trust lands. An Indian pronounced competent, whose lands are no longer trust lands, under this bill, as long as the land was in unrestricted Indian ownership, which might be for 17 generations, would still not have to pay up. That is not the way to teach the Indian to be self-reliant. There are other suggestions and I will ask unanimous consent to extend my remarks by inserting in the RECORD a very roughly drawn draft of an amendment that I have to suggest. I have not had enough time to be sure that this draft would meet the situation, but I would like to insert this in the RECORD for the consideration of the gentlemen interested in the legislation, and I shall then ask that the bill be passed over without prejudice. The bill now reads as follows:

A bill authorizing the deferring of collection of construction costs against Indian lands within irrigation projects, and for other purposes

*Be it enacted, etc.,* That the collection of all construction costs against any Indian lands within any Government irrigation project is hereby deferred, and no assessments shall be made on behalf of such charges against such lands until the Indian title thereto shall have been extinguished, at which time the pro rata share of the total construction cost properly assessable against such lands shall then be assessed and collected in annual installments over a period of not less than 40 years.

Mr. SPROUL of Kansas. Mr. Speaker, I object to the bill and I object to its being passed over without prejudice.

Mr. CRAMTON. Then I will submit my request that I may extend my remarks as to the bill, including a suggested amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAMTON. Further, in the case of a white purchaser of developed irrigated lands, it does not seem necessary that he should have 40 years without interest to pay the construction charges. Furthermore, in many cases the Indian land in question may be a part of an irrigation project, the greater portion of which is in white ownership. In such a case a district has been organized and is making payments to the Government under a contract entered into between that district and the Government. In such a case a white who takes over the lands which have been in Indian ownership should be in the same position as any other white landowner in the project. All of these matters should be carefully considered. I suggest consideration of the following redraft of the bill, which may need even further changes:

A bill authorizing the deferring of collection of construction costs against Indian lands within irrigation projects, and for other purposes

*Be it enacted, etc.,* That the collection of all construction costs against any Indian trust lands within any Government irrigation project, accrued or otherwise, may, in the discretion of the Secretary of the Interior, be deferred for any period or until the Indian title thereto shall have been extinguished. When any such lands come into other than Indian trust ownership the pro rata share of the total construction cost properly assessable against such lands and remaining unpaid shall then be assessed and collected in not more than 40 years, in the discretion of the Secretary of the Interior: *Provided,* That in any case in which such lands, now in Indian trust ownership, pass into other than Indian trust ownership, the terms of repayment of construction and operation and maintenance charges shall in every respect conform to the contract between the United States and the irrigation district or irrigation project within which such lands are located, if such contract exists: *Provided further,* That this act shall not be held to amend or repeal or supersede any act of Congress heretofore enacted with reference to payment of construction or operation and maintenance costs upon any specific named project or projects: *Provided further,* That when any such Indian trust lands at the time they pass into other than Indian trust ownership are reasonably well developed and improved the Secretary of the Interior shall not allow more than 20 years for the repayment of the construction costs.

AMENDMENT OF THE NATIONAL PROHIBITION ACT

The next business on the Consent Calendar was the bill (H. R. 11199) to amend sections 22 and 39, Title II, of the national prohibition act.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

DELINQUENT LANDS ON IRRIGATION PROJECTS

The next business on the Consent Calendar was the bill (H. R. 11200) to provide for the acquisition, sale, and closer settlement of delinquent lands on irrigation projects by the Government to protect its investment.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, this bill is another one where the object of the bill is highly desirable, but there are certain problems involved in it, particularly the length of time that the later purchaser shall have to repay the Government, which is, as the bill stands, 20 years, and as the bill stands it also holds the property out of taxation for that length of time. I have discussed it with the Director of Reclamation and with the gentleman from Idaho, Mr. FRENCH, the introducer of the bill, and I ask unanimous consent that the bill be passed over without prejudice, in order that this feature may be more carefully worked out.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CHARLES J. HARRAH

The next business on the Consent Calendar was the joint resolution (H. J. Res. 248) authorizing an appropriation for the expenses of the arbitration of the claim of Charles J. Harrah against the Government of Cuba.

The Clerk read the title of the joint resolution.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I have had this resolution passed over without prejudice on two occasions in an effort to obtain some intelligent and accurate information from the Department of State concerning other matters and other claims against the Government of Cuba, in which other American citizens are interested. If Mr. Harrah desires to go to arbitration, and I understand this is his desire, and preliminary arrangements have already been made, I certainly shall not prevent one case at least being arbitrated. But I want to point out to the gentleman that I hope his experience will be more satisfactory than that of Captain Smith, who after submitting to arbitration, and after the award was made found himself confronted with new conditions by the Cuban Government. I refer again to the Barlow case, where an American citizen resorted to the courts of Cuba and made repeated efforts to get justice, and found himself thwarted and deprived of his rights by the machinations of politicians in Cuba. I do hope the Department of State will accord the claimants at this time against the Cuban Government the rights of American citizens. I shall not object to the consideration of the bill.

Mr. SCHAFER of Wisconsin. I object.

The SPEAKER pro tempore. Objection is heard, and the Clerk will report the next bill.

RELIEF OF RETIRED AND TRANSFERRED MEMBERS OF NAVAL RESERVE FORCE, NAVAL RESERVE, AND MARINE CORPS RESERVE

The next business on the Consent Calendar was the bill (H. R. 1193) for the relief of retired and transferred members of the Naval Reserve Force, Naval Reserve, and Marine Corps Reserve

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I understand this bill refers only to a limited number of the reserves at this time?

Mr. MILLER. It refers to 49 from the Navy and 1 from the Marine Corps.

Mr. LAGUARDIA. And that will adjust all the matters?

Mr. MILLER. Yes; it will adjust all matters right through.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MILLER. Mr. Speaker, I ask unanimous consent to substitute the bill S. 548.

Mr. CRAMTON. Reserving the right to object, can the gentleman state that the two bills are identical?

Mr. MILLER. I am not sure.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That the assignments of provisional ranks, grades, or ratings heretofore made to members of the Naval Reserve Force or Marine Corps Reserve, including the assignments of higher provisional ranks, grades, or ratings than those first assigned, are hereby validated and shall be conclusive for all purposes, from the dates of such assignments. The transfers to the retired list of all members of the Naval Reserve Force or Marine Corps Reserve heretofore made in the provisional ranks or grades held at the date of their retirement are hereby validated and shall be conclusive for all purposes.

SEC. 2. All transfers of enlisted men of the Navy or Marine Corps to the Fleet Naval Reserve or Fleet Marine Corps Reserve created by the acts of August 29, 1916, and February 28, 1925, and all transfers of members of the Fleet Naval Reserve or Fleet Marine Corps Reserve to the retired list heretofore or hereafter made by the Navy Department shall be conclusive for all purposes, and all men so transferred shall from date of transfer be entitled to pay and allowances in accordance with their ranks or rating and length of service as determined by the Navy Department at time of transfer.

Mr. MILLER. Mr. Speaker, the bills are identical.

The SPEAKER pro tempore. Is there objection to substituting the Senate bill?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The House bill was laid on the table.

TO REGULATE THE DISTRIBUTION AND PROMOTION OF COMMISSIONED OFFICERS OF THE MARINE CORPS, AND FOR OTHER PURPOSES

The next business on the Consent Calendar was the bill (H. R. 7974) to regulate the distribution and promotion of commissioned officers of the Marine Corps, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. COLLINS. I object.

RATIFYING TITLE OF STATE OF MINNESOTA TO LANDS PATENTED BY THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 5178) ratifying and confirming the title of the State of Minnesota and its grantees to certain lands patented to it by the United States of America.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Reserving the right to object, which I hope it will not be necessary to do, I feel that there should be an amendment at the end of the bill by inserting the words "and for the value of all timber cut from such swamp land," the situation being that this bill is one to bring to a termination a lawsuit between the United States and Minnesota, and to adjust the controversies involved. These controversies are rather involved. Included in the controversies is one set-off put in by the State of Minnesota against the claim of the United States for $125,000 for timber cut from certain lands which at the time the timber was cut the United States Government supposed belonged to the United States or to the Indians. We have settled with the Indians, turned over the $125,000 to them. Now it is claimed by the State of Minnesota that the lands did not belong to the Indians and did not belong to the Government but did belong to Minnesota. It seems to me, although I have not been able to trace it all through, that it is tied right in with the general controversy which is being disposed of in this bill, and in disposing of other elements I think we should dispose of this element as well.

Mr. ANDRESEN. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. ANDRESEN. Under the provisions of this bill, Minnesota contemplates no further claim for the timber. The other bill was recommended by the Attorney General's office, the Commissioner of Lands, and the Commissioner of Indian Affairs.

Mr. CRAMTON. While the State of Minnesota in this bill does not contemplate the $125,000, yet the bill does provide in section 2 that in return for the Government confirming title in the State of Minnesota for certain lands that are now the subject of litigation in the Supreme Court that confirmation of title in favor of the State of Minnesota be enforced only when the State of Minnesota shall by legislative act waive and relinquish all right and claim under a certain statute to swamp and overflowed lands lying within the White Earth Indian Reservation in Minnesota, heretofore conveyed to the United States by patent in trust.

Mr. LAGUARDIA. That has been done.

Mr. CRAMTON. That is true, but in the litigation now pending in the Supreme Court the State of Minnesota pleaded two set-offs: (1) Title to this land and (2) $125,000 for certain timber heretofore cut, and which money we have turned over to the Indians. The Legislature of Minnesota did in effect comply with the requirements as to land, but they have not yet complied with what I am suggesting in respect to the $125,000. That claim which they claimed as a set-off against the Government is now pending, and would be left in effect by this legislation and the next day after the bill became effective and after the litigation is ended in the Supreme Court the State of Minnesota could come to Congress with a claim for $125,000 for that timber that was cut. If they do not intend to present such a claim, it seems to me strange that when they passed legislation with reference to the land they did not include a provision as to the other item of the set-off.

Mr. ANDRESEN. When that act was passed in Minnesota they probably had no idea that they would ever bring a claim for the timber.

Mr. CRAMTON. Very well. It will be a simple thing for the legislature to settle the matter. Either Minnesota intends to make claim for that $125,000, or she does not.

Mr. O'CONNELL. Mr. Speaker, if we are going to keep on like this with interminable debate about bills, we will never get anywhere.

Mr. CRAMTON. I only want to complete this statement. If Minnesota does not intend to press the claim that was put in as an offset, then the next session of the legislature can pass the necessary legislation, and it will all be closed up and done; but if we do not carry in the bill the amendment I have suggested, then they can present their claim with the other matters disposed of.

Mr. LAGUARDIA. Personally, in the interest of proper bill drafting, I believe section 2 should go out, so as not to pass a bill making contingent something that has already happened. Could not the gentleman insert his $125,000 provision where section now stands, providing a waiver of that claim, because that matter has already been passed.

Mr. GREENWOOD. Mr. Speaker, I demand the regular order.

Mr. LAGUARDIA. Oh, we can object to every bill without discussion, if that is what the gentleman desires.

Mr. GREENWOOD. Let the bill go over and have the gentlemen see the author of the bill and arrange about amendments.

The SPEAKER pro tempore (Mr. LEHLBACH). Is there objection?

Mr. CRAMTON. Mr. Speaker, I am obliged to object.

The SPEAKER pro tempore. This bill has been once objected to and restored to the calendar. It will require three objections. One objection is heard.

Mr. CRAMTON. Mr. Speaker, we have to have reasonable time for consideration of these matters.

Mr. GREENWOOD. I am willing to have reasonable consideration, but this bill ought to go over, and those who want to offer amendments should see the author of the bill.

Mr. CRAMTON. All that has been done.

Mr. O'CONNELL. And when meritorious bills are presented to the House, Members rise and object to them without any consideration whatever.

Mr. LAGUARDIA. Oh, this calendar is different from the Private Calendar.

Mr. O'CONNELL. I know it is.

The SPEAKER pro tempore. The question is, Is there objection to the present consideration of the bill? The Chair hears one objection. Are there any more?

Mr. CRAMTON. There are three objections ready.

The SPEAKER pro tempore. The gentleman from Michigan informs the Chair that there are three objections, but the objections should be addressed to the Chair. Is there objection?

Mr. CRAMTON. I object.

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. STAFFORD. Mr. Speaker, I object.

REPAIRS TO FORT SAN CARLOS, FLA.

The next business on the Consent Calendar was the bill (H. R. 4502) authorizing an appropriation for repairs to old Fort San Carlos, Fla., and for the procurement and erection of a tablet or marker thereon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I object.

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. ANDRESEN. Mr. Speaker, I object.

RELIEF OF THE STATE OF MAINE

The next business on the Consent Calendar was the bill (H. R. 8583) for the relief of the State of Maine.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. I object.

Mr. ANDRESEN. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

BITTER ROOT IRRIGATION PROJECT, MONTANA

The next business on the Consent Calendar was the bill (H. R. 9990) for the rehabilitation of the Bitter Root irrigation project, Mont.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, I think this bill should only be operative when the bonds of the district referred to are not worth par. I have suggested to the gentleman from Montana [Mr. LEAVITT] and to the Commissioner of Reclamation that not exceeding 75 per cent of the outstanding indebtedness should be paid, that the holders of the indebtedness accept not more than 75 per cent.

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

Mr. CRAMTON. Yes.

Mr. BRIGHAM. This is a private project?

Mr. CRAMTON. Yes. Originally it was stated that 90 per cent of the reclamation fund would be expended on public land. Now 90 per cent of the development is privately owned land. Here is a case where a district is already bonded for more than they can pay. They are up against it financially. The district may be salvaged and the community may be made prosperous if this adjustment is made. My idea is that we should not go in and pay 100 per cent. If the project can pay 100 per cent, they do not need the Government aid. This money comes out of the reclamation fund. I do not think any better use could be made of it.

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

Mr. CRAMTON. Yes.

Mr. BRIGHAM. We have trouble on unirrigated lands where farmers are in danger of losing their farms, in fact, many have already lost their farms, owing to prevailing low prices for farm produce, due to overproduction. Does the gentleman think the Government should go to the rescue of these private irrigation projects now?

Mr. LEAVITT. These funds are from the reclamation fund, which comes from the sale of public lands and oil leases from lands in States coming within the provisions of the reclamation act. This is not for the development of any new areas of farm lands.

Mr. BRIGHAM. The funds used are public funds, are they not?

Mr. LEAVITT. They are public funds only in a sense, and they are earmarked for a particular purpose. Here is a case where the committee thinks it better to go where there is a well-established community already existing and save it rather than use these funds to develop new areas. The idea is to use a portion of the reclamation fund to preserve an existing community.

Mr. COLLINS. I understand that this project was an engineering failure from the beginning.

Mr. LEAVITT. No; that is not the case.

Mr. COLLINS. I also understand the project was never able to furnish an adequate supply of water.

Mr. LEAVITT. They have no difficulty in getting water under the works now built, except the danger that exists in the fact that 10 miles of the main canal are wooden flumes and are going out. That is expensive to maintain. This provision would enable them to rebuild.

Mr. COLLINS. The information I have comes from persons who are perfectly familiar with the project.

Mr. LEAVITT. I will say to the gentleman that I am myself perfectly familiar with this particular project, and I assert that it is a perfectly feasible project. It was improperly financed in the beginning, but with this new financial policy I am confident it will be a success.

Mr. COLLINS. I understand the water supply is inadequate, and in addition there is a charge now of $725,000 on the project.

Mr. LEAVITT. That is not the case.

Mr. COLLINS. With reference to the indebtedness, that is the case if the reports are true.

Mr. LEAVITT. It is not necessary to expend the amount stated here for the water system.

Mr. COLLINS. If you spend $725,000 to pay off the indebtedness, you will have very little, only $25,000, with which to improve the project.

Mr. LEAVITT. The total indebtedness is not as much as that.

Mr. COLLINS. The report shows that it is.

Mr. LEAVITT. The proposed amendment of the gentleman from Michigan [Mr. CRAMTON] would limit the purchase to 75 per cent of the face of the outstanding indebtedness.

Mr. COLLINS. The report shows that it is $725,000, of which $60,000 is delinquent taxes. The total amount you are proposing to appropriate is $750,000.

Mr. CRAMTON. A few days ago I discussed this matter with the Commissioner of Reclamation, and he gave the matter consideration and went into the files, and he has written me a letter concerning the indebtedness. I proposed scaling the indebtedness down 50 per cent. He does not believe it could be scaled down 50 per cent, but thinks it could be scaled down 25 per cent.

Mr. COLLINS. I imagine we had better let this go over until we get more information on it. I ask unanimous consent, Mr. Speaker, that the bill may go over without prejudice.

The SPEAKER pro tempore. The gentleman from Mississippi asks that the bill be passed over without prejudice. Is there objection?

Mr. CRAMTON. Mr. Speaker, in connection with this same bill I ask unanimous consent to revise and extend my remarks, and in doing so put in the amendment that I am suggesting and also the letter I received from Doctor Mead.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CRAMTON. The following is the letter from the Commissioner of Reclamation:

UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
*Washington, May 17, 1930.*

Hon. LOUIS C. CRAMTON,
*House of Representatives, United States.*

MY DEAR MR. CRAMTON: Consideration has been given to memorandum of proposed amendments of H. R. 9990, copy inclosed, for the rehabilitation of the Bitter Root irrigation project, Montana.

All the changes proposed seem desirable, but I would suggest that the proposed insertion at the end of line 3, page 2, might be changed to read as follows: "not exceeding 75 per cent of the principal and accrued interest, no portion of such outstanding indebtedness to be liquidated unless the total indebtedness of such project is so liquidated."

The reason for suggesting 75 instead of 50 per cent is found in the report of the economic board which considered the Bitter Root project. That report stated that the district requested the Government to buy for about $500,000, its outstanding bonds and warrants. The present indebtedness is $577,000 in bonds and $82,000 for warrants, and from the language of the report it is not believed that the bondholders would consent to scale down their claims 50 per cent, nor do the water users recommend so large a reduction. A 25 per cent cut would probably be agreed to. Whatever the percentage may be, the plan of having the act expressly state the maximum payment to be made is a good one, as it will remove this item from the realm of negotiation and make the carrying out of this development much easier for the Reclamation Bureau.

Sincerely yours,

ELWOOD MEAD, *Commissioner.*

The bill, with the amendments I suggest, as approved by the Commissioner of Reclamation and accepted by the author of the bill, the gentleman from Montana [Mr. LEAVITT], would read:

A bill for the rehabilitation of the Bitter Root irrigation project, Montana

*Be it enacted, etc.*, That there is hereby authorized to be appropriated from the reclamation fund established by the act of June 17, 1902 (32 Stat. 388), the sum of $750,000, or as much thereof as may be necessary to be used for the rehabilitation of the Bitter Root irrigation project in Montana.

SEC. 2. The Secretary of the Interior, hereinafter styled the Secretary, is authorized to use money thus appropriated for the following purposes:

(1) For liquidating bonded and other outstanding indebtedness of such irrigation project on such basis of valuation as the Secretary may regard as equitable, not exceeding 75 per cent of the principle and accrued interest, no portion of such outstanding indebtedness to be liquidated unless the total outstanding indebtedness of such project is so liquidated.

(2) For doing or causing to be done under his supervision any construction, betterment, or repair work necessary to place the irrigation system of such project in good operating condition, and as provided for in the contract hereinafter required.

(3) For loaning to such irrigation district, hereinafter provided for, such funds as in the opinion of the Secretary are necessary for any construction, betterment, or repair work to place the irrigation system of such project in good operating condition.

SEC. 3. All funds so used or advanced shall be repaid to the United States within a period, to be fixed by the Secretary, of not more than 40 years, with interest at the rate of 4 per cent per annum on the funds so used or advanced from the date of such use or advancement until repaid. Before any funds are so used or advanced a contract or contracts satisfactory to the Secretary shall be executed by an irrigation district, formed under State law, obligating such district to repay the funds so used or advanced as required by this act. Any contract so executed with such district shall require a lien on the land and on the irrigation systems of such project. The operation and maintenance of such project shall be continued by the authorities in charge under the supervision of the Secretary, so far as necessary to effectuate the purposes of this act.

SEC. 4. In case of default in the payment when due of any interest or other charges under any contract executed as herein provided there shall be added to the amount unpaid a penalty of one-half of 1 per cent of the amount unpaid on the 1st day of each month thereafter so long as such default shall continue, such penalties being in addition to the interest provided in section 3. The provisions of any contract executed hereunder may be enforced by suit or by the foreclosure of any lien in the manner authorized by the State laws applicable in similar cases. In addition to other remedies the Secretary, in any contract executed hereunder, may provide that in case of default for more than 12 months in the payment of any installment, the control, operation, and maintenance of the project may, in the discretion of the Secretary, be assumed by the United States and the delivery of water withheld until payments are duly made in accordance with the contract requirements.

SEC. 5. No funds shall be appropriated for the purposes herein authorized until investigation and examination shall have been made of all pertinent conditions surrounding such project and until the Secretary has made a report of his finding in writing to Congress that in his opinion by the action proposed the project can and will be placed upon a sound basis from a financial and economic standpoint so that the funds so used and advanced will be returned to the United States.

SEC. 6. The Secretary is authorized to perform any and all acts and to make and enforce all needful rules and regulations for effectuating the purposes of this act.

TITLE TO CERTAIN LANDS IN MINNESOTA

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 377, and that the bill be passed over without prejudice and it be restored to the calendar.

The SPEAKER pro tempore. The gentleman from Minnesota [Mr. ANDRESEN] asks unanimous consent to return to the bill No. 377 on the Consent Calendar and restore the same to the calendar and pass the same over without prejudice. Is there objection?

Mr. O'CONNELL. Mr. Speaker, reserving the right to object, three objections were made to this bill a moment ago.

The SPEAKER pro tempore. Yes. The discussion was cut off by a request for the regular order.

Mr. STAFFORD. I think it is agreeable to all of those who have objected to allow the bill to maintain its place on the calendar.

Mr. GREENWOOD. I think the gentleman from Michigan, who had a number of amendments to offer, should get together with the author of the bill, and that is the reason I asked for the regular order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. ANDRESEN]?

There was no objection.

CERTIFICATES OF MAILING AND FEES THEREFOR

The next business on the Consent Calendar was the bill (H. R. 8569) to authorize the Postmaster General to issue additional receipts or certificates of mailing to senders of any class of mail matter, and to fix the fees chargeable therefor.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, the charges are not fixed in the bill. A bill this morning came over from the Senate, in which the charges provided were cut in half, from 10 cents to 5 cents per day demurrage charges on parcel post. I doubt the wisdom of creating all these additional fees in the post office unless we fix the fees in the bill itself.

Mr. GREENWOOD. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. GREENWOOD. I think that all bills from this committee pertaining to the question of fixing fees for postal service should come up for consideration on Calendar Wednesday when that committee has the call.

Mr. LAGUARDIA. I agree with the gentleman from Indiana [Mr. GREENWOOD].

Mr. GREENWOOD. I do not think legislation of this kind should be passed by unanimous consent.

Mr. PALMER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. PALMER. Does this tend to raise postage rates?

Mr. LAGUARDIA. For additional receipts.

Mr. GREENWOOD. I have objected to this on the theory that it should be handled under the regular rules of debate and when the committee has the call on Calendar Wednesday.

Mr. LAGUARDIA. The result which the gentleman from Indiana desires can be accomplished if there are three objections.

Mr. HUDSON, Mr. GREENWOOD, and Mr. LAGUARDIA objected.

STATE-OWNED PROPERTY

The next business on the Consent Calendar was the bill (H. R. 704) to grant relief to those States which brought State-owned property into the Federal service in 1917.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLLINS. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that the bill go over without prejudice. Is there objection?

There was no objection.

FOOD AND DRUGS ACT

The next business on the Consent Calendar was the bill (H. R. 11514) to define preserves, jam, jelly, and apple butter, to provide standards therefor, and to amend the food and drugs act of June 30, 1906, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN of Missouri. I object.

YELLOW-FEVER VICTIMS

The next business on the Consent Calendar was the bill (H. R. 4124) to honor the memory of the heroes of the fight against yellow fever.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA, Mr. COLLINS, and Mr. SCHAFER of Wisconsin objected.

CONGRESS OF MILITARY MEDICINE AND PHARMACY

The next business on the Consent Calendar was the resolution (H. J. Res. 253) to provide for the expenses of a delegation of the United States to the sixth meeting of the Congress of Military Medicine and Pharmacy to be held at Budapest in 1931.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the House joint resolution?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, I understand that the delegates to this conference in all likelihood will be officers of the Army. Am I correct in that?

Mr. KORELL. The Army and other service branches.

Mr. LAGUARDIA. That being so, they will have their traveling expenses out of their regular fund and their pay. What is the reason for the $10,000 appropriation?

Mr. KORELL. If the gentleman from New York [Mr. LAGUARDIA] has that information, it is information that I do not possess. I understood that this is to cover the expenses for which they are not reimbursed out of their regular pay and allowances.

Mr. LAGUARDIA. Of course, if it does not come out of the travel fund of the Army, then we have to provide for it, but it is my impression that if we authorize the sending of such delegates from the Army, the Navy, or other military branches of the Government the authorization carries with it travel and pay.

Mr. KORELL. I may say for the benefit of the gentleman from New York [Mr. LAGUARDIA] that the witnesses who appeared before the committee which reported this bill advised that at the conference which was held in London in 1929 there were five American delegates, and that all of those delegates paid all of their own expenses.

Mr. LAGUARDIA. That, of course, is not desirable.

Mr. KORELL. And that at another conference there were eight and that they paid all of their expenses.

Mr. COLLINS. When a Member of Congress goes to the Interparliamentary Union he pays his expenses.

Mr. LAGUARDIA. Oh, no. We have a bill here for that.

Mr. COLLINS. But it does not provide for their expenses.

Mr. GREENWOOD. Just what interest has the United States Government in this conference?

Mr. KORELL. It has this interest, as a result of the late war there developed certain cases, for instance, such as cases of shell shock, which is not an ailment ordinarily encountered in peace time. The different governments have on their hands many cases of these shell-shocked victims. It is considered that the information that can be exchanged between the different governments upon the subject of how to treat this class of victims or patients will not only be helpful in relieving their condition but will be of great benefit to preserve for future use.

Mr. GREENWOOD. Will the gentleman yield?

Mr. KORELL. I yield.

Mr. GREENWOOD. Are these delegates to be employees of the United States Government, or are they people on the outside who are practicing medicine for themselves.

Mr. KORELL. They are delegates to be selected by the President for the purpose of obtaining this information, of attending the conference, and of assisting in preserving the information in some form for the benefit of our Government.

Mr. GREENWOOD. If it is any kind of a conference in which the Government is interested, I am willing to pay for the expenses, but I do not think we should pay for all of these conferences where private interests are concerned, and which are of no concern to the Government.

Mr. LAGUARDIA. I agree with the gentleman from Indiana [Mr. GREENWOOD]. I do not think the scope of this conference is as useful as some of the other conferences, to which we send delegates. I really do not see any need for it at this time.

Mr. COLLINS. All of this talk about military medicine and military pharmacy is just so much camouflage. There is not any difference in civilian pharmacy and military pharmacy. This expression is something thrown out to catch somebody.

Mr. LAGUARDIA. Oh, no; I think there is quite a difference between pharmacy in the field and civilian pharmacy.

Mr. SCHAFER of Wisconsin. Will these delegates be selected from the personnel of the Military or Naval Establishments of the United States Government?

Mr. KORELL. I presume that the majority of them will be. There might be an individual, a person of special talent, outside of the Military and Naval Establishments.

Mr. SCHAFER of Wisconsin. I shall object to the bill unless there is an amendment not to pay the expenses of the special talent from the outside.

Mr. O'CONNELL. Will the gentleman yield?

Mr. KORELL. I yield.

Mr. O'CONNELL. The special talent from the outside will be very necessary to the conference. You can not depend on the military men alone.

Mr. LAGUARDIA. It would not be fair to make them pay their own expenses.

Mr. O'CONNELL. Not at all.

Mr. PALMER. Will the gentleman yield?

Mr. KORELL. I yield.

Mr. PALMER. As I understand, this is research work.

Mr. KORELL. This is research work, for the purpose of obtaining information to treat patients which we have on our hands as a result of the last war and to preserve the information and experience for future use.

Mr. HUDSON. Mr. Speaker, the regular order.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. I object.

PERMANENT INTERNATIONAL ASSOCIATION OF ROAD CONGRESSES

The next business on the Consent Calendar was the bill (H. R. 11145) to increase the authorization for an appropriation for the expenses of the Sixth Session of the Permanent International Association of Road Congresses, to be held in the District of Columbia in October, 1930.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 2 of the joint resolution entitled "Joint resolution to provide that the United States extend to the Permanent International Association of Road Congresses an invitation to hold the sixth session of the association in the United States, and for the expenses thereof," approved March 28, 1928, is amended by striking out "$25,000" and inserting in lieu thereof "$35,000."

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

MONUMENT TO COMMEMORATE SIGNING OF TREATY BETWEEN THE UNITED STATES OF AMERICA AND THE CHIPPEWA INDIANS

The next business on the Consent Calendar was the bill (H. R. 5271) authorizing the Secretary of the Interior to acquire land and erect a monument at the site near Crookston, in Polk County, Minn., to commemorate the signing of a treaty on October 2, 1863, between the United States of America and the Chippewa Indians.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. SCHAFER of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

Mr. CRAMTON. Will the gentleman reserve his request?

Mr. SCHAFER of Wisconsin. I will. I think we have been going pretty far in erecting these monuments and markers.

Mr. LAGUARDIA. We have several on this calendar. Will the gentleman join in objecting to some of them?

Mr. SCHAFER of Wisconsin. I will certainly join in objecting to every one of them. I think we can spend the taxpayers' money to a better advantage in these times of unemployment than by passing these bills for the erection of monuments and markers.

Mr. ANDRESEN. Mr. Speaker, I ask unanimous consent that this bill go over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RETIREMENT OF DISABLED NURSES IN THE NAVY

The next business on the Consent Calendar was the bill (H. R. 10375) to provide for the retirement of disabled nurses in the Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection to the present consideration of the bill?

Mr. GREENWOOD. Mr. Speaker, reserving the right to object, I want to make an inquiry of the author of the bill. What is the law with reference to enlisted men who are disabled in line of duty?

Mr. WOODRUFF. They are put on a pensionable status.

Mr. GREENWOOD. Does this bill give this class any special privileges over the other classes?

Mr. WOODRUFF. It does not have anything to do whatsoever with the enlisted men of the service.

Mr. GREENWOOD. Just what class does this refer to?

Mr. WOODRUFF. This has reference only to nurses of the Navy, the disabled nurses of the Navy.

Mr. McSWAIN. Mr. Speaker, reserving the right to object, will the gentleman from Michigan consent to an amendment, if the bill comes up for consideration, to include the nurses of the Army as well?

Mr. WOODRUFF. I would be glad to accept such an amendment, if by so doing I do not jeopardize the passage of the bill now before the House.

Mr. McSWAIN. I will propose such an amendment.

Mr. COLLINS. Let the Military Affairs Committee look after the Army.

Mr. McSWAIN. The gentleman knows that the Military Affairs Committee has had a similar bill before it for some months, and the gentleman realizes that the language of his bill is the same as the language of the bill of which I am the author and which is now pending before that committee, and that the bill as introduced included nurses of the Navy.

Mr. WOODRUFF. I understand that. I will say to my friend that personally I have no objection to the amendment he proposes. But, on the other hand, if by proposing such an amendment it is going to jeopardize the passage of this bill, I hope he will not insist upon it.

Mr. McSWAIN. I will say this: Unless they are all taken care of together and at the same time, there will be no preference made. They will all ride together or nobody will ride. I will say that.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. McSWAIN. Yes.

Mr. LAGUARDIA. Of course, I can understand the gentleman's purpose in seeking uniformity in the treatment of nurses, but may I suggest to the gentleman that there may be some legislative confusion if you include the Army and Navy personnel in the same legislation. The gentleman has had more experience about that than I have had, but I do not think it would be in the interest of orderly legislation.

Mr. McSWAIN. I will say to the gentleman that there will be absolutely no confusion whatever. If the language of my bill, H. R. 3400, were substituted for the language of this bill it would take care of the nurses in both corps. The only legislation which is on the statute books now came out of the Committee on Military Affairs and took care of the nurses of both the Army and the Navy, and in the Seventieth Congress I introduced a bill to take care of the nurses in both services. I also reintroduced the same bill in this Congress, and doubtless it would have been on the calendar except for the illness of the chairman of the Committee on Military Affairs.

Mr. LaGUARDIA. Does the gentleman's bill provide for disability contracted in line of duty only?

Mr. McSWAIN. Absolutely. The language of this bill is the language of my bill. I do not know where the gentleman got this language, but, evidently, great minds are running in the same channel. [Laughter.]

Mr. HUDSON. Mr. Speaker, reserving the right to object, and I do not intend to object, I would like to ask the gentleman from Michigan what will be the additional cost of this legislation?

Mr. WOODRUFF. The report from the Navy Department says it will approximate a maximum of $20,000 a year.

The SPEAKER pro tempore. Is there objection?

Mr. McSWAIN. Mr. Speaker, I have reserved the right to object. Does the gentleman from Michigan agree to the amendment?

Mr. WOODRUFF. I have already said to the gentleman that I personally have no objection, but evidently there are Members here who do object to it and will object to the passage of the bill if such an amendment is proposed. I do not think it is fair of the gentleman to object or to bring up this subject when we have an opportunity to at least get a few of these nurses on this most important and equitable basis.

Mr. McSWAIN. I will only say this: It is just as fair for one as the other. There is just as much reason for one as the other, and they ought to be handled together, and I proposed to handle them together and was handling them together, and the legislation was appropriately before the committee.

Mr. LaGUARDIA. Has the gentleman's committee reported out a bill?

Mr. McSWAIN. No; as I have said, the chairman of the Committee on Military Affairs has been sick, and we have only reported a very few of the 1,200 bills that are before the committee.

Mr. LaGUARDIA. The gentleman's committee reported out a Muscle Shoals bill, which is not much good.

Mr. GARRETT. It has just been reported.

Mr. McSWAIN. We labored painfully and there was great travail before it came out of committee.

Mr. WOODRUFF. I will say to my friend that if he can get unanimous consent of the House at this time for an amendment such as he has indicated I personally will not object.

Mr. LaGUARDIA. If the gentleman will permit, I am sympathetic to his bill, but we have before us here the exact status of these nurses in the Navy and what it would cost. Now, is the gentleman in a position to inform the House the number of nurses in the Army and what it would cost if the bill were so amended?

Mr. McSWAIN. There is no reason in the world why it should not go through now. Every argument that can be made in favor of the nurses of the Navy can be made in favor of the nurses of the Army.

Mr. LaGUARDIA. How much will it cost?

Mr. McSWAIN. It will cost, I think, the first year about $3,700, and in proportion after that, but I am not sure of the details.

Mr. LaGUARDIA. Has the Army fewer nurses than the Navy?

Mr. WOODRUFF. No; but I gave the gentleman the future maximum cost.

Mr. McSWAIN. And I may say to the gentleman that we had a hearing on the bill before the Committee on Military Affairs last week. General Ireland appeared before the committee, gave us the information, said it would greatly enhance the efficiency of the corps, and personally he was for it. The War Department's report is opposed to it, just like the Navy Department's report is opposed to this bill, and for the same reason.

Mr. LaGUARDIA. Are the Army nurses paid on the same scale of wages as the Navy nurses?

Mr. McSWAIN. Absolutely. They are now on the same status legally and they were put there by a bill that came out of the Military Affairs Committee. Our bill has been pending for a year to give them this benefit and but for the illness of the gentleman from Michigan [Mr. JAMES] it would already have been on this calendar. Now, I am asking for the square and fair thing, and a man can not reasonably say he will not oppose the nurses' bill if it comes out from the Military Affairs Committee and oppose it now.

Mr. WOODRUFF. Mr. Speaker, as far as I am concerned, I will be very pleased to accept the amendment, because I believe the Army nurses are as much entitled to the benefits of this legislation as are the Navy nurses.

Mr. LaGUARDIA. What is the name of the corps?

Mr. McSWAIN. The Army Nurse Corps. It is my bill here, H. R. 3400. The language of this bill will take care of both of them, and the language has been approved, and in fact was written in the War Department or, at least, rewritten there.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That pursuant to regulations to be prescribed by the Secretary of the Navy, when a member of the Navy Nurse Corps shall be found by a board of medical officers to have become disabled in line of duty from performing the duties of a nurse, and such findings are approved by the Secretary of the Navy, she shall be retired from active service and placed upon the Navy Nurse Corps retired list and shall be paid 75 per cent of the annual active pay received by her at the time of her transfer to the retired list.

Mr. McSWAIN. Mr. Speaker, I offer an amendment to strike out all after the enacting clause and insert the language which I send to the desk.

The SPEAKER pro tempore. The gentleman from South Carolina offers the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. McSWAIN: Strike out all after the enacting clause and insert in lieu thereof the following:

"That pursuant to regulations to be prescribed by the Secretary of War or the Secretary of the Navy, as the case may be, when a member of the Army Nurse Corps or of the Navy Nurse Corps shall be found by a board of medical officers to have become disabled in line of duty from performing the duties of a nurse, and such findings are approved by the head of the department concerned, she shall be retired from active service and placed upon the Nurse Corps retired list of the appropriate department with retired pay amounting to 75 per cent of the active base pay received by her at the time of her transfer to the retired list."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

The title was amended.

The House bill (H. R. 3400) was laid on the table.

### HOSPITALIZATION OF TRANSFERRED MEMBERS OF THE FLEET NAVAL RESERVE, FLEET MARINE CORPS RESERVE

The next business on the Consent Calendar was the bill (H. R. 10662) providing for hospitalization and medical treatment of transferred members of the Fleet Naval Reserve and the Fleet Marine Corps Reserve in Government hospitals without expense to the reservist.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LaGUARDIA. Mr. Speaker, I think this bill ought to go over without prejudice.

Mr. BRITTEN. Mr. Speaker, I hope the gentleman from New York will not insist on an objection to the bill, because in three words it can be explained. The Fleet Naval Reserve comprises the enlisted personnel who have had 20 or more years in the service with the American Navy. During that 20 years they have been contributing to the naval hospital fund 20 cents every month. Now they are retired, and in that retired status they are still being taxed under existing law 20 cents a month from their pay.

When they go into the naval hospital they are charged 75 cents a day, and the object of this legislation is to remove that charge of 75 cents. I hope the gentleman will withdraw his objection.

Mr. EVANS of California. And they continue to pay that 20 cents every month?

Mr. BRITTEN. They continue to pay the 20 cents every month. They have been doing that for twenty-odd years, and I do not think the Government wants to collect 75 cents from these men, because they are on the retired list and not on the active list.

Mr. LaGUARDIA. I withdraw the reservation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That retired enlisted men of the Navy and Marine Corps and transferred members of the Fleet Naval Reserve and Fleet Marine Corps Reserve, transferred thereto after 16 or more years' service, shall be considered to be veterans within the meaning of the laws relating to hospitalization under the Veterans' Bureau, and shall be entitled to medical treatment or hospitalization at all Government hospitals without deduction from their retired pay or retainer pay of the sum of 75 cents per day for hospital rations while in a Government hospital.

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

A motion to reconsider was laid on the table.

NAVAL ACADEMY BAND

The next business on the Consent Calendar was the bill (H. R. 10380) adjusting the salaries of the Naval Academy Band.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON, Mr. HUDDLESTON, and Mr. STAFFORD objected.

UNITED STATES NAVAL DESTROYER AND SUBMARINE BASE, SQUANTUM, MASS.

The next business on the Consent Calendar was the bill (H. R. 6142) to authorize the Secretary of the Navy to lease the United States naval destroyer and submarine base, Squantum, Mass.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I asked to have the bill passed without prejudice on a former occasion, but I understand the gentleman from Massachusetts is going to offer an amendment which will be satisfactory and which will not give away this $25,000,000 plant. I have no objection to the property being leased, inasmuch as the Navy does not want it, providing we follow the regular procedure and advertise it.

Mr. ANDREW. That is perfectly satisfactory to me and to my colleague [Mr. WIGGLESWORTH], in whose district the property lies.

Mr. LAGUARDIA. I have seen the amendment that is proposed to be offered and I will not object.

Mr. COLLINS. Further reserving the right to object, will an amendment be proposed providing that the lessee shall not be entitled to any damages that may result from revocation?

Mr. ANDREW. I think that is in the amendment that my colleague is to offer.

The SPEAKER pro tempore. Without objection, the Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Navy be, and he is hereby, authorized to lease all or any part of the United States naval destroyer and submarine base, Squantum, Mass., for periods not exceeding 25 years, at annual rental considerations payable in cash or in the form of repairs, maintenance, and upkeep of such property, on such terms and conditions as he may deem most advantageous to the Government when in his judgment such property may not be needed for naval uses and the leasing of it may serve the public interests. Any such lease shall be revocable at the discretion of the Secretary of the Navy in case of national emergency declared by the President.

Mr. WIGGLESWORTH. Mr. Speaker, I offer the following amendments, which I send to the Clerk's desk.

The Clerk read as follows:

Page 1, line 6, after the words "25 years," strike out the words "at annual rental considerations payable in cash or in the form of repairs, maintenance, and upkeep of such property."

Page 2, line 2, after the words "shall be," insert the words "granted only after competitive bids and shall be."

Page 2, line 4, after the word "President," insert a comma and the words "and the lessee shall not be entitled to any damage that may result from such revocation."

The amendments were agreed to.

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

A motion to reconsider was laid on the table.

BATTLESHIP "OLYMPIA"

The next business on the Consent Calendar was the bill (H. R. 10296) to provide for the use of the U. S. S. *Olympia* as a memorial to the men and women who served the United States in the war with Spain.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object.

Mr. FRENCH. Mr. Speaker, I object.

KETCHIKAN, ALASKA

The next business on the Consent Calendar was the bill (H. R. 9707) to authorize the incorporated town of Ketchikan, Alaska, to issue bonds in a sum not to exceed $1,000,000 for the purpose of acquiring public-utility properties, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection?

There was no objection.

RESTORATION OF ROADS AND BRIDGES DESTROYED BY FLOODS IN GEORGIA

The next business on the Consent Calendar was the bill (H. R. 10382) for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, there are two such bills on the calendar at this time. As I understand it, it is simply to have the Federal Government take care of one-half of the cost of rebuilding Federal-aid roads for which the Federal Government originally paid one-half of the construction, these roads having been destroyed by floods.

Mr. VINSON of Georgia. The gentleman's statement is absolutely correct.

Mr. LAGUARDIA. And there is precedent for this? In fact, it is the policy of the Federal Government to replace these roads under the same conditions under which they were originally constructed?

Mr. VINSON of Georgia. It is.

Mr. CRISP. That has been done in the case of Vermont, Kentucky, and Alabama.

Mr. VINSON of Georgia. And this bill was unanimously reported by the committee and it has the indorsement of the Agricultural Department and has the approval of the Budget.

Mr. LAGUARDIA. And the bridges mentioned in the bill are bridges incidental to the roads destroyed?

Mr. VINSON of Georgia. They are. In the fall of 1929 there was a 15-inch rainfall. The Weather Bureau report substantiates the accuracy of that statement. These are roads and bridges the Government and the State of Georgia built together. They were damaged to the extent of a million dollars.

Mr. LAGUARDIA. Ordinarily, I do not believe a bill of this size ought to be considered on the Consent Calendar, but I am reliably informed that the arrangements are such that it could be considered.

Mr. CRISP. Mr. Speaker, I know to what the gentleman has reference. I have talked with the Speaker about the bill, requesting that he recognize us, if necessary, to suspend the rules and pass the bill. While the Speaker made me no definite promise, I have every reason to believe that that would be done.

Mr. EDWARDS. And this is a real emergency.

Mr. GREENWOOD. These are roads that were constructed by the Federal Government and the State of Georgia together?

Mr. CRISP. Yes. The State paid 50 per cent of the construction.

Mr. DENISON. Does this bill refer to any bridges except those over Federal-aid roads?

Mr. VINSON of Georgia. No.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to consider the Senate bill (S. 3783), a similar bill, which has passed the Senate.

The SPEAKER pro tempore. Without objection, it will be so ordered, and the Clerk will read the Senate bill.

There was no objection, and the Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $506,067.50 for the relief of the State of Georgia, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the unusually serious financial loss to the State of Georgia through the damage to or destruction of roads and bridges by floods in 1929, imposing a public charge against the property of the State beyond its reasonable capacity to bear. Such portion of the sum hereby authorized to be appropriated as will be available for future construction shall be expended by the State highway department, with the approval of the Secretary of Agriculture, for the restoration, including relocation, of

roads and bridges of the Federal-aid highway system so damaged or destroyed, together with interstate bridges across the Savannah River at or near Augusta, Ga., in such manner as to give the largest measure of permanent relief, under rules and regulations to be prescribed by the Secretary of Agriculture. Any portion of the sum hereby authorized to be appropriated shall become available when the State of Georgia shows to the satisfaction of the Secretary of Agriculture that it has, either before or after the approval of this act, actually expended, or made available for expenditure, for the restoration, including relocation, of roads and bridges so damaged or destroyed, a like sum from State funds. Nothing in this act shall be construed as an acknowledgment of any liability on the part of the United States in connection with the restoration of such roads and bridges: *Provided*, That out of any appropriations made for carrying out the provisions of this act, not to exceed 2½ per cent may be used by the Secretary of Agriculture to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase supplies, material, equipment, and office fixtures, and to incur such travel and other expense as he may deem necessary for carrying out the purpose of this act: *Provided further*, That no portion of this appropriation shall be used except on highways and bridges now in the Federal-aid highway system in Georgia, or the necessary relocation of such roads and bridges.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

AGRICULTURAL APPROPRIATION BILL—CONFERENCE REPORT

Mr. SIMMONS. Mr. Speaker, I present a conference report upon the bill (H. R. 7491) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1931, and for other purposes.

RESTORATION OF ROADS AND BRIDGES DESTROYED BY FLOOD IN 1929 IN SOUTH CAROLINA

The next business on the Consent Calendar was the bill (S. 3189) for the relief of the State of South Carolina for damage to and destruction of roads and bridges by floods in 1929.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $805,561 for the relief of the State of South Carolina, as a reimbursement or contribution in aid from the United States, induced by the extraordinary conditions of necessity and emergency resulting from the unusually serious financial loss to the State of South Carolina through the damage to or destruction of roads and bridges by floods in 1929, imposing a public charge against the property of the State beyond its reasonable capacity to bear. Such portion of the sum hereby authorized to be appropriated as will be available for future construction shall be expended by the State highway department, with the approval of the Secretary of Agriculture, for the restoration, including relocation, of roads and bridges of the Federal-aid highway system so damaged or destroyed, in such manner as to give the largest measure of permanent relief, under rules and regulations to be prescribed by the Secretary of Agriculture. Any portion of the sum hereby authorized to be appropriated shall become available when the State of South Carolina shows to the satisfaction of the Secretary of Agriculture that it has, either before or after the approval of this act, actually expended or made available for expenditure, for the restoration, including relocation of roads and bridges so damaged or destroyed, a like sum from State funds. Nothing in this act shall be construed as an acknowledgment of any liability on the part of the United States in connection with the restoration of such roads and bridges: *Provided*, That out of any appropriations made for carrying out the provisions of this act, not to exceed 2½ per cent may be used by the Secretary of Agriculture to employ such assistants, clerks, and other persons in the city of Washington and elsewhere, to purchase supplies, material, equipment, and office fixtures, and to incur such travel and other expense as he may deem necessary for carrying out the purpose of this act.

With the following committee amendment:

Page 3, after the word "act," in line 4, insert "*Provided further*, That no portion of this appropriation shall be used as reimbursement or contribution, except on highways and bridges now in the Federal-aid highway system in South Carolina, or the necessary relocation of such roads and bridges."

The amendment was agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS ST. JOHNS RIVER, FLA.

The next business on the Consent Calendar was the bill (S. 180) to legalize a bridge across St. Johns River, 2½ miles southerly of Green Cove Springs, Fla.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, how was this bridge originally constructed?

Mr. DENISON. Sometimes they have an impression that a permit is not necessary and they go ahead and begin the construction of the bridge.

Mr. LAGUARDIA. I thought perhaps that it was not a navigable stream at that time.

Mr. DENISON. No; it was a navigable stream.

Mr. LAGUARDIA. It is not a large river?

Mr. DENISON. No; but it is classed as a navigable stream. They began the construction of the bridge under the impression that they did not have to have a permit.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the bridge constructed across St. Johns River 2½ miles southerly of Green Cove Springs, Fla., is hereby declared to be a lawful structure, and the consent of Congress is hereby granted to the St. Augustine-Green Cove Springs Bridge Co., its successors and assigns, to maintain and operate said bridge in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. O'CONNELL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. O'CONNELL. We have heretofore considered so few bills to-day that it will be impossible to dispose of all of them to-day.

Mr. DENISON. If Members will object to the bridge bills to-day, I will not ask that they all be considered.

BRIDGE ACROSS THE ILLINOIS RIVER AT OR NEAR PEORIA, ILL.

The next business on the Consent Calendar was the bill (S. 1578) to extend the times for commencing and completing the construction of a bridge across the Illinois River at or near Peoria, Ill.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Illinois River, at or near Peoria, Ill., authorized to be built by the city of Peoria, Peoria County, Ill., by the act of Congress approved March 29, 1928, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With a committee amendment as follows:

Page 1, line 8, strike out the words "the date of approval hereof" and insert "March 29, 1930."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE PEEDEE AND WACCAMAW RIVERS, S. C.

The next business on the Consent Calendar was the bill (S. 2114) granting the consent of Congress to the Board of County Commissioners of Georgetown County, S. C., to construct, maintain, and operate a free highway bridge across the Peedee River and a free highway bridge across the Waccamaw River, both at or near Georgetown, S. C.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GASQUE. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

BRIDGE ACROSS THE SOUTH FORK, CUMBERLAND RIVER, KY.

The next business on the Consent Calendar was the bill (S. 3741) to extend the times for commencing and completing the construction of a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Ky.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the South Fork of the Cumberland River, at or near Burnside, Pulaski County, Ky., authorized to be built by the State Highway Commission, Commonwealth of Kentucky, by the act of Congress approved May 18, 1928, and heretofore extended by the act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from May 18, 1930.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE CUMBERLAND RIVER, PULASKI COUNTY, KY.

The next business on the Consent Calendar was the bill (S. 3742) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burnside, Pulaski County, Ky.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Cumberland River at or near Burnside, Pulaski County, Ky., authorized to be built by the State Highway Commission, Commonwealth of Kentucky, by the act of Congress approved May 18, 1928, and heretofore extended by the act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from May 18, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE CUMBERLAND RIVER NEAR CANTON, KY.

The next business on the Consent Calendar was the bill (S. 3743) to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Cumberland River, at or near Canton, Ky., authorized to be built by the State Highway Commission, Commonwealth of Kentucky, by the act of Congress approved May 18, 1928, and heretofore extended by the act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from May 18, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE TENNESSEE RIVER, KY.

The next business on the Consent Calendar was the bill (S. 3744) to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Tennessee River, at or near Eggners Ferry, Ky., authorized to be built by the State Highway Commission, Commonwealth of Kentucky, by the act of Congress approved May 18, 1928, and heretofore extended by the act of Congress approved March 2, 1929, are hereby further extended one and three years, respectively, from May 18, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE OHIO RIVER, MAYSVILLE, KY.

The next business on the Consent Calendar was the bill (S. 3746) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Maysville, Ky.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Ohio River, at or near Maysville, Ky., authorized to be built by the State Highway Commission, Commonweath of Kentucky, by the act of Congress approved March 4, 1929, are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With a committee amendment as follows:

Page 1, line 8, strike out the words "the date of approval hereof" and insert in lieu thereof "March 4, 1930."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Senate bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE WHITE RIVER, CLARENDON, ARK.

The next business on the Consent Calendar was the bill (H. R. 11196) to extend the times for commencing and completing the construction of a bridge across the White River at or near Clarendon, Ark.

There being no objection to its consideration, the Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of a bridge across the White River, at or near Clarendon, Ark., authorized to be built by the State highway commission, by the act of Congress approved May 29, 1928, are hereby extended one and three years, respectively.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With committee amendments as follows:

Page 1, line 6, after the word "commission," insert the words "of Arkansas."

On page 1, line 7, after the figures "1928," insert the words "heretofore extended by the act of Congress approved June 20, 1929."

On page 1, line 8, after the word "hereby," insert the word "further."

On page 2, line 1, after the word "respectively," insert the words "from May 29, 1930."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

A motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS ROCK RIVER, MOLINE, ILL.

The next business on the Consent Calendar was the bill (H. R. 11228) granting the consent of Congress to the State of Illinois to construct a bridge across the Rock River south of Moline, Ill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the consent of Congress be, and is hereby, granted to the State of Illinois to construct, maintain, and operate a bridge and approaches thereto across the Rock River, at a point suitable to the interests of navigation, south of Moline, Ill., in section 16, township 17 north, range 1 west, fourth principal meridian, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 5, at the beginning of the line, insert the words "free highway."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS MONONGAHELA RIVER, PITTSBURGH, PA.

The next business on the Consent Calendar was the bill (H. R. 11240) to extend the times for commencing and completing the construction of a bridge across the Monongahela River at Pittsburgh, Allegheny County, Pa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Monongahela River at a point approximately 1.5 miles above its junction with the Allegheny River in the city of Pittsburgh, county of Allegheny, and State of Pennsylvania, authorized to be built by the county of Allegheny by the act of Congress approved February 13, 1929, are hereby extended one and three years, respectively, from February 13, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS DES MOINES RIVER AT CROTON, IOWA

The next business on the Consent Calendar was the bill (H. R. 11273) to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

BRIDGE ACROSS MISSISSIPPI RIVER NEAR TENTH STREET, BETTENDORF, IOWA

The next business on the Consent Calendar was the bill (H. R. 11282) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. LETTS. Will the gentleman from New York [Mr. LAGUARDIA] withhold his objection?

Mr. LAGUARDIA. Certainly.

Mr. LETTS. May I inquire of the gentleman from New York [Mr. LAGUARDIA] what the difficulty is about this bill?

Mr. LAGUARDIA. That is a fair question. I object to all of these bills and invariably follow the recommendation of the Department of Agriculture. If the gentleman will turn to the report and notice the letter from the Department of Agriculture, dated April 9, 1930, the gentleman will find in the closing statement the following:

It still is the view of the department that a private toll bridge should not be built at the point proposed, and it would therefore recommend against favorable action on the bill.

I have labored for years, together with the Department of Agriculture and the Bureau of Roads, and I will do all I can to sustain their views.

Mr. LETTS. I am sure the purpose of the gentleman from New York [Mr. LAGUARDIA] is most admirable, but the difficulty out there is that we have a population of over 200,000, served by one bridge with a draw span, and the congestion on that bridge is a great handicap. The men who have been granted authority to build this bridge are business men of those localities.

Mr. LAGUARDIA. Why do they not build the bridge?

Mr. LETTS. They have had difficulty about the approach to the bridge in Moline. The railroad tracks are along the river, and they are having difficulty in coming to an agreement with the city planning commission, the mayor, and counsel as to whether or not the approach shall be an overhead approach or whether or not the Rock Island Railroad Co. will be required or will voluntarily consent to elevate its tracks so that the approach may be underneath. These difficulties are intertwined with some plans of the city planning commission with respect to the elevation of the tracks. The difficulties are real and these men have no interest in this project except to serve the communities. They are willing to build this bridge and go into competition with a free bridge in order that they may serve the communities and get another bridge so that they can speed up traffic. I hope the gentlemen will withdraw his objection.

Mr. LAGUARDIA. I am very sorry.

Mr. PALMER. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. PALMER. It is a local matter. I hope the gentleman will not object.

Mr. LAGUARDIA. It is not a local matter. If the gentleman will take up this matter with the Bureau of Roads and the Department of Agriculture and if they will withdraw their objection, I will withdraw mine.

Mr. LETTS. That is impossible. They have held to this view and it would be very good, indeed, if their program could be worked out and we might have free bridges over all of these rivers; but it is imperative that we have early relief. While we do not wish to spend the money, yet it is necessary to the community as a matter of relief. I do wish to insist, if the gentleman will permit me, that he relax his views about this matter in this particular and allow the bill to go through. It is a very important one to my community.

Mr. LAGUARDIA. I wish the gentleman would desist in his appeal, because I feel myself weakening.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. I object.

BRIDGE ACROSS THE HUDSON RIVER AT OR NEAR CATSKILL, N. Y.

The next business on the Consent Calendar was the bill (H. R. 11430) granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Catskill, Greene County, N. Y.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the State of New York to construct, maintain, and operate a free highway bridge and approaches thereto across the Hudson River, at a point suitable to the interests of navigation, at or near Catskill, Greene County, N. Y., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. DENISON. Mr. Speaker, I desire to offer certain amendments to the bill.

The SPEAKER pro tempore. The gentleman from Illinois offers amendments, which the Clerk will report.

The Clerk read as follows:

Amendments offered by Mr. DENISON: Page 1, line 4, after the words "operate a," strike out the word "free."

Page 2, line 2, after the figures "1906," strike out the period, insert a comma, and add "and subject to the conditions and limitations contained in this act."

Page 2, after line 2, insert a new section, as follows:

"SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 20 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested."

Mr. STAFFORD. Will the gentleman yield?

Mr. DENISON. I yield.

Mr. STAFFORD. Is the gentleman acquainted with the facts which apparently have caused the State of New York to change heart as to the erection of a free bridge and now wishes to erect a toll bridge?

Mr. DENISON. I am not; except that the author of the bill asked me to offer these amendments for him. As I understand, the State is not in a position to erect a free bridge at this place and wants to erect a toll bridge.

Mr. LAGUARDIA. If the gentleman will permit, several of our bridges are being built by the so-called port authority. Those bridges are publicly owned. The State finances them and provision is made for free bridges, or, in the case of toll bridges, the reduction of tolls until they are free bridges. This bridge, as I understand it, is to be built by the State and tolls charged sufficient to pay the overhead and amortization. Then it is to become a free bridge. It is to be built from public funds and not to be conducted for profit.

Mr. SCHAFER of Wisconsin. Does not the gentleman believe that before the unanimous-consent stage had passed, when one Member could object to the consideration of the bill, the Members here ought to have been advised that the gentleman was going to offer these drastic amendments changing from a free to a toll bridge?

Mr. LAGUARDIA. Is that question directed to me?

Mr. SCHAFER of Wisconsin. Yes.

Mr. LAGUARDIA. I had nothing to do with that.

Mr. SCHAFER of Wisconsin. We let this bill pass the objection stage believing it was going to be a free bridge. Then after it passed that stage we have amendments offered by a member of the committee reporting the bill making it a toll bridge.

Mr. LAGUARDIA. The gentleman from Wisconsin, who is an expert on toll bridges and other bridges and who electrified this House one day with a speech he made which resulted in changing a private toll bridge to a free bridge, knows that there is a big difference between a publicly owned toll bridge and a privately owned toll bridge.

Mr. STAFFORD. But the gentleman from New York does not meet the question raised by my colleague as to the procedure.

Mr. LAGUARDIA. The gentleman from Illinois offered the amendment. Why is the gentleman asking me these questions?

Mr. STAFFORD. The gentleman from New York has a consistent record as to the advisability and the propriety of advising the House in advance with respect to such matters.

Mr. LAGUARDIA. The gentleman from New York can not be responsible for all of the sins of the gentleman from Illinois.

Mr. DENISON. The gentleman from New York does not want to leave the impression here that I am committing any sin in offering these amendments for the author of the bill?

Mr. LAGUARDIA. I will say frankly that if this were a change from a publicly owned bridge to a private bridge I would object.

Mr. DENISON. That is not the case, and I would not offer that kind of amendment.

Mr. LAGUARDIA. I am sure the gentleman would not.

Mr. DENISON. All of these bills that are considered by unanimous consent are subject to amendment, and there is no rule of the House or any other rule that I know of that makes it necessary for anyone who proposes to offer an amendment to give notice in advance; nevertheless, if the amendment were such as to change the principle involved in the bill I would, of course, give notice. But this is a bridge that is to be built by the State of New York, and they want these amendments made to the bill. Of course, the gentleman has the privilege of opposing either the amendment or the bill now and defeating it if he has sufficient influence in the House to do that.

Mr. SCHAFER of Wisconsin. Certainly as a matter of principle the gentleman must agree that there is a great difference between the principle of a State free bridge and a State toll bridge. I believe, in view of the fact this bill had passed the unanimous-consent objection stage without the membership being informed that the amendment was going to be offered to the bill to make it a toll bridge instead of a free bridge, the House should reject the bill, and we should have a quorum here to do so. I do not like this kind of procedure and I am going to have a quorum here to vote on it.

Mr. DENISON. The gentleman has the right to ask for a quorum if he wishes, and if the gentleman wants to oppose the amendments, they are now before the House and he can oppose them and let them be submitted to the views of the House. I have no interest in the matter except that the author of the bill, Mr. PRATT of New York, asked me to offer the amendments for him, and I am doing this at his request.

The SPEAKER. The question is on the amendments offered by the gentleman from Illinois.

The question was taken; and on a division (demanded by Mr. SCHAFER of Wisconsin) there were—ayes 90, noes 10.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I object to the vote on the ground there is not a quorum present.

The SPEAKER pro tempore. The gentleman from Wisconsin makes the point of order there is not a quorum present. The Chair will count.

Mr. SCHAFER of Wisconsin. Mr. Speaker, I withdraw that request and serve notice that I shall object to every bridge bill on the calendar providing for a free bridge unless the member of the committee having charge of the bill assures the House he will not offer an amendment, after the bill passes the consent stage, to change it from a free bridge to a toll bridge.

The amendments were agreed to.

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

A motion to reconsider was laid on the table.

The title was amended.

BRIDGE ACROSS ROCK RIVER, ROCKFORD, ILL.

The next business on the Consent Calendar was the bill (H. R 11435) granting the consent of Congress to the city of Rockford, Ill., to construct a bridge across the Rock River at Broadway, in the city of Rockford, Winnebago County, State of Illinois.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted the city of Rockford, Ill., to construct, maintain, and operate a bridge and approaches thereto across the Rock River at a point suitable to the interests of navigation, at Broadway, in the city of Rockford, State of Illinois, in accordance with the provisions of the act "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 4, after the words "operate a" insert the words "free highway."

Page 1, line 8, after the word "act," insert the word "entitled."

The committee amendments were agreed to.

Mr. DENISON. Mr. Speaker, I move to strike out the last word.

I wish to make this brief statement in view of the statement made by the gentleman from Wisconsin [Mr. SCHAFER].

It very often happens that the State highway commissions or the State governments ask some Member of the Congress from their State or some Senator to file a bill to grant the State permission to build a bridge within the State. Sometimes they ask for permission to build a free bridge, where the State has the funds to construct it out of its road funds; but very often they have not sufficient funds and they ask the Member to file a bill to grant them the right to build a toll bridge, which will become free when the cost of the bridge is paid from the tolls. Occasionally a Member may misunderstand the request and file a bill for a free bridge; then when it is ascertained he has made a mistake an attempt will be made to correct it on the floor when the bill comes up for consideration.

In this case the gentleman from New York [Mr. PRATT] by misunderstanding filed a bill to grant the consent of Congress to the State of New York to build a free bridge. The gentleman misunderstood the request that came to him and he asked that when the bill came up on the floor it be amended so as to permit the State to build a bridge under the other plan, namely, to charge tolls and when the bridge is paid for from the tolls to become a free bridge. It seems this is the only way the State can build the bridge.

It is the policy of both the House and Senate committees to encourage this kind of bridge building; that is, to let the bridge pay for itself and then become free. This is what was done in this case.

At the request of the gentleman from New York, I offered the amendments so as to make the bill conform to the original intention.

Mr. LAGUARDIA. I want to make my position clear. I have consistently objected to toll bridges, but certainly there is no comparison between a private toll bridge operated for profit and a toll bridge maintained by the State not operated for profit, and at a certain time when the bonds are redeemed to become free.

Mr. DENISON. I think it is a wise policy, when the State has not sufficient funds to build these expensive bridges out of its general road funds, to let the traffic using the bridge pay tolls until the bridge is paid for. In that way the bridge is paid for by those who use it instead of being paid for by those who do not use it.

Mr. SCHAFER of Wisconsin. Does the gentleman believe that there is no difference in principle between a State toll bridge and a State free bridge?

Mr. LAGUARDIA. Why, it comes out of the public funds.

Mr. SCHAFER of Wisconsin. There is just as much difference in principle as there is between the sun and the moon. I regret to hear that the State of New York does not have sufficient funds to build a free bridge.

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

A motion to reconsider was laid on the table.

FREE HIGHWAY BRIDGE ACROSS THE WHITE RIVER AT CALICO ROCK, ARK.

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 10340, an act granting the consent of Congress to the Arkansas State Highway Commis-

sion to construct, maintain, and operate a toll bridge across the White River at or near Calico Rock, Ark., with Senate amendments, and agree to the Senate amendments.

The SPEAKER pro tempore. Without objection the Clerk will report the title to the bill and the Senate amendments.

The Clerk read the Senate amendments, as follows:

Page 1, lines 3 and 4, strike out "Arkansas."

Page 1, line 4, after "Commission" insert "of Arkansas."

Page 1, line 5, strike out "free highway."

Page 1, line 6, strike out "interest," and insert "interests."

Page 1, line 10, after "1906," insert ", and subject to the conditions and limitations contained in this act."

Page 1, after line 10, insert:

"SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient (1) to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches; (2) the interest on borrowed money necessarily required and financing charges necessarily incurred in connection with the construction of the bridge and its approaches; and (3) to provide a sinking fund sufficient to retire the bonds issued and sold in connection with such original construction. All revenues received from the bridge shall be applied to the foregoing purposes, and no bonds issued in connection with the construction of the bridge and its approaches shall be made to mature later than 20 years after the date of issue thereof.

"After a fund sufficient to retire such bonds in accordance with their provisions shall have been so provided, the bridge shall thereafter be maintained and operated as a free highway bridge upon which no tolls shall be charged. An accurate and itemized record of the original cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, the interest charges paid, and the tolls charged and the daily revenues received from the bridge, shall be kept by the Arkansas State Highway Commission, and shall be available at all reasonable times for the information of all persons interested."

Page 1, line 11, strike out "2" and insert "3."

The Senate amendments were agreed to.

TO EXTEND PROVISIONS OF SECTION 2455 OF THE REVISED STATUTES OF THE UNITED STATES TO COAL LANDS IN ALABAMA

The next business on the Consent Calendar was the bill (H. R. 11239) to extend the provisions of section 2455 of the Revised Statutes of the United States (U. S. C., title 43, sec. 1171), as amended, to coal lands in Alabama.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Speaker, I ask unanimous consent to substitute the bill S. 4119, absolutely identical with the House bill.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to substitute the Senate bill for the House bill. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

*Be it enacted, etc.*, That the provisions of section 2455 of the Revised Statutes of the United States (U. S. C., title 43, sec. 1171), as amended, be, and the same are hereby, extended to the surveyed unreserved, unappropriated public lands in the State of Alabama which have been reported as containing coal deposits and which were withheld from homestead entry under the provisions of the act of Congress entitled "An act to exclude the public lands in Alabama from the operation of the laws relating to mineral lands," approved March 3, 1883, but there shall be a reservation to the United States of the coal in all such lands so sold and of the right to prospect for, mine, and remove the same in accordance with the provisions of the act of Congress approved June 22, 1910, entitled "An act to provide for agricultural entries on coal lands," and such lands shall be subject to all the conditions and limitations of said act.

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

A motion to reconsider was laid on the table.

The House bill was laid on the table.

AMENDING THE ACT FOR ENLARGING THE CAPITOL GROUNDS

The next business on the Consent Calendar was the bill (H. R. 11432) to amend the act entitled "An act to provide for the enlarging of the Capitol Grounds," approved March 4, 1929, relating to the condemnation of land.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. LAGUARDIA. Reserving the right to object, I want to ask the gentleman from Massachusetts or the gentleman from Indiana, a question. There are two bills seemingly overlapping each other? Would not one bill answer the whole purpose?

Mr. LUCE. Judging from the fact that the bills were separate bills from the Attorney General's office, I think there was some reason why they desired a separate enactment. The one that comes from the Committee on the Library is for the condemnation of land east of the library, and the one that comes from the Committee on Public Buildings and Grounds relates to condemnation of land between the Capitol and Union Station.

Mr. LAGUARDIA. There are two bills, one Calendar No. 431, and the other Calendar No. 433, and they both provide that land must be acquired according to the act approved March 4, 1929.

Mr. ELLIOTT. May I suggest to the gentleman that both bills seek to amend a former act of Congress. This bill we have before us seeks to amend the bill for enlarging the Capitol grounds. At the time the bill was drafted and passed the old law was the only one in force.

About that time there came about a great demand for a new law in regard to the condemnation of land in the District of Columbia and this law was enacted. It is now deemed necessary and advisable to amend the acts enlarging the Capitol Grounds so as to bring this condemnation proceeding under the new law instead of the old law. That is all we are seeking to do.

Mr. LAGUARDIA. The gentleman is seeking to amend two previous acts of Congress by providing for the acquisition of land according to a subsequent act?

Mr. ELLIOTT. I do not know anything about this other act. I was called upon to amend this act enlarging the Capitol Grounds so as to bring the proceedings under the new law instead of the old law.

Mr. LAGUARDIA. In other words, it is intended to acquire the land in accordance with the last act of Congress covering the condemnation of land for public use approved March 1, 1929?

Mr. ELLIOTT. Yes.

Mr. LAGUARDIA. And the gentleman from Massachusetts is going to do the same thing?

Mr. LUCE. In the second measure on the calendar after this.

Mr. LAGUARDIA. I do not see why we could not have had a general act providing that all condemnation proceedings shall be in accordance with the act approved March 1, 1929.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER of Wisconsin. Mr. Speaker, reserving the right to object, what is the estimated cost of purchasing this land?

Mr. ELLIOTT. I can not tell anything about that. There was an authorization of about $5,000,000.

Mr. LAGUARDIA. This is simply in respect to the method of fixing the valuation and has nothing to do with the acquisition of lands heretofore authorized.

Mr. SCHAFER of Wisconsin. Will this bill protect the Federal Treasury from being held up as it is continually held up by the real-estate speculators in the District of Columbia?

Mr. ELLIOTT. The idea is that the new law is much more effective for condemnation purposes than this old law. It is a better law than the old law, I think.

Mr. SCHAFER of Wisconsin. Is not there some way whereby we can cure the situation we find from time to time where land is assessed at a certain figure, with the owners growling and howling that they are assessed too high, and then, when the Government wants to purchase the land for school sites or public buildings, we are called upon to pay three and four and sometimes five times the amount of the assessed valuation?

Mr. HUDSON. Oh, they are not complaining about the assessment. They are complaining simply because they do not want to pay any taxes.

Mr. SCHAFER of Wisconsin. They complain about the assessment because they do not want to pay the taxes, but when the Government wants to purchase the land for schools or public buildings we have to pay two, three, four, and five times the amount of the assessed valuation, which the owners repeatedly have claimed is too high. I believe that too much of the Federal funds are going to real-estate speculators in the District of Columbia.

Mr. ELLIOTT. The idea is that we can get very much more good out of the new act than we can out of the old one, and if the new law had been in force when this bill was drafted, it would have been included in that law instead of the old law.

Mr. LAGUARDIA. The new law was enacted by reason of the fact that we were going to take so much land in the District of Columbia, and it was enacted because of the sad experiences of the past.

Mr. ELLIOTT. That is correct.

Mr. LAGUARDIA. It goes as far as it can go under the fundamental law which protects one in the possession of his property.

Mr. SCHAFER of Wisconsin. And the passage of this bill will help protect the United States Treasury from unwarranted raids?

Mr. ELLIOTT. That is the idea.

Mr. SCHAFER of Wisconsin. I, therefore, shall not object.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the last sentence of subdivision (1) of section 2 of the act entitled "An act to provide for the enlarging of the Capitol Grounds," approved March 4, 1929, is amended to read as follows: "Any condemnation proceedings instituted under authority of this act shall be in accordance with the provisions of the act entitled 'An act to provide for the acquisition of land in the District of Columbia for the use of the United States,' approved March 1, 1929 (U. S. C., Supp. III, title 40, ch. 7)."

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

BOOKS FOR THE ADULT BLIND

The next business on the Consent Calendar was the bill (H. R. 11365) to provide books for the adult blind.

The Clerk read the title of the bill.

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

Mr. COLLINS. Mr. Speaker, I reserve the right to object. Will the lady from New York [Mrs. RUTH PRATT] tell me the necessity for the language on page 2 of the bill, as follows?—

In the lending of such books preference shall at all times be given to the needs of blind persons who have been honorably discharged from the United States military or naval service.

It seems to me that the amount provided for in the bill is ample to supply the needs of all blind persons, and I can not see the necessity for preferring the soldier blind over blind people.

Mrs. RUTH PRATT. As far as I am concerned—and I think the other members of the committee would agree with me—I can see no objection to an amendment striking out that language.

Mr. CRAIL. Mr. Speaker, reserving the right to object——

Mr. LAGUARDIA. Will the gentleman state his objection?

Mr. CRAIL. Mr. Speaker, it is not a pleasant task to object to any bill offered by my colleague from New York [Mrs. PRATT], and particularly to a bill which promises relief to the blind, but in this instance it is a duty which I shall not shirk. I object.

Mr. LAGUARDIA. Will the gentleman yield for a moment?

Mr. CRAIL. Yes.

Mr. LAGUARDIA. I know the gentleman is as much interested in doing something for the assistance of the blind as any man in the House.

Now, if the gentleman will simply take cognizance of the fact that we are appropriating annually only $65,000 in the Treasury appropriation bill and an additional $10,000 representing interest on a fund of $250,000 as provided in the act of March 3, 1879, together with two appropriations, one of $5,000 and one of $10,000, for the use of the Congressional Library, and these appropriations are to cover the reading needs of the blind for the whole country, we can not reach one-fortieth of the demand on the libraries and distribution agencies for these books for the blind, the gentleman will realize the necessity and desirability of this bill.

We started appropriating for the blind back in 1857. Permit me to read a brief statement of legislation on this subject:

ACTS OF CONGRESS CONCERNING THE BLIND

Act of February 16, 1857 (11 Stat. 161–162; R. S. 4859, 4862, 4864, 4866, 4868, 4869; U. S. C. 24, 231). Incorporation of Columbia Institution for the Instruction of the Deaf and Dumb and the Blind; education of indigent blind children of the District of Columbia.

Act of May 29, 1858 (11 Stat. 293–294). Additional provision for the Columbia Institution; education of blind children of persons in military and naval service.

Act of February 23, 1865 (13 Stat. 436, c. 50; R. S. 3689, 4859, 4869; U. S. C. 24, 249). Columbia Institution not to give instruction to blind children; those formerly entitled to be educated there to be sent to some blind school in Maryland or elsewhere at the expense of the United States.

Act of July 13, 1866 (14 Stat. 147, sec. 10). Articles manufactured in institutions for the blind, sold to aid in their support, exempted from internal-revenue tax (obsolete).

Act of March 2, 1867 (14 Stat. 475, sec. 10). Limitation of exemption under act of July 13, 1866, above (obsolete).

Act of March 3, 1879 (20 Stat. 467–469; U. S. C. 20, 101, 102, 104). Permanent appropriation of $250,000 invested in United States bonds, for the education of the blind, through the American Printing House, under the supervision of the Secretary of the Treasury.

Act of October 1, 1890 (26 Stat. 604, par. 513). Free entry of books and music in raised print, used exclusively for the blind (obsolete).

Act of August 27, 1894 (28 Stat. 538, par. 411). Same as act of October 1, 1890, above (obsolete).

Act of July 24, 1897 (30 Stat. 196, par. 502). Same as act of October 1, 1890, above (obsolete).

Act of March 2, 1899 (30 Stat. 984, c. 362; U. S. C. 39, 238). Letters written in point print or raised characters used by the blind when unsealed to be classed as third-class mail matter.

Act of February 1, 1900 (31 Stat. 4, sec. 1): Statistics of the blind to be included in Twelfth Census. (Obsolete.)

Act of June 6, 1900 (31 Stat. 577): Appropriation of $5,000 for instruction and employment of blind persons residing in the District of Columbia, and for machinery and tools for workshop for the blind. (Obsolete.)

Act of April 27, 1904 (33 Stat. 313, ch. 1612; U. S. C. 39, 331): Books, etc., in raised characters for use of the blind loaned by public institutions to blind readers to be carried in the mails free of postage.

Act of March 3, 1905 (33 Stat. 974, par. 390): Free entry in Philippine Islands of books and music in raised print, used exclusively by the blind. (Obsolete.)

Act of June 25, 1906 (34 Stat. 460, ch. 3536; U. S. C. 20, 101): Amount of $250,000 invested in bonds under act of March 3, 1879, set apart as perpetual trust fund, and in lieu of the interest on these bonds a permanent annual appropriation of $10,000 made for the same purposes.

Act of May 26, 1908 (35 Stat. 295; U. S. C. 31, 711). Repeal of permanent appropriation for instruction of indigent blind children of District of Columbia. (See act of February 23, 1865, above); appropriation of $6,000 for this purpose. A similar appropriation is included in subsequent District of Columbia appropriation acts.

Act of March 4, 1909 (35 Stat. 1079, sec. 15; 1083, sec. 31; U. S. C. 17, 15, 31). Copyright books in raised characters for use of the blind need not be printed in United States. (See act of July 3, 1926, below.)

Act of July 2, 1909 (36 Stat. 4, sec. 8). Statistics of the blind to be included in Thirteenth Census. (Obsolete.)

Act of August 5, 1909 (36 Stat. 74, par. 518). Same as act of October 1, 1890, above. (Obsolete.)

Act of August 5, 1909 (36 Stat. 169, par. 326). Same as act of March 3, 1905, above.

Act of June 20, 1910 (36 Stat. 562, sec. 7; 573, sec. 25). Grants of land to New Mexico and Arizona for schools and asylums for the deaf, dumb, and blind.

Act of August 24, 1912 (37 Stat. 531; U. S. C. 39, 331). Periodicals in raised characters for the use of the blind to be carried in the mails free of postage.

Act of March 4, 1913 (37 Stat. 748; U. S. C. 20, 105). One copy of every embossed book manufactured by the American Printing House for the Blind to be deposited in Library of Congress.

Act of October 3, 1913 (38 Stat. 155, par. 426). Free entry of books and music in raised print, used exclusively for the blind; also printing apparatus, etc. (Obsolete.)

Act of September 1, 1916 (39 Stat. 710). Appropriation of $5,000 for aid and support of National Library for the Blind. Also $1,500 for Columbia Polytechnic Institute for the Blind. Similar appropriations are contained in subsequent District of Columbia appropriation acts; e. g., 45 Stat. 677.

Act of March 3, 1919 (40 Stat. 1294, sec. 8; U. S. C. 13, 27). Statistics of the blind to be included in Fourteenth Census.

Act of August 4, 1919 (41 Stat. 272). Annual appropriation of $10,000 for the American Printing House authorized to be increased by $40,000 (obsolete).

Act of November 4, 1919 (41 Stat. 332; U. S. C. 20, 103). Deficiency appropriation of $30,000 for the American Printing House. Two copies of all publications of the American Printing House to be furnished free to the National Library for the Blind.

Act of September 21, 1922 (42 Stat. 925, par. 1529; U. S. C. 19, 122, par. 1529). Same as act of October 3, 1913, above.

Act of June 7, 1924 (43 Stat. 535, 536; U. S. C. 36, 81–88). Incorporation of United States Blind Veterans of the World War.

Joint resolution of June 7, 1924 (43 Stat. 668, ch. 375; U. S. C. 39, 331). Free or reduced rate transmission through the mails of Bibles, etc., for the blind.

Act of July 3, 1926 (44 Stat. 818, ch. 743; U. S. C. Supp. 17, 15). Amendment of act of March 4, 1909, above.

Act of February 8, 1927 (44 Stat. 1060, ch. 76; U. S. C. Supp. 20, 101). Annual appropriation of $10,000 for the American Printing House authorized to be increased by $65,000.

Act of February 26, 1927 (44 Stat. 1247, ch. 217; U. S. C. Supp. 49, 22). Carriers authorized to transport a blind person and a guide for one fare.

The annual legislative, executive, and judicial appropriation acts (legislative appropriation acts since 1921) beginning with that of April 17, 1900 (31 Stat. 94) contain an appropriation for the reading room for the blind in the Library of Congress.

It will readily be seen that while Congress has always taken great interest in the blind, we have not as yet appropriated sufficiently in the way of providing reading matter for our unfortunate fellow citizens who are so afflicted. There is really no other way to provide reading matter for the blind. There are too few in any locality, and the cost is so great to purchase the books. Therefore it becomes necessary to have some national agency to distribute, circulate, and exchange the books for the blind in all parts of the country. The cost of printing books for the blind is so excessive that no one person or even county can possibly go out and buy or rent the books, and in out-of-the-way places, where they have not a central library, the blind are practically prohibited from having anything to read whatsoever. Even with the facilities afforded in the Congressional Library they can not supply one-thirtieth of the demand. Surely the gentleman can not object to an additional appropriation of $100,000 for the whole country. It will not meet the existing requirements but will at least increase the supply of books.

Mr. HOOPER. Mr. Speaker, if the gentleman from California will withhold his objection and permit me to say something for the RECORD, I shall be glad.

Mr. CRAIL. I will not withdraw my objection, but I will yield to the gentleman from Michigan.

Mr. HOOPER. I do not know what the gentleman's reason is for objecting to the appropriation, but I will say that we were shown many samples of the Braille books, and we found, among other facts, this fact that appealed to us very strongly: If a person wants to buy an ordinary copy of the English Bible, he can buy it for anywhere from 40 cents up to a dollar; but as to the Braille books, we find that an ordinary copy of the English Bible for the use of the blind costs something like $80 for one copy. We found out that there are about 10,000 books for the blind, but only about 2,000 titles. That means that the facilities for the blind to read such books are very limited, and it has seemed to the entire Committee on the Library that this was a very small and reasonable amount to appropriate.

Mr. CRAIL. I welcome an opportunity to state why I shall object to the present consideration of this bill. A very peculiar parliamentary situation exists in regard to this matter. On the same day that the Pratt bill was originally introduced another bill was introduced along a similar line in that both bills provided for the printing of books for the adult blind. This bill, the Pratt bill, at that time provided for $75,000. It was amended in committee to read $100,000, which is the appropriation authorized in the other bill.

The bills differ largely in the following respects: To whom the appropriation is to be made; how the money shall be spent; who is to select the titles or books to be printed; by whom are they to be printed; and by whom and to whom are the books to be distributed.

This bill, the Pratt bill, was referred to the Committee on the Library, of which the author of the bill is a member. The other bill was referred to the Committee on Education. A prompt hearing was granted by the Committee on the Library on this bill, but the author of the other bill and the proponents of the other bill were unable to obtain a hearing on their bill, although they were making diligent and earnest efforts to obtain a hearing.

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

Mr. CRAIL. Not at this time. I wish to finish this thought. Later, if my friend wishes, I will yield to him. Possibly it was proper that the other bill should not be heard before the Committee on the Library, because it had been referred to the Committee on Education and was therefore not before the Committee on the Library, but the author of the other bill and the proponents of the other bill were demanding repeatedly and insistently that they be given a hearing before the Committee on Education. They were denied that hearing with the often repeated answer that no hearing would be had on their bill until after the hearing on the Pratt bill had been held by the Committee on the Library.

The Committee on the Library, as I say, had a hearing, but the proponents of the other bill were not heard. At this hearing before the Committee on the Library on the Pratt bill it was made very definite that the Pratt bill was the only bill before the committee, and that the committee had no jurisdiction to consider the other bill. The author of the other bill was given the courtesy of being permitted to make a brief statement, but he had been cautioned beforehand that the hearing was limited to the Pratt bill and that the other bill was not before the Committee on the Library.

Now, gentlemen, a hearing has finally been granted on the other bill. It comes up before the Committee on Education on the 28th of this month. That is a week from next Wednesday. Witnesses are coming from as far away as California. The proponents of this other bill have never had an opportunity to be heard. They have never had "their day in court." Surely there is no valid reason why action on this bill should not be deferred until after that hearing on the other bill has been held next week.

The blind people of this country are divided into two great groups or factions. One group is represented in this bill which is before you to-day. The other group has never been heard. I say the great American principle that every man shall have a square deal, that every man shall have his day in court, demands that the consideration of this bill be deferred until the other people have had an opportunity to be heard.

Mr. LAGUARDIA. As to the two groups, does the gentleman refer to the different type of script for the blind? This bill is not limited.

Mr. CRAIL. Oh, no; that is not the question at issue. A few self-appointed leaders have been trying to direct the blind of this country. They have their following. The $75,000 per year which the Government appropriates for books for blind students is one incentive to this group. The other group does not follow their leadership.

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

Mr. CRAIL. Yes; to my colleague on the Committee on Foreign Affairs.

Mr. BLOOM. Does the other group object to this bill?

Mr. CRAIL. Yes; and very seriously.

Mr. BLOOM. The idea is that one group of the blind objects to it and the other approves it. What reason do they give?

Mr. CRAIL. The principal reason is that they do not want longer continued this monopoly of printing for the blind which is now held by the recipients of this $75,000 appropriation by the Government. Their thought is that this bill protects and extends this monopoly. Monopoly does not improve the character or quality of printing for the blind or the service given, any more than monopoly tends to improve any other product or service. Competition develops, improves, and insures good service.

Mrs. RUTH PRATT. I think a wrong impression is being given. There is no question of different groups among the blind. One bill calls for an appropriation of $100,000 to go to the Braille Institute in California, while this bill provides that the money shall go to the Library of Congress for the printing and distribution of books for the adult blind. It seemed to your Committee on the Library that an appropriation of this kind by Congress, instead of going to a private institution, should go to the Library of Congress—which will let contracts for the printing. Undoubtedly, the Braille Institute might procure the printing of some of the books. The objection to appropriating the money directly to the Braille Institute lies in the fact that while under the present management this might be a satisfactory arrangement there is no assurance that should there be a change of management this would still be true. This is an appropriation in perpetuity and as such it is more fitting that it should be administered by the Library of Congress. There is no question of groups of the blind. I wish every Member of this House might have been present at the hearing and had the privilege of listening to Miss Helen Keller, who made a plea for this bill. I shall ask permission to extend my remarks later by having her statement put into the RECORD.

Mr. CRAIL. I was present when Miss Keller spoke before the Committee on the Library and her plea was a general plea for the blind. It made no reference whatever to this bill, the Pratt bill, as distinguished from any other bill or any other plan. Everything she said could be taken verbatim and applied more appropriately to the Crail bill than to the Pratt bill.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRAIL. I yield with pleasure to the gentleman from New York.

Mr. LAGUARDIA. Does the gentleman refer to the Crail bill?

Mr. CRAIL. Yes. The other bill is sometimes called the Crail bill. It was introduced by the Representative from California who bears that name.

Mr. LAGUARDIA. As stated by the gentlewoman from New York [Mrs. PRATT], the gentlewoman's bill would provide for the distribution and expenditure of the money herein appropriated by the Library of Congress. They, of course, would purchase part of the books from the Braille Institute.

Mr. CRAIL. That is entirely problematical. It is possible, but not probable.

Mr. BLOOM. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. BLOOM. Suppose the Braille Institute should go out of business; that would kill it for all time?

Mr. CRAIL. It is hardly probable that an institution with an annual appropriation of $100,000 would go out of business. The men and women who compose the directorship of this institute are high-minded, public-spirited, unselfish business men, philanthropists, public officials, and benefactors of humanity. Proper safeguards are provided in the bill.

I want to say further in this regard that for almost 60 years the Government of the United States have been appropriating large sums of money to a private concern in the city of Louisville, Ky., to print books for student blind. This appropriation does not provide for printing books for the adult blind. They have been absolutely without any help from the Government in the way of books. The Braille Institute, of Los Angeles, Calif., which has been printing books for 10 years by means of the benefactions made available to them by rich men and women who are interested in the blind, has developed and benefited printing for the blind to such an extend that there have been very great improvements in it. The character of the work done by them has received high praise and has forced improvements and better service by others. They thought they could do very much more in this line if they had some assistance from the Government of the United States, and so they proposed to the blind people of the country that they were going to ask Congress to appropriate $100,000 for this purpose—the printing of books for the adult blind in Braille type and the free distribution thereof. That proposition was out over the country for months before the Pratt bill was introduced.

To defeat this plan and to maintain this monopoly to the concern at Louisville, Ky., which has been getting these large appropriations from the Government of the United States, the plan was devised of having the new appropriation disbursed by the Librarian of the Congressional Library and their bill was offered to Congress. The primary purpose of the Pratt bill, as distinguished from the other bill, is not to benefit the blind but is to benefit this concern, which has the monopoly on the printing of books for the blind, which are paid for by the Government.

Mr. LAGUARDIA. There is nothing in this bill whatsoever which justifies such a statement.

Mr. CRAIL. I will justify the statement.

Mr. LAGUARDIA. The gentleman says that this bill is introduced for the benefit of the Louisville printing firm. This provides for an appropriation to be expended through the Library of Congress.

Mr. COLLINS. I sincerely hope the gentleman will not object to the bill. This bill is meritorious and should pass.

Mr. CRAIL. The Librarian of Congress has heretofore recommended that the books for the blind in the Congressional Library should be taken elsewhere, that it was not a proper function for the Congressional Library. He is not blind. No claim is made that he has any special interest in the blind. To him who has the spending of millions of Government money, this $100,000 would be a mere incident, to be turned over to a subordinate of no particular responsibility or capability. It is a matter of major importance, especially to the blind, and should be in charge of people who are interested and know the requirements of the blind.

Cries of "Regular order!" were heard.

The SPEAKER. The regular order is demanded. Is there objection to the present consideration of the bill?

Mr. CRAIL. For the reasons stated it is my duty to object. I object.

Mr. O'CONNELL. Mr. Speaker, the regular order.

Mr. CRAIL. Mr. Speaker, I object.

APPOINTMENT OF EMPLOYEES IN THE EXECUTIVE BRANCH AND THE DISTRICT OF COLUMBIA

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 11978) to authorize the appointment of employees in the executive branch of the Government and the District of Columbia.

This is an emergency measure, and should be given immediate consideration. It is on the Union Calendar.

The SPEAKER. The gentleman from South Dakota [Mr. WILLIAMSON] states this is a matter of emergency?

Mr. WILLIAMSON. Yes.

The Clerk read the title of the bill.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, will the gentleman from South Dakota [Mr. WILLIAMSON] make a short statement about the bill?

Mr. STAFFORD. Mr. Speaker, it is not a long bill. May it not be read?

Mr. LAGUARDIA. Read under the reservation?

Mr. STAFFORD. Of course. Mr. Speaker, I ask that the bill be read, under the reservation.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That section 169 of the Revised Statutes, as amended (U. S. C., title 5, sec. 43), is amended to read as follows:

"There is authorized to be employed in each executive department, independent establishment, and the municipal government of the District of Columbia, for services in the District of Columbia or elsewhere, such number of employees of the various classes recognized by the classification act of 1923, as amended (U. S. C., title 5, ch. 13), as may be appropriated for by Congress from year to year: *Provided*, That the head of any department or independent establishment may delegate to subordinates, under such regulations as he may prescribe, the power to employ such persons for duty in the field services of his department or establishment."

With the following committee amendment:

At the end of the bill insert "the act of May 22, 1926 (44 Stat. 620), is hereby repealed."

Mr. WILLIAMSON. Mr. Speaker, I may state in this connection that the first part of the bill, everything outside of the proviso, is a restatement of the present law, except that it brings appointments within the classification act of 1923.

The proviso has become necessary because of the fact that the Comptroller General has recently made a ruling which makes it necessary to refer back to the department heads, every appointment that is made in the field. In other words, they can not delegate to subordinates the right to appoint employees anywhere in the field. The result of this is that the War Department, which has occasion to appoint thousands of employees all over the world, in Guam, in the Philippines, Porto Rico, Panama, and other places, not to mention in remote parts of this country, can not make such appointments, not even of ordinary workmen, through subordinates, but is compelled to have all such appointments made by the Secretary.

That situation exists not only in the War Department but in every other department of the Government, because the ruling affects all departments except as to one or two cases where special legislation has been passed authorizing such appointments through subordinates. The Comptroller General has said that he will not enforce this ruling until July 1 next, so that Congress may have an opportunity to change the law if it sees fit to do so; but that if Congress takes no action by that time he shall insist that these appointments be made directly by the department heads.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. LAGUARDIA. Does the Comptroller General recommend the legislation?

Mr. WILLIAMSON. The Comptroller General is in favor of the legislation. So is every department in the Government.

Mr. STAFFORD. What is the effect of repealing the Forty-fourth Statute, 620?

Mr. WILLIAMSON. That is to prevent the duplication of statutes. That statute authorizes the Secretary of the Interior to delegate to subordinates the power to make such appointments in the field. There is no use in having two statutes covering the Interior Department. This bill includes all departments and independent establishments and will take care of the Interior Department.

Mr. STAFFORD. Will the gentleman give the citation again?

Mr. WILLIAMSON. It is the act of May 22, 1926, Forty-fourth Statute, 620. That is an act which was passed in 1926 to authorize the Secretary of the Interior, through subordinates, to make appointments in the field. The bill now being considered takes care of all departments, and there is no need for having two statutes on the same subject.

Mr. McDUFFIE. Will the gentleman yield?

Mr. WILLIAMSON. I yield.

Mr. McDUFFIE. There is nothing in the bill, as I understand, to restrict these subordinates in making appointments. In other words, the power to appoint is unlimited, as far as the number of appointees is concerned. Now, it is going a little far when that much authority is reposed in a subordinate.

Mr. WILLIAMSON. That matter will be entirely controlled by rules and regulations of the departments and the appro-

priations available; any department head may provide by rules and regulations that appointments be temporary and be referred back to him for approval, if he so desires. That is the situation now in the Interior Department. Also appointments can only be made from the civil-service register. I can see little possibility for abuse under the proposed law. A similar law already applies to the Interior Department and Veterans' Bureau, and I may say to the gentleman from Alabama [Mr. McDUFFIE] that the War Department has selected all of its field employees through subordinates for more than a hundred years, and unless this bill is passed that service will be badly crippled, so badly, in fact, as to make a good part of it near inoperative.

Mr. McDUFFIE. They must secure the approval of the head of the department?

Mr. WILLIAMSON. No; they do not have to secure his approval. That practice has not been followed in the War Department.

They have delegated to their subordinates, the commanding officers of the various forts, and to those in charge of the improvement of rivers and harbors, and so forth, the authority to employ people in the field, ordinary laborers, and appointees from the civil-service register. These appointments have never beeen referred back to the department head for approval. The turnover in the engineer service at large in the War Department is approximately 25 per cent annually, and that department has a turnover in the ordinary field personnel of about 225 per cent annually. So the gentleman can readily appreciate how impossible it is for the Secretary of War to make all of these appointments or to approve them. We are simply proposing by statute to permit a practice to go on that has existed, as far as the War Department is concerned, for 100 years.

Mr. McDUFFIE. As I understand, this practice has gone on for some time and the present Comptroller General has just called attention to it and says he will not approve the accounts unless remedial legislation is passed.

Mr. WILLIAMSON. That is precisely what he says.

Mr. HASTINGS. Will the gentleman yield?

Mr. WILLIAMSON. Yes.

Mr. HASTINGS. I would like the gentleman from South Dakota to explain the statement he made that the Comptroller General would hold in abeyance any disapproval of these accounts provided remedial legislation is passed on or before July 1. If these are illegal I can not understand how the payments can be recognized by the Comptroller General.

Mr. WILLIAMSON. The statement of the Comptroller General is this, that in view of the fact that this practice has gone on in these departments for many years, and in the War Department for at least 100 years, he would not feel justified in cutting off the practice overnight, but he does insist there is no legal authority for them to make appointments through their subordinates, and that if they are going to continue to follow that practice without statutory authority the salary accounts of such employees will not be allowed.

Mr. HASTINGS. However, he states there is no legal authority for it and I can not understand how he can approve these accounts.

Mr. WILLIAMSON. That may be true, but I am just telling the gentleman what his ruling is.

Mr. HASTINGS. That is what I was asking the gentleman to explain.

Mr. HUDSON. Mr. Speaker, the regular order.

The SPEAKER. The regular order is: Is there objection?

Mr. HASTINGS. I have asked for information and I do not think the gentleman should be in a hurry to ask for the regular order.

Mr. HUDSON. If the gentleman will permit, he had started to take his seat, and I supposed everything was through and we were ready to pass the legislation.

Mr. HASTINGS. I was about through but I do not think any gentleman ought to be too impatient.

The SPEAKER. Is there objection?

There was no objection.

The committee amendment was agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

MARKER OR TABLET TO THE MEMORY OF JOSEPH HEWES

Mr. WARREN. Mr. Speaker, in the orderly procedure, Calendar No. 454, H. R. 11547, to provide for the erection of a marker or tablet to the memory of Joseph Hewes, signer of the Declaration of Independence, member of the Continental Congress, and patriot of the Revolution, at Edenton, N. C., would be called quite early to-morrow. I have just been called home by very serious illness in my family and I would appreciate it very much if unanimous consent is granted to consider that bill this afternoon.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill.

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

Mr. CRAMTON. Mr. Speaker, reserving the right to object, from the report I find this man was born in New Jersey, lived for a long time in Wilmington, N. C., and died in Philadelphia. Did he live for any particular length of time at Edenton and were his public services rendered while he lived there?

Mr. WARREN. He lived all during his public career at Edenton. He was born in New Jersey, died in Philadelphia, and is buried in the graveyard of Christ Church in Philadelphia. I understand his remains are to be removed to Edenton and the people of Edenton are going to spend $10,000 in addition to this $2,500.

Mr. CRAMTON. The only further suggestion I have is that the bill should provide that the land on which this marker or tablet is to be erected should be donated to the United States for that purpose and that the work be carried on by the Secretary of the Interior, through the National Park Service, rather than by the Secretary of War, who has no particular facilities for this character of work.

Mr. LaGUARDIA. Mr. Speaker, further reserving the right to object, is not this a typical bill of local interest, where the marker or monument ought to be put up by the local people?

Mr. WARREN. I would not think so, when the man to be commemorated was a signer of the Declaration of Independence, in the Continental Congress—was chairman of the committee on naval communications, and was the man who caused the commissioning of John Paul Jones.

Mr. LaGUARDIA. The commissioning of John Paul Jones was a pretty good job, but we have commemorated John Paul Jones, have we not?

Mr. CRAMTON. Further reserving the right to object, would the gentleman be willing to accept an amendment leaving the supervision of this work with the Secretary of the Interior? This is not a military battle field or anything of the kind, and it does not seem logical to have the work performed by the Secretary of War.

Mr. WARREN. Such an amendment will be perfectly agreeable.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I can not see why the Secretary of the Interior should be singled out as the one who should have charge of the erection and preservation of these markers or monuments.

Mr. CRAMTON. For the reason that under existing law not only are the national parks but the national monuments are under the jurisdiction of the National Park Service. They are quite familiar with those matters and I think that would be a desirable change.

Mr. STAFFORD. The thought came to my mind that as Congress is establishing a large number of tablets and markers in connection with military events it might be more economical to have the Secretary of War look after the erection and supervision of such tablets and markers.

I agree with the gentleman that, as far as national monuments are concerned, the work should be under the jurisdiction of the Secretary of the Interior and the work done through the National Park Service.

Mr. CRAMTON. Where there is an Army post established, so that it is right at hand, that is a different matter. This is not to commemorate a military service, and it seems to me that in this case it is desirable to make the change I have suggested.

Mr. STAFFORD. I know how jealous the gentleman from Michigan is to preserve the rights of the National Park Service.

Mr. CRAMTON. Make it "zealous."

Mr. STAFFORD. I do not believe the gentleman is too old to have jealousy in his veins, but I will not interpose any objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of War is hereby authorized and directed to erect a marker or tablet at Edenton, N. C., to the memory of Joseph Hewes, signer of the Declaration of Independence, Member of the Continental Congress, and patriot of the Revolution.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $2,500 to carry out the provisions of this act.

SEC. 3. That the plan and design of such marker or tablet shall be subject to the approval of the National Commission of Fine Arts.

SEC. 4. That the Secretary of War is hereby authorized to do all things necessary to accomplish said purpose, by contract or otherwise, with or without advertising, under such conditions as he may prescribe,

including the engagement, by contract, of service of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard to civil-service requirements or restrictions of law governing the employment and compensation of employees of the United States and to spend in accordance with the provisions of this act such sum of money as may be placed in his hands as a contribution additional to the funds appropriated by Congress.

Mr. CRAMTON. Mr. Speaker, I move to strike out the last word. I have no desire to overurge my point of view, and since the bill has been read it has been suggested that the headquarters of the district engineer of the Corps of Engineers are only about 50 miles away, so that, perhaps, is worthy of consideration. Where it is a matter of economy, I see no reason why the War Department should not handle the work, but I think we have been going entirely too far in that direction; and where there does not appear a reason for it, I intend to offer the necessary amendments. However, in view of what has been stated to me by the gentleman from North Carolina, I do not press my amendments.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to proceed for 15 minutes to-morrow immediately after the reading of the Journal and the disposition of matters on the Speaker's table.

The SPEAKER. The gentlewoman from New Jersey asks unanimous consent, after the reading of the Journal and the disposition of matters on the Speaker's table, to address the House for 15 minutes to-morrow. Is there objection?

Mr. LAGUARDIA. Mr. Speaker, I shall not object to the request of the gentlewoman from New Jersey, of course, because her addresses are always informative, interesting, and constructive, but I hope no other requests will be made, because we will have the Consent Calendar on our hands to-morrow.

The SPEAKER. Is there objection?

There was no objection.

CHARLES J. HARRAH

Mr. COLE. Mr. Speaker, I ask unanimous consent to return to Calendar No. 352, the joint resolution (H. J. Res. 248) authorizing an appropriation for the expenses of the arbitration of the claim of Charles J. Harrah against the Government of Cuba.

The SPEAKER. The gentleman from Iowa asks unanimous consent to return to Calendar No. 352. The Clerk will report the joint resolution by title.

The Clerk read the title of the joint resolution.

Mr. LAGUARDIA. Mr. Speaker, I simply reiterate, with all the vehemence and force that I expressed when the bill previously came up, my protest against the attitude of the State Department in certain other actions.

The SPEAKER. Does that constitute an objection to the joint resolution?

Mr. LAGUARDIA. No; I do not object.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of the chairman of the committee or the gentleman in charge of the bill as to whether these amounts that are expended are going to be paid back to the Government?

Mr. COLE. They will be, so far as they are properly chargeable to the individual benefited.

Mr. STAFFORD. Under what authorization of law?

Mr. COLE. Under an agreement, I understand, entered into by the State Department.

Mr. STAFFORD. There is nothing in existing law that makes provision for that. Would the gentleman have any objection to an amendment which would provide that in case of a favorable award the expenses that have been voted heretofore and which will be hereafter voted shall be deducted from the award?

Mr. COLE. I have no objection to such an amendment.

Mr. STAFFORD. I think certainly the Government's interests should be safeguarded to that extent.

Mr. MOORE of Virginia. May I suggest to the gentleman that that matter was considered by the committee, and inasmuch as this claim is in the name of the Government for the benefit of the party the money would be paid to the Government and the Government could make the deduction under the agreement that the gentleman from Iowa speaks of.

Mr. STAFFORD. The Government could make the deduction, but would it make it?

Mr. MOORE of Virginia. That question was asked on the floor the other day, and the gentleman from Pennsylvania [Mr. TEMPLE] answered by saying that that was the common practice in arbitration proceedings. I understood him to say that that is a uniform practice that is not deviated from.

Mr. STAFFORD. I have the following amendment, which I intended to propose if it were not existing law or existing practice, to insert after the year "1931," on page 2, the following:

Which amount, and all other amounts heretofore expended for such purpose, are to be reimbursed to the Government and paid back into the Treasury as miscellaneous receipts from the award that may be made under the arbitration of said claim.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. STAFFORD. I will be pleased to yield.

Mr. CHINDBLOM. I would like to suggest that inasmuch as it undoubtedly has been the practice of the State Department to follow that course, the specific recital of that course in this bill might be construed——

Mr. O'CONNELL. As a reflection on the Government of Cuba?

Mr. CHINDBLOM. No; but it might be construed as indicating that Congress wants that course pursued when it specifies it and not in other instances.

Mr. STAFFORD. All I wish to do in this instance is to have the assurance that the Government's interests will be safeguarded by reimbursement of the funds that are expended.

Mr. CHINDBLOM. I think this debate alone will do that.

Mr. COLE. I can assure the gentleman from Wisconsin that that was understood by the Committee on Foreign Affairs when this joint resolution was reported. If it had not been so understood, the joint resolution would not have been reported.

Mr. STAFFORD. With that assurance, Mr. Speaker, I will not press the proposed amendment.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

*Resolved, etc.*, That the sum of $40,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to defray the expenses of the United States in the arbitration of the claim of Charles J. Harrah against the Government of Cuba, including honoraria to commissioners, compensation of employees, stenographic and other services, by contract if deemed necessary, travel and subsistence or per diem in lieu of subsistence (notwithstanding the provisions of any other act), rent of office, purchase of necessary books and documents, official cards, printing and binding, one-half of all reasonable and necessary joint expenses of the tribunal incurred under the terms of the arbitral agreement, and such other expenses as may be authorized by the Secretary of State, to be disbursed under the direction and subject to the approval of the Secretary of State and remain available during the fiscal year 1931, and the Secretary of State is authorized to reimburse from the said appropriation any other appropriation from which payments may have been made for purposes connected with this arbitration prior to the time when the appropriation herein authorized shall have become available.

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

A motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER IN BETTENDORF, IOWA

Mr. DENISON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 427, the bill (H. R. 11282) to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa.

The gentleman from New York, after making further investigation, I believe will not object.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the times for commencing and completing the construction of the bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa, authorized to be built by B. F. Peek, G. A. Shallberg, and C. I. Josephson, of Moline, Ill.; J. W. Bettendorf, A. J. Russell, and J. L. Hecht, of Bettendorf and Davenport, Iowa, their heirs, legal representatives, and assigns, by the act of Congress approved May 26, 1928, are hereby extended one and three years, respectively, from May 26, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 2, after "1928," insert "heretofore extended by the act of Congress approved March 2, 1929."

Page 2, line 3, after the word "hereby," insert the word "further."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

BOOKS FOR THE ADULT BLIND

Mr. LUCE. Mr. Speaker, I ask unanimous consent that the gentlewoman from New York [Mrs. RUTH PRATT] may have leave to extend her remarks on the bill (H. R. 11365) to provide books for the adult blind.

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

There was no objection.

Mrs. RUTH PRATT. Mr. Speaker, a statement was made to-day on the floor of the House by the gentleman from California [Mr. CRAIL] which so misrepresents the facts that I think answer should be made to it. The gentleman stated that "the primary purpose of the Pratt bill as distinguished from the Crail bill is not to benefit the blind but to benefit this concern—the American Printing House for the Blind—which has a monopoly on the printing of books for the blind, which are paid for by the Government." This is not a correct statement of fact. This bill was not introduced for the benefit of any printing concern or any particular group among the blind people. The bill was introduced to provide money to be expended upon books to be printed and distributed, in so far as possible, among all the adult blind throughout the country. That this should be done in the most economical and systematic manner, it was deemed advisable by your Library Committee to place the appropriation in the hands of its own governmental agency, the Library of Congress. There can be no question in the mind of anybody that this is the natural and proper manner to procure the greatest number of books at the lowest possible cost for nation-wide distribution.

The gentleman from California [Mr. CRAIL] also stated that the appeal made by Miss Helen Keller was for no particular bill. To refute that statement I wish to quote a paragraph from a letter which I received from Miss Keller under date of March 5, 1930, which reads as follows:

Naturally, I am deeply interested in the bill H. R. 9042 (later changed to H. R. 11365), to provide more embossed books for the adult blind. Mr. Migel, president of the American Foundation for the Blind, came back recently from a visit to Washington very optimistic about getting the bill passed because you were whole-heartedly behind it. I was delighted to hear that the blind of America have you for their advocate. A friend at the court of public opinion is very important nowadays.

Also, I wish to add an exact transcript of the appeal made by Miss Keller at the hearing before the Library Committee, which reads as follows:

STATEMENT OF MISS HELEN KELLER, WHICH WAS MADE AT THE HEARING HELD BY THE LIBRARY COMMITTEE MARCH 27, 1930

Mr. Chairman, ladies, and gentlemen, the bill H. R. 9042 (later changed to H. R. 11365), which you have under consideration to-day, asks for an appropriation to supply Braille books to a class of persons who, through no fault of their own, are unable to read regular print. I hope the bill passes. Giving the blind worth-while books is a practical way of helping them to overcome their handicap. Indeed, it is far more than a practical measure; it partakes of the nature of a boon.

Books are the eyes of the blind. They reveal to us the glories of the light-filled world, they keep us in touch with what people are thinking and doing, they help us to forget our limitations. With our hands plunged into an interesting book, we feel independent and happy.

Have you ever tried to imagine what it would be like not to see? Close your eyes for a moment. This room, the faces you have been looking at—where are they? Go to the window, keeping your eyes shut. Everything out there is a blank—the street, the sky, the sun itself! Try to find your way back to your seat. Can you picture who is sitting in that chair day in and day out, always in the dark, and only the dark gazing back at you? What you would not give to be able to read again! Wouldn't you give anything in the world for something to make you forget your misfortune for one hour? This bill affords you an opportunity to bestow this consolation upon thousands of blind men and women in the United States.

When you closed your eyes just now you were assuming the sable livery of the blind, knowing all the time how quickly you could fling it aside. You felt no heavier burden than a grateful sigh that your blindness was a mummery. We who face the reality know we can not escape the shadow while life lasts. I ask you to show your gratitude to God for your sight by voting for this bill.

HELEN KELLER.

BRIDGE ACROSS THE DES MOINES RIVER AT CROTON, IOWA

Mr. DENISON. Mr. Speaker, I ask unanimous consent to return to Calendar No. 436 (H. R. 11273), to extend the times for commencing and completing the construction of a bridge across the Des Moines River at or near Croton, Iowa.

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

There was no objection.

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

A motion to reconsider was laid on the table.

ADDRESS OF HON. WILLIAM E. HULL

Mr. SPROUL of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech made by my colleague, the Hon. WILLIAM E. HULL, before the Commerce Committee of the Senate on inland waterways.

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

There was no objection.

The address is as follows:

INLAND WATERWAYS

The mission of Inland Waterways Corporation is "to promote, encourage, and develop water transportation, and to foster and preserve in full vigor both rail and water transportation," and its existence is due to the will of Congress to carry on the operations of the Government-owned inland canal and coastwise system to the point where the system can be transferred to private operation to the best advantage of the Government.

For 23 years the standard rail and lake routes from New York to Chicago were on a scale of 54 cents per hundred pounds. These rates gradually increased. In 1915 they were 62 cents per hundred pounds and in 1925 $1.42 per hundred pounds, an increase of 166 per cent. Likewise, the history of first-class rate by rail from St. Louis to New Orleans shows the same depression and elevation.

Between 1885 and 1887 the competition of the steamboats forced the first-class rate from 100 to 75 cents. By 1887 it had risen to 90 cents. Since then, by successive advances, this all-railroad rate rose until in 1925 it was $1.73½.

With the close of the war came the development of water traffic through the Panama Canal, from which railroad-owned ships are barred by law.

To-day the interest of the Mississippi Valley, including the valleys of the Missouri, the Illinois, and other tributaries, is focused on the fact of a railroad on first-class traffic to the Pacific coast approximately twice the rate from New York by sea.

The revival of transportation on the great Mississippi system of natural waterways offers the only possible relief. With these channels open industry on these rivers will be able to ship to and from the east and west coasts on rates comparable with rates enjoyed by the coastwise industry. In other words, the advantages of the Panama Canal will be no longer denied to the central portion of the United States.

Rather than to make a speech I am going to use this map and point out to the committee, if I can, the advantages of adopting the rivers and harbors bill presented to you by the Rivers and Harbors Committee as a whole.

There should be no project that is included in this bill left out for the reason that I will illustrate by the suggestions of these connections on this map.

Beginning in the East at Boston, there will eventually be a continuous route from Boston, New York, and Jersey points, along the Atlantic coast to Miami, Fla. In addition to that, there is a survey being made now across southern Georgia and northern Florida to New Orleans. Then, beginning in western Pennsylvania, we have the Monongahela, the Allegheny, and the Youghiogheny Rivers, then down the Ohio River, with such rivers and tributaries as the Big Kanawha, the Tennessee, Green, and other rivers. This connection is made with the Mississippi River.

The Warrior River is connected up with the lower Mississippi; the Intracoastal Canal, beginning at Port Isabel and running in a northeasterly direction to the Mississippi River connects up the entire South with this system.

The main trunk line of the Mississippi system begins at Chicago and runs through the Illinois waterway and the Illinois River, thence on southwardly to New Orleans and the Gulf of Mexico.

This is joined in the Northwest by the Mississippi River from St. Paul and Minneapolis to the mouth of the Illinois River at Grafton

In addition to this, there is the Hennepin Canal, a connection already made, and can, with a very small expense, be completed with a 9-foot channel leading from Rock Island on the Mississippi River to Bureau Junction on the Illinois River.

This will make a river route from Minneapolis and St. Paul to Chicago, the same distance as the Rock Island Railroad.

Then, we have beginning at Sioux City, Iowa, with a survey to Yankton, N. Dak., the upper Missouri River to Omaha, Kansas City, and on to St. Louis into the Mississippi River. There will be other tributaries, such as the Arkansas and the Red Rivers, that will join this great system.

In addition to that and the Great Lakes system we will have, if this bill is passed, the Erie and Oswego Canals, which join the Great Lakes with the Hudson River and then on to the Atlantic Ocean.

Each of these connections carry with it a certain amount of importance, because if you would take out any one of these links you would then destroy the efficiency of the system.

I can not but believe, if good common sense is used in passing this bill, there will be any of these projects omitted, because if you omit any project recommended by the engineers it will be forced into the next bill and eventually they would become adopted projects because we, who have studied the inland river situation, know that every one of these segments are important and I hope that the committee will give due consideration to every project in the bill; not only the projects but also the surveys are very important, by passing this bill, which is a large one. But remember we have not had a rivers and harbors bill for three years, and if it should fail passage, then it would, in a measure, deter the next bill, and so I believe if you will give the same consideration to these projects that the Rivers and Harbors Committee of the House have given and, by the way, they have worked on these projects since last November, nearly six months, and they have done it very sincerely and carefully, that you will conclude that the best thing to do is to pass the bill as is with such amendments that may be necessary to make the projects more complete.

SCIENTIFIC ADULT EDUCATION

Mr. AYRES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting a report of the National University Society, on the Growth and Value of Adult Education, as compiled by the research department of the National University Society in New York.

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

There was no objection.

The report is as follows:

SCIENTIFIC ADULT EDUCATION, ITS POPULARITY AND ITS WONDERFUL ACHIEVEMENT IN THIS NATION

The President of our great Nation has said: "An institution that carries educational advantages to the door of the ambitious person not only aids the individual but contributes to the betterment of the Nation as a whole."

The popularity of adult business education, presented in a scientific manner, is one of the basic reasons for the prosperity of our citizens and country.

Research has discovered—

That a majority of men and women have ability they are not using.

That failure to discover and capitalize on this ability results in unhappiness, failure, and discontent.

That unemployment and financial dependence are the results of failure to keep up to date and put this ability to its best usage.

That the only successful way to overcome this is through practical training * * * training that will give people modern business methods in easy, speedy form, and will show them how to put them into immediate use to win success.

That larger incomes make such men and women better and more useful citizens, and enable them to rear their children so they will become greater assets to the country, thus increasing the prosperity of both community and Nation.

ABILITY—THE GOLD MINE OF BOTH MAN AND NATION

The ability of the men and women of America is undoubtedly its greatest source of wealth.

To the individual, it is really the only sure source of wealth, for regardless of adversity, through its use he is able to gain a reward commensurate with his knowledge of how to turn it into money.

Because of this, it is really the duty of every man and woman—to himself or herself, family, and country—to find out whether they are putting their ability to the best possible use, and if they are getting for it the rewards it rightfully deserves.

WHAT BUSINESS TO-DAY WANTS

America is at present in the midst of an adult educational movement. This is one of the most important movements there has ever come into being, and is one that is receiving the support of many of our greatest leaders.

If all those gainfully occupied are happy, successful, and well off financially, it can not fail but follow that the community in which they live will be likewise.

The chief reason that all wage earners are not in such happy circumstances is because they have neglected to get new mental equipment. Practical business education will give these people the new ideas and methods they need to win a high and responsible position. Ability is its own reward, but only under condition that it is used and capitalized on in the best possible manner.

THE MEANING TO THE EMPLOYEE OF THE RAPIDLY CHANGING TIMES

Everything in life is constantly changing. C. F. Kettering, vice president of the General Motors Corporation, very ably states the reason for this. He says: "Youth to-day is in the saddle and has to a great extent shaken off the shackles of custom, precedent, and tradition to demand new things which have entirely revolutionized the course of business. This is not merely temporary but is a situation which will grow and expand even further. Science, through the medium of research and discovery, is endeavoring to satisfy and even anticipate these demands."

It is easy to see from this that there is no such thing as standing still. One must either advance or be put on the shelf, for when standing still the times advance past, until suddenly, before realizing it, one has become out of date.

It is estimated that nearly 10,000,000 men and women in the United States have let the times advance past them until they are out of date.

The ideal training, to overcome this—and training is its logical solution—must show this great number of people how to turn their ability into money, and it must in addition bring them the latest in business methods so they will be brought abreast of the times.

It is in this way that adult education has rendered such a signal service to the United States and its people. It has been the cause of increasing the incomes of millions of people.

The value of this accomplishment may be further stressed when the amount of good received by the community and Nation from this increased buying power is considered. Too, it should not be forgotten that business and industry also profited greatly through these new, alert, up-to-date men and women entering into it with fresh energy and a storehouse of new business ideas.

THE VALUE OF TRAINING—THE DIFFERENCE BETWEEN SUCCESS AND FAILURE

The normal man and woman wants the comforts and luxuries that are the by-products of success—a home of their own, a new car, time for pleasure and leisure, and the means to travel.

However, the majority do not see that experience in handling routine work alone is insufficient to attain them. They do not realize that the only way to get them is, in some way, to gain a more specialized experience—to procure the training that will make their ability the kind for which business firms are willing to pay high salaries.

The difference between the trained and untrained man, in relation to income and earning power, may best be illustrated by figures compiled by the United States Department of Labor.

Government report of wages earned by—

| | Per month |
|---|---|
| Untrained man: | |
| At 20 | $65 |
| At 25 | 100 |
| At 30 | 120 |
| At 40 | 120 |
| At 50 | 83 |
| At 60 | 60 |
| Trained man: | |
| At 20 | 70 |
| At 25 | 200 |
| At 30 | 250 |
| At 40 | 350 |
| At 50 | 400 |
| At 60 | 500 |

These figures show the tremendous difference between the earning power of the trained and untrained man. At 60, the average trained man is receiving $440 a month more than the untrained man.

LABOR-SAVING MACHINERY DEMANDS TRAINING FOR SUCCESS

Certainly the untrained man has a hard road to follow, and one that will become even harder in future years. Labor-saving machinery alone will suffice to make his lot more difficult, for such machinery is fast taking over the work that was his.

The Secretary of Labor said the following: "Our national industrial activity now produces a volume of production 25 per cent greater with 3,500,000 fewer workers than were needed only a few years ago."

America is the land of opportunity, and because of this is peopled by ambitious men and women, who have the right to expect a successful and happy life. They must, however, do their share to fit themselves to lead such lives.

LIFE TO-DAY REQUIRES BETTER TRAINING

Education, with its attendant function of keeping people abreast of the times, is a necessity not only for those who are deficient in it but also for those who have had a fair amount. Many, when they have attained some education and knowledge, feel that they have sufficient to carry them to the top. This attitude is responsible for the failure of a great many who have been well educated and seemed marked for a brilliant future.

Former President Calvin Coolidge said: "We can not abandon our education at the schoolhouse door. We have to keep it up through life." Everyone is familiar with Henry Ford's statement that a young man should think less about saving money and more about spending it—for self-improvement. Hon. S. D. FESS, United States Senator and educational leader, in accepting the chairmanship of the National University Society's honorary advisory council, said: "I believe in advancing the cause of adult education in America and feel that the work you are doing is an undertaking of merit." This demonstrates the attitude leaders take toward adult education.

An investment in one's self is the best investment that can be made. By training, developing, and finding out how ability can be turned into

money, any man or woman will receive a bigger return for the time and money spent than in any other form. A man without modern business equipment, information, training, can not command a high price to-day. It is true that the man who puts more knowledge in his head will be enabled to put more money in his pocket.

A NEW FORM OF EDUCATION

If those of another generation were to return to earth for a brief visit, they would find it a veritable land of magic, a new world full of wonderful and startling things.

Yesterday, 1-horse shay, old oaken bucket, hand plow, hard, laborious, and tedious methods of education, hours of drudgery, day in, day out, from dawn to dusk.

To-day, automobile, airplane, radio, labor-saving devices, and hand in hand with these modern developments a new kind of training, "adult business education."

At the University of Liverpool Dr. L. P. Jacks, of Manchester College, Oxford, England, said: "When the two words 'adult' and 'education' were first joined together, a new era began in the history of education. It meant that a broader vision of what education is was dawning. It meant that the old notion of education as limited to the few years at school or college was passing away and a new notion of it arising as a lifelong process which ends only when a man or woman has become incapable of learning anything more. And this demand for an extension of the time spent in education is bringing with it a demand for a change in the quality of education itself."

As Doctor Jacks states, the adult education movement demanded a new kind of training. Education heretofore had been something largely ornamental, something to use during leisure hours, but of little value during work. So the demand became for training that would go to work with its owner and enable him to obtain a better position and bigger income.

WHO TRAINING WILL HELP

Training has helped and can help men and women from every walk of life. Naturally the benefits which will come to these people will differ greatly. The executive may gain through the acquisition of one business-building idea.

The smaller business man also profits through the gaining of ideas; ones that will increase his sales and business. In this way training enables him to turn his ability into cash.

Then there are those employed who feel that their services should be worth more but are unable to attain the positions and incomes they desire. The ideal training for this person is one that will show him how to increase his company's profits for to earn more you must be worth more.

HOW THE EMPLOYEE IS HELPED BY TRAINING

Such training will show this salaried employee how to increase his company's sales or business or decrease its expense. Because of this many large firms are glad to see their employees train, and in many cases even urge them to do so.

In their contacts with such large organizations the National University Society has found that the great majority of firms dislike to discharge or fail to increase the salaries of their employees. However, they are forced to these measures because their employees fail to keep up to date. Unemployment situations are usually caused by the inability of workers to meet the increased demands of the times.

G. E. Marchand, president of the National University Society, recently said: "Unemployment is becoming more and more of a problem. Thousands are finding themselves displaced through mergers or labor-saving improvements in office and factory. One solution for unemployment for these people lies in education, for by securing training that will fit them for new positions or new industries they still may have successful careers."

Proper training will bring such people up to date. Business wants men and women with modern brains—brains which are profit and sales minded and alert for new methods that will enable both they and their employers to make more money.

There are many types of educational institutions endeavoring to satisfy this demand, and all of them are exerting a powerful influence for good.

Many colleges have broadened their curriculums to include those who are unable to attend their regular sessions. Some are carrying on further educational work for their alumni. The majority of this is accomplished through night school, though in some cases other mediums are used.

Columbia University, Chicago University, the University of California, and many other large educational institutions have been a great force in furthering the cause of adult education, and have been an important instrument in helping the Nation achieve prosperity.

As a specific case of the value business education is to both people and Nation, the National University Society and its over a quarter of a million members may be cited.

Thousands of these men and women tell of gains in income ranging from 20 to 200 per cent because of its training. Of the total, a conservative estimate of the average gain in earning power might be 10 per cent, and this must be at least matched by a proportionate rise in productive ability.

Since an economic survey held recently gave the average yearly output of the American worker as $7,500, it is but a matter of simple arithmetic to see that the added output of each National University Society student is $750 a year. From this may be computed the figure of over $180,000,000 increased production per year as a result of scientific business training.

This shows clearly the important factor that adult education is in achieving personal, business, or national success, and demonstrates the need for even further strides in it for the greater welfare of all.

ORDER OF BUSINESS

Mr. HOOPER. Mr. Speaker, is it the intention to proceed to-morrow from this point on the calendar where we leave off to-day?

The SPEAKER. It is the intention to proceed from the point where we leave off to-day.

NATIONAL INSTITUTE OF HEALTH

Mr. PARKER. Mr. Speaker, I move to suspend the rules and pass the bill S. 1171 as amended.

The SPEAKER. The gentleman from New York moves to suspend the rules and pass the bill S. 1171 as amended. The Clerk will read the bill as amended.

The Clerk read as follows:

S. 1171

An act to establish and operate a national institute of health, to create a system of fellowships in said institute, and to authorize the Government to accept donations for use in ascertaining the cause, prevention, and cure of disease affecting human beings, and for other purposes

*Be it enacted, etc.*, That the Hygienic Laboratory of the Public Health Service shall hereafter be known as the National Institute of Health, and all laws, authorizations, and appropriations pertaining to the Hygienic Laboratary shall hereafter be applicable for the operation and maintenance of the National Institute of Health. The Secretary of the Treasury is authorized to utilize the site now occupied by the Hygienic Laboratory and the land adjacent thereto owned by the Government and available for this purpose, or when funds are available therefor, to acquire sites by purchase, condemnation, or otherwise, in or near the District of Columbia, and to erect thereon and to furnish and equip suitable and adequate buildings for the use of such institute. In the administration and operation of this institute the Surgeon General shall select persons who show unusual aptitude in science. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $750,000, or so much thereof as may be necessary for construction and equipment of additional buildings at the present Hygienic Laboratory of the Public Health Service, Washington, D. C.

SEC. 2. The Secretary of the Treasury is authorized to accept on behalf of the United States gifts made unconditionally by will or otherwise for study, investigation, and research in the fundamental problems of the diseases of man and matters pertaining thereto, and for the acquisition of grounds or for the erection, equipment, and maintenance of buildings and premises: *Provided*, That conditional gifts may be accepted if recommended by the Surgeon General and the National Advisory Health Council. Any such gifts shall be held in trusts and shall be invested by the Secretary of the Treasury in securities of the United States, and the principal or income thereof shall be expended by the Surgeon General, with the approval of the Secretary of the Treasury, for the purposes indicated in this act, subject to the same examination and audit as provided for appropriations made for the Public Health Service by Congress. Donations of $500,000 or over in aid of research will be acknowledged permanently by the establishment within the institute of suitable memorials to the donors. The Surgeon General, with the approval of the Secretary of the Treasury, is authorized to establish and maintain fellowships in the National Institute of Health from funds donated for that purpose.

SEC. 3. Individual scientists, other than commissioned officers of the Public Health Service, designated by the Surgeon General to receive fellowships may be appointed for duty in the National Institute of Health established by this act. During the period of such fellowship these appointees shall hold appointments under regulations promulgated by the Secretary of the Treasury and shall be subject to administrative regulations for the conduct of the Public Health Service. Scientists so selected may likewise be designated for the prosecution of investigations in other localities and institutions in this and other countries during the term of their fellowships.

SEC. 4. The Secretary of the Treasury, upon the recommendation of the Surgeon General, is authorized (1) to designate the titles and fix the compensation of the necessary scientific personnel under regulations approved by the President; (2) in accordance with the civil service laws to appoint, and in accordance with the classification act of 1923, and amendments thereto, fix the compensation of such clerical and other assistants; and (3) to make such expenditures (including

expenditures for personal services and rent at the seat of government, for books of reference, periodicals, and exhibits, and for printing and binding) as he deems necessary for the proper administration of such institution.

SEC. 5. The facilities of the institute shall from time to time be made available to bona fide health authorities of States, counties, or municipalities for purposes of instruction and investigation.

SEC 6. That hereafter the Director of the National Institute or Health while so serving shall have the rank and shall receive the pay and allowances of a medical director of the Public Health Service.

The SPEAKER. Is a second demanded?

Mr. STAFFORD. Mr. Speaker, I demand a second, not for the purpose of opposition, but for consideration.

Mr. PARKER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

There was no objection.

Mr. PARKER. Mr. Speaker, the general purpose of the bill is plainly expressed in the bill itself. It is a bill introduced in the Senate last session by the Senator from Louisiana [Mr. RANSDELL].

What the bill does can be explained in a few words. It changes the name of the Hygienic Laboratory to the National Institute of Health, and enables the National Institute of Health to accept private donations by will or otherwise, to be held in trust and to be used in the investigation of disease.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. PARKER. Yes.

Mr. MORTON D. HULL. Is this in the nature of a corporation?

Mr. PARKER. Yes; it is similar to the Public Library and the Smithsonian Institution.

Mr. MORTON D. HULL. And it will have a board of trustees?

Mr. PARKER. No; it will be administered by the Secretary of the Treasury. If the gentleman will read the bill, he will find that the funds must be invested in United States securities and the income used as provided in the bill.

Mr. MORTON D. HULL. It is not like the Smithsonian Institution then; it is another name for the present institution?

Mr. PARKER. I did not quite catch the gentleman's question.

Mr. MORTON D. HULL. It is another name for the Hygienic Laboratory?

Mr. PARKER. Yes; it is another name, but it also embodies the right to accept gifts which now they can not do. There is something in a name. "The National Institute of Health" is very much more of a name than the "Hygienic Laboratory."

Mr. MORTON D. HULL. It sets up a different organization:

Mr. PARKER. No; it maintains the same organization.

Mr. McDUFFIE. Does it not enlarge the present organization?

Mr. PARKER. It enlarges the present organization if they get the donations.

Mr. MILLER. Are there substantial donations in view now:

Mr. PARKER. There are. My information is that there is about $5,000,000 ready to be given to this institution when it is created.

Mr. McDUFFIE. Section 4 seems to give the Secretary of the Treasury, upon the recommendation of the Surgeon General, unlimited power to appoint employees to buy additional books, to buy furniture. It occurs to me that you are beginning to set up another large institution here in Washington that will continue to grow as years go by.

Mr. PARKER. The Public Health Service has all of that now. I think a large part of that is superfluous language. This is not a separate organization. This is an organization within the Public Health Service.

Mr. McDUFFIE. That is true; but the Public Health Service could not without this language expand itself so as to take in the activity of this additional institute of health.

Mr. PARKER. But they now control the Hygienic Laboratory.

Mr. McDUFFIE. That is true; but they have not the power to enlarge the Hygienic Laboratory without this bill.

Mr. PARKER. Oh, no; that is correct, except by congressional action.

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

Mr. PARKER. Yes.

Mr. WOODRUFF. As a matter of fact, does this bill give the Department of Health any more power than it already has, except that it enables that particular arm of the Government to accept gifts such as are outlined in the bill?

Mr. PARKER. In one particular, yes; in the study of disease. The gentleman knows that in the study of disease you must have the most expert personnel that can be obtained. This does give the Surgeon General of the Public Health Service the right to appoint fellowships to study disease, but the money to pay for those fellowships does not come out of the Public Treasury. It must be money that has been donated for that purpose.

Mr. LAGUARDIA. No one will question the desirability of such legislation and the necessity in this age to continue such research work. Surely, if public donations fail, the United States Government is big enough and rich enough to provide.

Mr. WOODRUFF. I note that the Secretary of the Treasury is authorized to utilize the site now occupied by the Hygienic Laboratory and the land adjacent thereto owned by the Government available for this purpose. Is not the Hygienic Laboratory at the present time located adjacent to the naval hospital?

Mr. LEA. It is down toward the Potomac River, above B Street.

Mr. WOODRUFF. It is adjacent to the naval hospital, is it not?

Mr. LEA. Yes; it is in that same area.

Mr. WOODRUFF. Does the gentleman know whether or not it is the intention to develop this present site?

Mr. PARKER. It is; yes.

Mr. WOODRUFF. I had hoped that it was the intention when this bill became law to secure a site somewhere else, perhaps outside of the limits of the District of Columbia. My reason for that is this. I can visualize what this great institution will become in the future. I can understand how it will expand until it will need territory much in excess of anything that is available on or near the present site. A bill has already been reported from the Naval Affairs Committee to rebuild the naval hospital in Washington, and when that hospital is rebuilt certainly all the land it now occupies, together with the land now used by the Hygienic Laboratory, can well be used for naval hospital purposes.

Mr. PARKER. If the gentleman will look on page 2, lines 9 and 10, he will see that they can purchase land in or near the District of Columbia, which I think answers the gentleman's question.

Mr. WOODRUFF. It does and it does not, for the reason that nothing definite is said. It says that the Secretary of the Treasury is authorized to utilize the site now occupied.

Mr. PARKER. Yes.

Mr. WOODRUFF. It is my opinion, and I have had this matter under consideration for some time, that before anything is done toward the development of this worthy project, steps should be taken under that further provision to secure land outside of the District of Columbia where you can secure the necessary amount of land for any possible future development.

Mr. PARKER. I think the gentleman can well leave that to the discretion of the Secretary of the Treasury.

Mr. WOODRUFF. I am not opposing this bill. I have some definite ideas on the proposition that I wanted to get before the House at this time.

Mr. STAFFORD. As I understand the position of the committee, it intends to go ahead with the work at the present site; but whenever funds are available in the future under this authorization, they are privileged to purchase a large site in the District or in the environs of the District.

Mr. PARKER. That is correct.

Mr. STAFFORD. And to establish a Government medical institute, in its relation to the public, somewhat similar to the relationship of the Walter Reed Medical Hospital to the Army.

Mr. PARKER. If the gentleman will take the trouble to read the hearings on this bill, he will find that the most eminent surgeons in the United States appeared before the committee in favor of the bill, and they visualized one of the greatest health centers in the world right here in Washington.

Mr. WOODRUFF. That is what I visualize.

Mr. PARKER. I was given to understand, while I can not say positively, that there is about $5,000,000 that will be donated immediately by private individuals to carry on this work.

Mr. WOODRUFF. And I say further to my friend from New York that I am a graduate of a medical college. While I did not graduate in medicine, though I did in dentistry, I had three years in medicine and medical research. I can appreciate the importance to the people of this country of having legislation like this on the statute books and in having a Government institution such as is proposed by this bill. I think too much importance can not be placed upon a speedy enactment of the bill.

Mr. HILL of Alabama. I think one of the best features of the bill is the creation of these fellowships, and I wish the chairman of the committee would give to the House a picture of what may be hoped for from their creation.

Mr. PARKER. If the gentleman will read the bill, he will notice that we amended it so that the fellowships must be

paid for out of the donations, because it is impossible to say how much it may be necessary to pay Doctor Jones or Doctor Smith.

You may pay him a salary that it would be entirely impossible to come here and get an appropriation for. But take, for example, one of the eminent scientists over at Johns Hopkins, in a case where this institution might want to send him abroad to study a certain disease for years. If somebody donated the money they would have the right to do it and pay the salary.

Mr. HILL of Alabama. That is, if the money were donated?

Mr. PARKER. Yes; if it were donated.

Mr. WOODRUFF. Beginning on line 18 of page 2 I read the following:

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $750,000, or so much thereof as may be necessary for construction and equipment of additional buildings at the present Hygienic Laboratory of the Public Health Service, Washington, D. C.

That would indicate to me that it is anticipated by the people responsible for the bill that certain construction is to take place on the present site of the Hygienic Laboratory.

Mr. PARKER. I will tell the gentleman about that.

Mr. WOODRUFF. Will the gentleman bear with me just a moment more? He has been very kind. I had hoped that no additional money would be expended for construction on the present site of the Hygienic Laboratory, because everybody must realize that the land available there will not be sufficient to accommodate the activities that will be developed under this bill in the future. I think that the expenditure of $750,000, under the circumstances, would be unwarranted and ought not to be undertaken.

Mr. PARKER. The expenditure of that money is advocated by the Bureau of the Budget and also by the Secretary of the Treasury.

Mr. WOODRUFF. That does not alter the situation.

Mr. PARKER. The present facilities of the Hygienic Laboratory are absolutely inadequate.

Mr. WOODRUFF. I understand that.

Mr. PARKER. If you are going to expand it at all, you must have additional buildings. There is in contemplation the following:

An additional story on the present laboratory building.

An additional story on the present animal house.

A 2-story and basement, fireproof, storage building.

A new laboratory building, approximately 40,000 square feet, to permit expansion to meet needs of Public Health Service.

Cost, approximately, $500,000.

Public Health, estimated additional equipment and furniture, approximately $54,000 to $100,000.

Maintenance and laboratory equipment, approximately $80,000 to $150,000.

Mr. WOODRUFF. I realize that all these things are necessary. I agree with the gentleman from New York that they should be done, but I do not agree that this money for construction, which amounts to $500,000, should be expended at the point where later the plant will have to be abandoned. I believe before any construction takes place we should go outside the District of Columbia and secure the necessary acreage for the building development, and there spend what is necessary for the development of the Hygienic Laboratory. I think that is merely good horse sense.

Mr. MORTON D. HULL. The bill just before that provides for discretion to go outside of the District of Columbia, but provides $50,000 for building on the present site. They are not entirely consistent provisions.

Mr. PARKER. Why not? One is a temporary proposition. The facilities are absolutely inadequate at the present time. If they develop it, as they hope to do in time, into one of the largest medical institutions in this country, they will remove the whole thing and leave it to the Naval Hospital.

Mr. WOODRUFF. That should be done, in my opinion.

Mr. LAGUARDIA. But $750,000 will take care of all their immediate laboratory needs for the time being?

Mr. PARKER. Yes.

Mr. LAGUARDIA. Then that will not be wasted. If the plant is expanded, it will be time enough then to enlarge. After all, we can not center all the activities of the Government around the Navy Department.

Mr. WOODRUFF. I understand that; and if I could have my way about it, we would have none of the activities centered around the Naval Hospital. Certainly the people in charge of this proposition who will have the expenditure of this money ought to take steps to save the Government from this expenditure of $500,000 for construction, because, in my opinion, this will prove almost a total loss.

Mr. PARKER. It is probable that they have in contemplation the whole situation, so that when they expand these buildings they will all be turned over to the Naval Hospital.

Mr. WOODRUFF. Does the gentleman mean to say that the buildings will be of such character that they can all be turned over to the Naval Hospital?

Mr. PARKER. Yes. That is the natural thing to do.

Mr. WOODRUFF. If the future proves the gentleman is correct in his assumption then I will not disagree with the gentleman. I have given this matter considerable thought. I have considered the needs of the Naval Hospital. I know the land where the Hygienic Laboratory is now located, and I do not want to see anything done there that will in any way interfere with the development of the Naval Hospital.

Mr. STAFFORD. Mr. Speaker, I understand there is no opposition to this bill?

Mr. PARKER. There is not. Mr. Speaker, I yield five minutes to the gentleman from California.

Mr. STAFFORD. I will yield to the gentleman five minutes.

Mr. LEA. Mr. Speaker, I will accept the time from the gentleman from Wisconsin.

The chairman of the Committee on Interstate and Foreign Commerce [Mr. PARKER] has explained this bill. There are three main purposes of this measure. The first is the authorization of the $750,000 for buildings and equipment; the second provision authorizes the Secretary of the Treasury to accept gifts on behalf of the United States to carry out the purposes of this bill; and the third authorizes the Surgeon General, with the approval of the Secretary of the Treasury, to establish and maintain fellowships for the study of the diseases of man.

This authorization of the appropriation does not prevent carrying out the purpose suggested by the gentleman from Michigan [Mr. WOODRUFF]. Those in charge of this institution can go outside the district and establish the National Institute of Health, if benevolent persons come forward and provide sufficient funds. It will not be necessary to build the laboratory in the District if donated funds provide for it elsewhere. That is the principal item of expense in the $750,000.

The gifts authorized to be accepted are those offered for carrying out the purposes of this measure. The primary purpose is research of the diseases of man. Funds may also be donated for acquiring grounds and buildings and equipment, in carrying out this main purpose. This bill provides that the gifts must be unconditional. The object of that limitation is to prevent donors from making gifts on conditions that would divert the Public Health Service from its fundamental mission. If conditional gifts are offered they may be accepted, provided they are approved by the Surgeon General and the Public Health Advisory Council and the Secretary of the Treasury.

There is also a provision that a person donating over $500,000 to this purpose may have a suitable memorial recognition of his donation in the institution to which his funds have been contributed. As the years go by there will be no more worthy place for the wealthy of America to perpetuate their memory than to have their names enscrolled as donors in this institution.

The provisions for fellowships provide for the appointment of men who have shown unusual scientific skill in health problems to devote themselves to the work of this national institute of health. They may be assigned to work in this institution or they may be assigned to any other scientific institution of the country dealing with the problems of disease. They may be assigned to institutions in other countries of the world to carry on specific investigations in the interest of the public health of the United States. For instance, if we had a problem about cancer or tuberculosis, or even the study of a common cold or any problem of that kind, and some other nation or some other laboratory in any part of the world has made special progress in that investigation or has special facilities for work on that particular problem, one of these fellows may be assigned by the Surgeon General to that other laboratory or other country or other institution for the purpose of research and investigation.

Those men will largely be young men who have taken postgraduate courses and have shown unusual scientific abilities. This is a method by which those of a philanthropic disposition can finance that sort of work in behalf of their fellow men. Their donated funds will become servants of the sick and afflicted everywhere.

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

Mr. STAFFORD. Mr. Speaker, I yield two minutes to the gentleman from Louisiana [Mr. O'CONNOR].

Mr. O'CONNOR of Louisiana. Mr. Speaker and Members of the House, I claim your indulgence for only a few moments. Senator RANSDELL has been my lifelong friend. He has asked me to say a few words in regard to what he considers the merits and virtues of this great legislative enactment.

There are many reasons why Senator RANSDELL should have an interest in legislation which is intended to benefit his countrymen; in fact, to lift mankind to higher levels. Born and reared in north Louisiana on the banks of the Mississippi River, he has known the terrors of nature, the vicissitudes of human existence, and the evils that befall men during the course of their lifetimes and the illnesses that afflict them probably as as well as any man in the United States. He has witnessed flood after flood, spreading terror and devastation among the people of the lowlands of Louisiana. He has witnessed those floods exact a great toll of life and do considerable damage to property; but, more than that, Senator RANSDELL, although removed from the immediate part of Louisiana that was afflicted with yellow fever, long ago remembers with what terror the people viewed the fact that yellow fever had again visited certain Louisiana sections, particularly the city of New Orleans. I know that none of you can visualize or bring up in your imaginations the terrors that overcame us when we felt we were dead to the world and still in its midst. None of you can ever know the horrors of a quarantine. The fact that yellow fever was one of the dread enemies of mankind has stimulated my splendid friend, Senator RANSDELL, to take the extraordinary interest in this bill that he has taken; and I am glad that he has done it, and I just wanted to say these few words in his behalf and in behalf of the bill that he is sponsoring. If a cure for the flu will come from the institute it will be worthy of the finest place in civilization's hall of fame. If a cure for cancer will come from it, it will be worth its weight in gold to mankind. If a cure for tuberculosis comes from its research work, men and women of ages to come will say, "Well done, good and faithful servant." If through its work the light of reason will illumine again the darkened mind of one insane soul now crying and shrieking its way through the hellish corridors of an asylum, then we have not planned and toiled in vain.

Mr. Speaker, the Members of this House will live to rejoice over the fact that they voted for this great forwarding looking measure to-day. It is destined to do noble things for our country and humanity. As suggested by the distinguished gentleman from New York, my friend, Congressman LAGUARDIA, as a research institution, if nothing else, the National Institute of Health ought to become, and I am sure will become, one of the outstanding glories of the Nation. For in that research department every disease that afflicts mankind to-day will be studied as will be the cures for those afflictions. The rapidly changing conditions of the world from every imaginable standpoint necessarily affects the children of men as the most vulnerable of all animal life, and as a consequence new diseases are coming into existence, and will continue to come with a rapidity paralleling the speed of our march through the wide expanse of civilizations and its wondrous hinterland. The old order changeth, yielding place to the new is of great application to the field of medicine and the gloomy vale of sorrow, pain, and suffering. Old illnesses and their cures have passed away and are forgotten. The condition that brought them into existence no longer exists, but the new order, the new development, the new civilization has given birth to and developed poignant griefs, cares, mental and bodily sufferings that those of former generations never knew. Yellow fever, for instance, has disappeared entirely as a one-time dreaded visitation. Drainage and sewerage were the great factors that annihilated that germ that claimed millions of victims.

As long as our tropical countries were undrained and unsewered the bad air springing therefrom produced malaria, which, of course, means bad air and yellow fever, which swept over and ravaged with pestilence the cities of the Caribbean countries, and then driven by the winds invaded the Gulf and found their way up the Mississippi River to the then undrained and unsewered city of New Orleans, whose wonderful story carries some dark and tragic chapters about the visit of the great scourge. In the year of 1900, though that famous old city had been partially free from the yellow fever for a number of years, the citizens determined once and for all to reconstruct it along lines that would make for that sanitation and hygiene which has put us among the cities of the first rank in health statistics. Before the year of 1900 no one could drive a spade in the ground more than 2 feet without striking swamp water. The city was lacking in a sewerage system. The mortality rate was high. No one ever thought of building to any great height. The United States customhouse and the Pontalba buildings were regarded as tremendous structures in height, weight, and size. To-day one may go down for 60 feet without hitting wet soil. To-day, as a result of the advance in the science of construction, foundations are as secure in New Orleans as those on Manhattan Island. Giant skyscrapers, from whose cupolas flame searchlights that may be seen 30 miles up and down the Mississippi River, are among the architectural wonders of our old city. Now it is a modern town. We have the finest drinking water in the world, filtered from Mississippi River waters that have rolled their way from every part of the Mississippi Valley lying between the ramparts of the Rockies and the crest of the Alleghenies. And this water has worked wonders in the people themselves. It has made for health, strength, bodily vigor, and endurance. Climatic influences are now stimulating, nourishing, and benevolent, as it were, having been freed from malaria of generations ago.

I mention these things particularly, Mr. Speaker, because in the great and beautiful city to-day we can see the wonderful result that flowed from the conquest of one disease—yellow fever. Probably no transition that America can boast of within 30 years can compare with the chrysalis-like change that has swept over the great Southern mart of to-day. Phœnixlike, it has arisen from the ashes of yesterday. Butterflylike, it is now soaring in all its gorgeousness, with crawling caterpillar genesis far behind. And all because we are a healthy and healthful city as against the healthless city of a generation ago.

My friend Mr. LAGUARDIA is correct in his statement that the research work of the National Health Institute will wonders perform, so valuable to mankind as to justify us in making appropriations which will permit it to perform its great functions, even if the institute were never to receive a dollar from outside sources, though there is every evidence that millions will be given to it by those philanthropists who acknowledge the goodness of God and hearken to His mandate to succor the lame, the blind, and the stricken in mind and body. Not long since the International Convention on Mental Hygiene was held in this city. Papers were read there that make for the most inspiring and attractive literature in the English-speaking world. Great scientific explorers basing their voyages of discovery upon the maxim "Mens sana in corpore sano" have shown that it is entirely within the reach of society to cure and reinstate the morally and criminally delinquent; that it is entirely feasible for society to prevent the vast wreckage to be found in our hospitals and insane asylums; that it is entirely feasible to make derelicts useful members of society and change tragic liabilities into assets. Yes, Mr. Speaker, we are building to-day perhaps even more wisely than the most optimistic can envision. We are indeed, in the language of Kingsley, doing noble things, not dreaming them all day long.

And what a vast field lies ahead of this institute. The wonderful experiences of the medical profession will be to it an arch wherethrough gleams that untraveled world, the margin of which will shift and fade forever and forever as the human caravan moves on. But the glance into the future will be with a surer and steadier eye from day to day. In the words of Carlyle, "Oh, it is great and there is no other greatness than to make the world a little better and happier by our efforts."

A few words more before I have concluded this unstudied and unprepared address.

The fellowships provided for in this act are among its finest and most attractive features when viewed from the standpoint and hope of what the years may bring forth. It is inspiring to think that men of a scientific turn of mind, educated, with noble impulses, as fellows of this institute can devote themselves to the study of that which will cure and make whole the poor damned souls who grope their way through the black nights of despair that have to be endured in this tortuous scheme of things called life. It is a stroke which indicates that America is rapidly lifting itself above the sordid and material things that were necessarily the care and thought of a country that was relatively new and which had to undergo and live through all of the phases of a rapidly growing opulent, young, and vigorous Nation. Laboratories, institutes, colleges, and universities will make for us a place that will crown with glory the triumphs of our trade and industry. The passage of this bill, Mr. Speaker, means more to our country and those Americans that must follow us than the granite and steel palaces of New York or the marble and gilded monuments of the National Capital. We have indeed done noble things to-day.

The question was taken, and, two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DRANE (at the request of Mrs. OWEN) on account of illness.

RADIO

Mr. REID of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks on House Joint Resolution 334.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his own remarks. Is there objection?

There was no objection.

Mr. REID of Illinois. Mr. Speaker, on May 9, 1930, I introduced House Joint Resolution No. 334, to amend the radio act of 1927 by providing that the Federal Radio Commission shall assign three cleared channel broadcasting frequencies to the Departments of Agriculture, Labor, and Interior, which shall be licensed to the radio stations recommended by the heads of those Government departments as being most representative of the labor, agricultural, and educational interests of the United States.

I was impelled to introduce this resolution on account of the arbitrary and biased action of the Federal Radio Commission in denying a cleared channel to the station of organized labor, radio station WCFL, while it has granted six or seven cleared channels to the Radio Trust.

Since the resolution was introduced the Department of Justice through the Attorney General of the United States has brought suit in the name of the United States of America against the corporations composing the Radio Trust—namely, the Radio Corporation of America, General Electric Co., American Telephone & Telegraph Co., Western Electric Co., R. C. A. Photophone (Inc.), RCA Radiotron Co. (Inc.), RCA-Victor Co. (Inc.), General Motors Radio Corporation, and General Motors Corporation.

In this suit the Attorney General charges that these great corporations constitute a gigantic monopoly of the radio business, and that they have engaged in an unlawful combination and conspiracy in restraint of trade and commerce in radio communication and radio apparatus, and have monopolized, and are combining and conspiring with one another to monopolize the said business in violation of the laws of the United States.

The Attorney General has petitioned the United States district court in Delaware to order the dissolution of several of these corporations because of their unlawful acts in furthering this combination and conspiracy in restraint of trade.

60,000,000 RADIO LISTENERS

Sixty million radio listeners in the United States are keenly interested in the outcome of this proceeding, and are seriously concerned in all efforts to prevent the air from being monopolized by a few gigantic corporations serving their own selfish ends.

VESTED RIGHTS IN AIR AIM OF RADIO TRUST

The aim and purpose of the Radio Trust is to secure vested rights in the air, and when it has been successful in its attempts good-by to freedom of the air. It will never be possible, then, to loosen the grip of the monopoly on the radio facilities, and a virtual dictatorship will prevail in the United States in all matters concerning this marvelous new means of communication.

Never in the history of the Nation has there been such a bold and brazen attempt to seize control of the means of communication and to dominate public opinion as is now going on in the field of radio broadcasting.

Never in our history has an agency of the Federal Government shown such favoritism or such a crass disregard for the interests of the workingmen and women of the Nation.

Is it in the public interest, necessity, and convenience that all of the 90 channels for radio broadcasting be given to capital and its friends and not even one channel to the millions who toil? Will the public interest be served by opening all channels of communication to those who employ and denying any channel of communication to the vast group of the employed?

CONGRESS MUST PREVENT MONOPOLISTIC CONTROL OF RADIO

It is extremely important that the Congress shall enact such legislation as will recover this priceless treasure—radio—from monopolistic control by a few corporations which are using it for private profit and gain.

Congress itself must preserve and utilize it for the people as a whole, and must see that a substantial part of the limited precious radio facilities be allocated for education, information, instruction, and inspiration, to the end that the great mass of men and women shall derive from it knowledge, culture, character, and ideals, as well as entertainment, and shall thereby be better enabled to solve the problems of everyday life.

Congress should evaluate carefully the power and limitless possibilities of radio; it should look far ahead, and it should enact legislation that will preserve the full and free use of radio as a heritage to posterity.

ORGANIZED LABOR DISCRIMINATED AGAINST BY RADIO COMMISSION

Organized labor, with some 4,000,000 members and comprising with their families almost a fourth of the entire population of the country, and representing not only its actual membership but the many other millions of men and women who toil, has asked the Federal Radio Commission for just one channel of the 90 available in this country, together with ample power and adequate time of operation.

The commission, however, has denied this petition, and has granted to WCFL, labor's station, the right to broadcast on only 1,500 watts power during the daytime only, while it has granted to the Radio Trust six or seven cleared channels, with unlimited time of operation, besides numerous other broadcasting stations with part-time operation.

Metropolitan newspapers, which already have a powerful means of communication, but which are nevertheless local institutions, have been given the choicest wave lengths, with ample power and unlimited time of operation.

Hundreds of private individuals and corporations, who are seeking solely to make a private commercial profit out of radio, have been granted choice channels, with ample power and time of operation.

But the great body of millions of workingmen in the country, represented in the American Federation of Labor and its affiliated organizations, have been told that it is not "in the public interest, necessity, and convenience" for them to have a voice on the air.

RADIO VITAL ISSUE WITH ORGANIZED LABOR

The resolution which I have introduced contains an outline of the reasons which make such legislation necessary at this time, and details the treatment which radio station WCFL, owned and operated by organized labor, has received at the hands of the Federal Radio Commission.

The property of this station has been virtually confiscated by the unwarranted and unjust action of the commission in denying it appropriate broadcasting facilities and limiting it to 1,500-watt power, after having authorized the station to construct a 50,000-watt station.

The commission in thus reversing itself has caused WCFL serious financial losses, which must be borne by the working men and women of the Nation who support the station.

PROPOSED RESOLUTION SETS ASIDE THREE CHANNELS FOR THE PEOPLE

The resolution which I have introduced proposes that the United States Government shall set aside three clear channels which it will hold in perpetuity for all the people.

One of these channels shall be allocated to the public group and will be used to disseminate educational and other information of national interest to the general public.

Second, a clear channel shall be held by the Government for the agricultural interests of the Nation and controlled by the farmer organizations.

The third clear channel is to be held by the Government and designated to the labor organizations which are most representative of the workers' interests in the United States.

It is submitted that this is a comprehensive program which should meet with the approval of not only the organized workers but also the farmers and educators of the entire Nation.

House Joint Resolution 334, Seventy-first Congress, second session

IN THE HOUSE OF REPRESENTATIVES,
*May 9, 1930.*

Mr. REID of Illinois introduced the following joint resolution; which was referred to the Committee on the Merchant Marine and Fisheries and ordered to be printed.

Joint resolution to amend the radio act of 1927 by providing for 3 Government broadcasting frequencies, 1 for the Department of Agriculture, 1 for the Department of the Interior, and 1 for the Department of Labor

PRESIDENT HOOVER CONDEMNS RADIO MONOPOLY

Whereas the President of the United States has said:

"The question of monopoly in radio communication must be squarely met. It is not conceivable that the American people will allow this new-born system of communication to fall exclusively into the power of any individual, group, or combination. Great as the development of radio distribution has been we are probably only at the threshold of development of one of the most important human discoveries bearing on education, amusement, culture, and business communication.

"It can not be thought that any single person or group shall ever have the right to determine what communication may be made to the American people. We can not allow any single person or group to place themselves in a position where they can censor the material which shall be broadcast to the public.

"Radio communication is not to be considered as merely a business carried on for private gain, for private advertisement, or for entertainment of the curious. It is a public concern impressed with the public trust and to be considered primarily from the standpoint of public interest to the same extent and upon the basis of the same general principles as our other public utilities"; and

CONTROL OF RADIO MEANS CONTROL OF NATION

Whereas radio takes its place alongside of the development of the printing press and the establishment of the public school. It is the super means of entertainment, education, and propaganda. Whoever controls radio broadcasting in the years to come will control the Nation.

For good or ill, radio will pour into the homes of the land, into the minds and hearts of the people a constant stream of song and story, of history, science, economics, politics, and propaganda. Overshadowing and outreaching all other means of communication, radio has become the unrivaled master of human destiny; and

60,000,000 PEOPLE INTERESTED IN RADIO—MORE RADIO LISTENERS THAN NEWSPAPER READERS

Whereas radio broadcasting is the most effective means known to man for influencing public opinion. More people listen to the radio than read all the daily newspapers in the land. The mind can not conceive of the influence radio is destined to exert upon the thinking, the habits, the character, and the progress of mankind; and

RADIO SHOULD NOT BE MONOPOLIZED BY GREAT CORPORATIONS

Whereas the public interest, necessity, and convenience requires that this marvelous new means of communication should not be placed within the control of a few great monopolistic corporations, or handed out as a free gift to a few hundred private business concerns for commercial exploitation; and

"PUBLIC INTEREST, NECESSITY, AND CONVENIENCE"

Whereas the "public interest, necessity, and convenience" requires that radio broadcasting provide not only entertainment but information, not only music but science, history, economics, and all the other things that make for human welfare. It requires that the serious problems of life shall be presented, not from one group or one viewpoint only, but from many groups and many points of view; and

WELFARE OF ALL PEOPLE INVOLVED

Whereas the "public interest, necessity, and convenience" is nationwide; it is age long; it has to do with the physical, mental, moral, social, and economic welfare of all of the people; and

TEST FIXED BY LAW FOR RADIO LICENSES

Whereas the "public interest, necessity, and convenience" which the law fixes as the sole test for granting radio licenses is the same as the "public welfare," being that which contributes to the health, comfort, and happiness of the people, which provides wholesome entertainment, increases knowledge, arouses individual thinking, inspires noble impulses, strengthens human ties, breaks down hatreds, encourages respect for law, aids employment, improves the standard of living, and adds to the peace and contentment of mankind; and

ORGANIZED LABOR'S SERVICE TO THE PUBLIC—RADIO CHARGED WITH PUBLIC TRUST

Whereas like the air we breathe or the sunlight that gives us life, radio must be charged with a public trust—the heritage of mankind—and no man or corporation must be permitted to appropriate it, any more than he should be permitted to appropriate the air or the ocean; and

LABOR FIGHTS FOR JUSTICE FOR WORKING MEN AND WOMEN

Whereas organized labor has contributed immeasurable service to the Nation; it has vastly improved working conditions, raised the standard of living, infused hope and courage and patriotism into millions of hearts; it has battled for needed reforms, sane and useful legislation, and social and economic justice for all who toil; it has established principles, policies, and ideals which are as essential to the welfare of our country as is sunlight to the growing fields; it has a message for all mankind; it asks no monopoly, no special privilege, no right to exploit the air for commercial profit, but asks only that it be allowed to use one of the 90 available radio channels in order that it may freely promulgate the principles and ideals and thereby protect and serve the entire public; and

WORKING PEOPLE CONSTITUTE 90 PER CENT OF NATION'S POPULATION—LABOR NOT SEEKING PROFIT FROM RADIO

Whereas the Federal Radio Commission takes the position that organized labor, notwithstanding the vast number of people who constitute its membership; notwithstanding the unparalleled service it has rendered to workingmen and to the general public in the past 50 years; notwithstanding the fact that it has principles, policies, and ideals of the utmost value to society which it wishes to promulgate; notwithstanding the fact that the working people of the country with their families constitute 90 per cent of its population and the very bone and sinew of the Nation; notwithstanding the fact that all radio broadcasting stations of any importance are owned by capital and are almost unanimous in their opposition to the ideals and principles of organized labor; notwithstanding the fact that organized labor is not seeking to make a profit from radio but is seeking solely to render a public service, nevertheless, the Federal Radio Commission has denied this great institution one single broadcasting channel out of the 90 available, while it has granted the Radio Trust 6 or 7 such channels, with unlimited time of operation, besides numerous other broadcasting stations with part-time operation; and

COMMISSION FAVORS RADIO TRUST AND DISCRIMINATES AGAINST ORGANIZED LABOR STATION WCFL

Whereas it is charged that a great Radio Trust, composed of certain large organizations that have made agreements in control of radio—namely, the General Electric Co., the Westinghouse Electric & Manufacturing Co., the American Telephone & Telegraph Co., the United Fruit Corporation, and the Radio Corporation of America—has been granted six or seven clear channels by the Federal Radio Commission, as well as chain-station rights which permit it to broadcast its programs over the entire United States, and it has been granted the aforesaid six or seven channels for unlimited use, with tremendous power of from 25,000 to 50,000 watts, while the station of organized labor, station WCFL, located in the center of the United States at Chicago, Ill., has been limited to 1,500 watts and limited to broadcasting during daylight hours only; and

RADIO MONOPOLY SEEKS COMPLETE CONTROL OF AIR

Whereas it is charged that this great radio monopoly is now seeking to perfect its complete control of the air in the following ways:

LION'S SHARE OF CLEARED CHANNELS OBTAINED THROUGH CHAIN STATIONS

1. By obtaining through chain stations the lion's share of the cleared channels from which the Federal Radio Commission has removed the less-favored stations and which are looked upon as the choicest gifts of the commission.

ALL LOW-WAVE LENGTHS SOUGHT

2. By obtaining as complete a monopoly of all commercial and experimental wave lengths, in the low-wave-length zone as well as in the channels above the present broadcasting field. (So far the Radio Commission has already given the trust and its subsidiaries a vast preponderance of these wave lengths, both in number and in the power which these stations are permitted to use, namely, 4,000,000 watts out of a total of 5,000,000.)

WIRELESS TELEPHONE MONOPOLIZED

3. The monopoly of all wireless-telephone development in the United States. (This particular monopoly was allotted to the American Telephone & Telegraph Co. as a chief constituent of the Radio Trust in the cross-licensing agreements among the corporations comprising the trust.)

HOOKUPS THROTTLE INDEPENDENTS

4. The monopoly of all wire hookups between stations. (This monopoly is now exercised by the American Telephone & Telegraph Co., which is thus the deciding factor in all chain-station developments.)

ALL WIRE HOOKUPS MONOPOLIZED

5. The monopoly of all wire hookups between transmitting stations and "remote control" studios and events, now one of the most important features of successful programs. (This also is in the hands of the American Telephone & Telegraph Co.)

CONSTRUCTION OF ALL TRANSMITTING APPARATUS MONOPOLIZED

6. The monopoly of the construction of all radiotransmitting machinery. (Also a telephone-company monopoly under the Radio Trust agreements.)

MANUFACTURE AND SALE OF OVER 75 PER CENT OF RECEIVING SETS CONTROLLED

7. The monopoly of receiving-set manufacture. (This monopoly belongs to the General Electric Co. and the Westinghouse Electric & Manufacturing Co., these companies to share the business 60 and 40 per cent, respectively, and the Radio Corporation of America to be the sole selling agency. This monopoly has been further accentuated by the licensing of 38 hitherto independent manufacturers, giving the Radio Trust control of over 75 per cent of the receiving-set manufacture in the United States.)

RADIO VACUUM TUBES UNLAWFULLY SOUGHT TO BE CONTROLLED

8. The monopoly of all radio vacuum tubes in the United States. (This monopoly was to have been perfected through the famous "tube clause" in the license agreements issued by the Radio Corporation of America to the licensed set manufacturers requiring them to buy their tubes from the trust. The United States district court at Wilmington, Del., however, has declared that this clause violated the Clayton Act, and has opened the way for millions of dollars' worth of triple damage suits by the independent tube manufacturers whom the trust had tried to destroy.)

TELEVISION, TELEPHOTOGRAPHY, DISTANCE ACTUATION, RADIANT ENERGY, AND RADIO TRANSMISSION OF POWER SOUGHT TO BE CONTROLLED

9. The monopoly of all future radio development in such vast fields as television, telephotography, distance actuation, radiant energy, and radio transmission of power. (This monopoly is sought through the agreements for the future pooling of all research made by the companies in the trust and the reciprocal allotment of exclusive fields for their exploitation); and

FARMERS AND WORKERS ENTITLED TO BROADCASTING MEDIUM

Whereas the field of radio is the last great public domain; and

Whereas few, if any, of the powerful groups now holding licenses to operate the most desirable stations are concerned with the welfare of

the farmers and workers of the Nation, who constitute a large section of the population of the land, but are, on the other hand, decidedly hostile toward these two groups; and

RADIO MONOPOLY MENACES FREE SPEECH

Whereas the people, including the farmers and workers, are greatly alarmed at the monopolistic control of radio broadcasting, seeing therein great danger to themselves and a menace to free speech, independent thought, and personal initiative; and

ORGANIZED LABOR AND FARMERS IMPORTANT FACTORS IN NATION

Whereas organized labor and the organized farmers, constituting two wholesome and important factors, which have greatly contributed to the welfare and prosperity of the Nation, have ideals and a message which they desire to bring to the people through the medium of radio broadcasting, which they find it increasingly difficult to do because they can not secure the proper facilities on account of the aforesaid monopolistic control of radio broadcasting by groups hostile toward them; and

WCFL, PIONEER IN RADIO ART—LABOR'S PROPERTY CONFISCATED WHEN COMMISSION REVERSES ITSELF

Whereas organized labor and the organized farmers, represented by radio broadcasting Station WCFL, one of the pioneers before the creation of the Federal Radio Commission in the field of radio broadcasting, short waves, and television, owned and controlled by the American labor movement under a public mandate of trusteeship from the American Federation of Labor, have found it impossible to secure national broadcasting facilities for this station from the Federal Radio Commission, notwithstanding the outlay of great sums of money and the assured financial and moral support of 5,000,000 dues-paying members of organized labor in the United States, and the added financial and moral support of large sections of the organized farmers in the United States, the commission having arbitrarily and with a display of bias refused to make an appropriate reallocation of broadcasting facilities after having granted Station WCFL a construction permit for a 50,000-watt station on October 15, 1928, basing its refusal on General Order No. 40 and the allocation of November 11, 1928, and having limited Station WCFL's broadcasting facilities to a frequency of 970 kilocycles and a power of 1,500 watts and having required it to cease operating at sunset on the Pacific coast, and having denied WCFL's application for authority to operate with 50,000 watts power and unlimited time on a cleared frequency of 770 kilocycles, which was one of the frequencies theretofore designated by the Federal Radio Commission as a "cleared channel" in the fourth zone; by virtue of the aforesaid refusal to allocate appropriate power and time, the Federal Radio Commission has practically confiscated labor's property at considerable financial loss and then and there seriously crippled the efforts of Station WCFL to provide a unique service calculated to exert an unlifting force upon the thinking, the habits, the character, and the progress of mankind; and

APPEAL TO CONGRESS AS FINAL AUTHORITY—IMPOSSIBLE TO SECURE FAIR TREATMENT FROM RADIO COMMISSION

Whereas labor and the farmers, and more especially, organized labor and the organized farmers, feeling and believing, as they have every reason to feel and believe, that the Federal Radio Commission has unjustly discriminated against two such vital and necessary influences in the life of the Nation when it granted three national cleared unlimited-time channels to three Chicago local newspapers, and further believing that the best interests—social, economic, and educational—of the people will be served if these groups have the means of proclaiming their ideals and voicing their messages over the air, to the world's greatest agricultural and industrial empire, and realizing that with the present attitude of the Federal Radio Commission it is impossible to hope for or expect a voluntary reallocation of wave lengths by the commission which might afford Station WCFL, or any other station or stations most representative of labor, agriculture, and the American public, adequate broadcasting facilities, and believing further that the Congress of the United States is the final and highest authority on the question of radio-broadcasting rights and privileges; and

RADIO TRUST MENACES REPUBLIC'S SAFETY

Whereas the Radio Trust is the greatest menace to the safety of the Republic; and

PEOPLE AROUSED TO DANGER OF MONOPOLISTIC COMBINE

Whereas the people are aroused to the great danger arising from the threatened monopolistic combine of radio-broadcasting agencies and the necessity for action that will insure to the masses of the people some avenue through which to express their cultural, educational, and social aspiration; and

FIVE GREAT CORPORATIONS OPERATE

Whereas an examination of the present allocation of wave lengths will prove this monopolistic trend, for it will show that (1) there is a group of five great corporations—that is, the General Electric Co., Westinghouse Electric & Manufacturing Co., American Telephone & Telegraph Co., United Fruit Corporation, and Radio Corporation of America—which have formed an alliance by mutual contracts and "cross licenses" of patent rights to secure control of the entire field of radio patents and of the manufacture of radio equipment, and which group operates 11 broadcasting stations with an aggregate of approximately 230,000 watts of power, and which receives the exclusive us of 6 or 7 of the 90 available channels in the United States; and (2) that by means of so-called chain hook-ups the stations owned by the Radio Trust composed of the five corporations hereinbefore described secures control of at least 50 additional important broadcasting stations; and

CONGRESS FIXES BASIS FOR RADIO LICENSES

Whereas the Congress of the United States has by statutory enactment created a Federal Radio Commission and delegated to it the power and authority to license persons to operate radio-broadcasting stations, when in the judgment of the commission it will be "in the public interest, necessity, and convenience" so to do, the "public welfare" being the sole basis for determining who shall be allowed to operate a radio station; and

CORPORATIONS ORGANIZED FOR PRIVATE PROFIT AWARDED MOST VALUABLE WAVE LENGTHS

Whereas under the aforesaid authority delegated to it the Federal Radio Commission has licensed and allocated the overwhelming majority of the 90 available "wave lengths," which includes the 40 "cleared wave lengths or channels," to private corporations organized for private profit and gain, and has also made available to numerous "local stations" operating entirely for commercial profit facilities on the radio broadcasting spectrum; and

RADIO COMMISSION ASSIGNS 40 CLEAR CHANNELS TO CORPORATIONS

Whereas evidence of the tendency of the Federal Radio Commission to allocate the most desirable wave lengths to private corporations in disregard of the public interest, necessity, and convenience is demonstrated by the fact that the 40 "cleared radio broadcasting channels" established by the Federal Radio Commission have been allocated as follows (some for part time only):

(1) To corporations formed for the specific purpose of operating a broadcasting station, 12 channels.

(2) To corporations manufacturing radio equipment and supplies, seven channels.

(3) To corporations dealing in merchandise of various kinds, 10 channels.

(4) To corporations publishing newspapers, 11 channels.

(5) To public-utility corporations, three channels.

(6) To insurance corporations, five channels.

(7) To a fraternal corporation, one channel (limited time).

(8) To a municipal corporation, one channel.

RADIO COMMISSION DIRECTED TO ASSIGN THREE CLEAR CHANNELS TO GOVERNMENT DEPARTMENTS

Now, therefore, be it

*Resolved, etc.*, That the Federal Radio Commission shall assign three cleared channel frequencies within the broadcasting band, one for the executive control by each of the Departments of Labor, Agriculture, and Interior, and shall issue no licenses to any person for the use of said frequencies except as directed by the Secretaries of the respective departments; and be it

CHANNELS TO BE LICENSED ON RECOMMENDATION OF DEPARTMENTS

*Resolved further*, That the use of said frequencies for periods of not to exceed one year, subject to renewal for like periods, shall be licensed by the commission upon recommendations of the said departments as hereinafter provided. The licenses of said departments shall be subject to all the provisions of the radio act of 1927, except those relating to applications for and the granting, renewal, and modification of licenses issued by the commission; and be it

LABOR SECRETARY TO RECOMMEND LABOR-ORGANIZATION STATIONS

*Resolved further*, That the Secretary of Labor shall recommend the licensing of the use of the frequency assigned to that department to such station or stations as may be designated by the labor organizations which, in the opinion of the Secretary, are the most representative of the labor interests of the United States; and be it

AGRICULTURE SECRETARY TO RECOMMEND FARM-ORGANIZATION STATIONS

*Resolved further*, That the Secretary of Agriculture shall recommend the licensing of the use of the frequency assigned to that department to such station or stations as may be designated by the farm organizations which, in the opinion of the Secretary, are most representative of the agricultural interests of the United States; and be it

INTERIOR SECRETARY TO RECOMMEND EDUCATIONAL STATIONS

*Resolved, further*, That the Secretary of the Interior shall recommend the licensing of the frequency assigned to that department to such station or stations as will, in the opinion of the Secretary, make the best use of said frequency in the dissemination of educational material and information of public interest.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 2370. An act to fix the salaries of officers and members of the Metropolitan police force and the fire department of the District of Columbia; to the Committee on the District of Columbia.

ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5411. An act to provide for the appointment of an additional district judge for the district of Minnesota;

H. R. 8154. An act providing for the lease of oil and gas deposits in or under railroad and other rights of way; and

H. R. 10579. An act to provide for the erection of a marker or tablet to the memory of Col. Benjamin Hawkins at Roberta, Ga., or some other place in Crawford County, Ga.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 476. An act granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 5411. An act to provide for the appointment of an additional district judge for the District of Minnesota;

H. R. 8154. An act providing for the lease of oil and gas deposits in or under railroad and other rights of way;

H. R. 9323. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers of wars other than the Civil War, and to widows of such soldiers and sailors; and

H. R. 10579. An act to provide for the erection of a marker or tablet to the memory of Col. Benjamin Hawkins at Roberta, Ga., or some other place in Crawford County, Ga.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 42 minutes p. m.) the House adjourned until to-morrow, Tuesday, May 20, 1930, at 12 o'clock noon.

## COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Tuesday, May 20, 1930, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To authorize an appropriation of $10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931 (H. J. Res. 333).

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To determine the contribution of the United States to the expenses of the District of Columbia, and for other purposes (H. R. 11194).

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

Authorizing the Secretary of the Navy to accept, without cost to the Government of the United States, a lighter-than-air base near Sunnyvale, in the county of Santa Clara, State of California, and construct necessary improvements thereon (H. R. 6810).

Authorizing the Secretary of the Navy to accept a free site for a lighter-than-air base at Camp Kearny, near San Diego, Calif., and construct necessary improvements thereon (H. R. 6808).

COMMITTEE ON APPROPRIATIONS

(10.30 a. m.)

Second deficiency bill.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

474. A letter from the Acting Secretary of War, transmitting copies of all papers from the files of the War Department relating to the claim of Alfred W. Kliefoth, now first secretary, American Embassy, Berlin, Germany, arising from the loss by confiscation or theft of personal property at Leningrad, then Petrograd, Russia; to the Committee on Foreign Affairs.

475. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Taunton River, Mass. (H. Doc. No. 403); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

476. A letter from the Acting Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Nome Harbor, Alaska (H. Doc. No. 404); to the Committee on Rivers and Harbors and ordered to be printed with illustrations.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND 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 Government Printing Office (Rept. No. 1517). Ordered to be printed.

Mr. CARTWRIGHT: Committee on Indian Affairs. S. 4140. An act providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes; with amendment (Rept. No. 1518). Referred to the Committee of the Whole House on the state of the Union.

Mr. LEAVITT; Committee on Indian Affairs. H. R. 10425. A bill to amend the act of June 6, 1912 (37 Stat. 125; U. S. C., title 25, sec. 425), entitled "An act authorizing the Secretary of the Interior to classify and appraise unallotted Indian lands"; without amendment (Rept. No. 1519). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. H. R. 11784. A bill to provide for the addition of certain lands to the Rocky Mountain National Park in the State of Colorado; with amendment (Rept. No. 1520). Referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. H. R. 11489. A bill to provide for the commemoration of certain military historic events, and for other purposes; with amendment (Rept. No. 1525). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMSON: Committee on Expenditures in the Executive Departments. S. J. Res. 24. A joint resolution for the payment of certain employees of the United States Government in the District of Columbia and employees of the District of Columbia for March 4, 1929; without amendment (Rept. No. 1526). Referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMSON: Committee on Indian Affairs. H. R. 8812. A bill authorizing the Menominee Tribe of Indians to employ general attorneys; with amendment (Rept. No. 1527). Referred to the House Calendar.

Mr. KOPP: Committee on Flood Control. H. R. 12121. A bill to provide for a survey of the Salmon River, Alaska, with a view to the prevention and control of its floods; without amendment (Rept. No. 1530). Referred to the Committee of the Whole House on the state of the Union.

Mr. KOPP: Committee on Labor. S. 3061. An act to amend section 4 of the act entitled "An act to create a department of labor," approved March 4, 1913; without amendment (Rept. No. 1531). Referred to the Committee of the Whole House on the state of the Union.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. IRWIN: Committee on Claims. H. R. 2550. A bill for the relief of Joseph Pulitzer; without amendment (Rept. No. 1505). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 3727. A bill for the relief of Wallace E. Ordway; with amendment (Rept. No. 1506). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 6758. A bill for the relief of James B. Conner; with amendment (Rept. No. 1507). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 7555. A bill for the relief of Andrew Markhus; without amendment (Rept. No. 1508). Referred to the Committee of the Whole House.

Mr. CLARK of North Carolina: Committee on Claims. H. R. 7794. A bill for the relief of Genevieve M. Heberle; with amendment (Rept. No. 1509). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 7797. A bill for the relief of Jens H. Larsen; without amendment (Rept. No. 1510). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 8271. A bill for the relief of Brewster Agee; without amendment (Rept. No. 1511). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. H. R. 10093. A bill for the relief of Emmett Brooks; with amendment (Rept. No. 1512). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 10938. A bill for the relief of Harry W. Ward; without amendment (Rept. No. 1513). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 11015. A bill to provide an appropriation for the payment of claims of persons who suffered property damage, death, or personal injury due to the explosion at the naval ammunition depot, Lake Denmark, N. J., July 10, 1926; without amendment (Rept. No. 1514). Referred to the Committee of the Whole House.

Mr. ROWBOTTOM: Committee on Claims. H. R. 11112. A bill for the relief of William R. Nolan; without amendment (Rept. No. 1515). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. S. 1045. An act for the relief of Sheldon R. Purdy; without amendment (Rept. No. 1516). Referred to the Committee of the Whole House.

Mr. FITZGERALD: Committee on Claims. H. R. 2083. A bill for the relief of A. N. Ross; without amendment (Rept. No. 1521). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Claims. H. R. 3426. A bill for the relief of Halvor H. Groven; without amendment (Rept. No. 1522). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Claims. H. R. 9872. A bill to extend the benefits of the employees' compensation act of September 7, 1916, to Andrew J. Brown, a former rural mail carrier at Erwin, Tenn., without amendment (Rept. No. 1523). Referred to the Committee of the Whole House.

## ADVERSE REPORTS

Under clause 2 of Rule XIII,

Mr. KNUTSON: Committee on War Claims. H. R. 5904. A bill for the relief of Chick Patrick (Rept. No. 1528). Laid on the table.

Mr. KNUTSON: Committee on War Claims. H. R. 6904. A bill for the relief of C. H. Reynolds, assignee of the Bitu-Mass Paving Co., of Spokane, Wash.; (Rept. No. 1529). Laid on the table.

## CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 6885) for the relief of J. Thurman Lincoln, and the same was referred to the Committee on Pensions.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BRIGGS: A bill (H. R. 12437) authorizing an annual appropriation for the expense of establishing and maintaining a United States passport bureau at Galveston, Tex.; to the Committee on Foreign Affairs.

By Mr. EDWARDS: A bill (H. R. 12438) for the erection of a suitable monument or memorial at Savannah, Ga., to commemorate the founding of the colony of Georgia as well as the colonial, Revolutionary, War between the States, and other battles at or near that place; to the Committee on Military Affairs.

By Mr. MAAS: A bill (H. R. 12439) to authorize the construction and use of underground pneumatic-tube service; to the Committee on the Post Office and Post Roads.

By Mr. HAWLEY: A bill (H. R. 12440) providing certain exemptions from taxation for Treasury bills; to the Committee on Ways and Means.

By Mr. McLEOD: A bill (H. R. 12441) to provide for the closing of certain streets in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BRITTEN: A bill (H. R. 12442) to amend section 300 of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

By Mr. BUCKBEE: A bill (H. R. 12443) to amend section 79 of the Judicial Code; to the Committee on the Judiciary.

By Mr. HUDSON: A bill (H. R. 12444) to amend the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. McKEOWN: A bill (H. R. 12445) authorizing the Secretary of the Interior to purchase tax liens and tax titles of the lands of the Choctaw and Chickasaw Nations, and for other purposes; to the Committee on Indian Affairs.

By Mr. GRAHAM: A bill (H. R. 12446) to amend section 284 of the Judicial Code of the United States to authorize the impaneling of a third grand jury in the southern district of New York; to the Committee on the Judiciary.

By Mr. MERRITT: A bill (H. R. 12447) to extend hospital facilities to certain retired officers and employees of the Lighthouse Service and to improve the efficiency of the Lighthouse Service; to the Committee on Interstate and Foreign Commerce.

By Mr. SIROVICH: Joint resolution (H. J. Res. 337) transferring the functions of the radio division of the Department of Commerce to the Federal Radio Commission; to the Committee on the Merchant Marine and Fisheries.

By Mr. LUCE: Joint resolution (H. J. Res. 338) to make available to the Congress the services and data of the Interstate Legislative Reference Bureau; to the Committee on the Library.

By Mr. LUDLOW: Joint resolution (H. J. Res. 339) to create a commission on the reorganization of the administrative branch of the Government and the centralization of government; to the Committee on Rules.

By Mr. HAWLEY: Joint resolution (H. J. Res. 340) extending the time for the assessment, refund, and credit of income taxes for 1927 and 1928, in the case of married individuals having community income; to the Committee on Ways and Means.

By Mr. GARRETT: Joint resolution (H. J. Res. 341) authorizing an annual appropriation for the expense of establishing and maintaining a United States passport bureau at Houston, Tex.; to the Committee on Foreign Affairs.

By Mr. KVALE: Joint resolution (H. J. Res. 342) that no further permits or licenses for the development of water-power sites be granted by the Federal Power Commission; to the Committee on Interstate and Foreign Commerce.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCKBEE: A bill (H. R. 12448) for the relief of the heirs of Garrett Walsh, sr.; to the Committee on Claims.

Also a bill (H. R. 12449) granting an increase of pension to Hattie Mitchell; to the Committee on Invalid Pensions.

By Mr. BUTLER: A bill (H. R. 12450) for the relief of settlers in Baker County, Oreg., and to consolidate certain forest lands within the Whitman National Forest, Oreg., and to add certain lands thereto; to the Committee on the Public Lands.

By Mr. CLAGUE: A bill (H. R. 12451) granting an increase of pension to Sarah Frandle; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 12452) granting a pension to Ogla Wolff Schwarz; to the Committee on Pensions.

By Mr. FOSS: A bill (H. R. 12453) for the relief of Millie M. Hinman; to the Committee on War Claims.

Also, a bill (H. R. 12454) granting a pension to Mary E. Dane; to the Committee on Invalid Pensions.

By Mr. GARBER of Oklahoma: A bill (H. R. 12455) granting an increase of pension to Rachel Minear; to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 12456) for the relief of Nellie Oliver; to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 12457) granting an increase of pension to Eliza J. Gates; to the Committee on Invalid Pensions.

By Mr. IRWIN: A bill (H. R. 12458) granting an increase of pension to Mary J. Crichfield; to the Committee on Invalid Pensions.

By Mr. JOHNSON of Indiana: A bill (H. R. 12459) granting an increase of pension to Mary Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12460) granting an increase of pension to Rebecca A. Kelly; to the Committee on Invalid Pensions.

By Mr. KENDALL of Kentucky: A bill (H. R. 12461) for the relief of J. S. Easterling; to the Committee on Claims.

By Mr. LAMPERT: A bill (H. R. 12462) to correct the Navy record of Louis Veith; to the Committee on Naval Affairs.

By Mr. LOZIER: A bill (H. R. 12463) granting a pension to Margaret J. Triplett; to the Committee on Invalid Pensions.

By Mrs. McCORMICK of Illinois: A bill (H. R. 12464) granting a pension to Albert F. Campbell; to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 12465) granting a pension to Catherine Stevens; to the Committee on Invalid Pensions.

By Mr. MOONEY: A bill (H. R. 12466) granting a pension to Helen Czolba; to the Committee on Pensions.

By Mr. MOORE of Virginia: A bill (H. R. 12467) for the relief of Annie E. Coulter; to the Committee on Invalid Pensions.

By Mr. MURPHY: A bill (H. R. 12468) granting an increase of pension to Hannah A. Martin; to the Committee on Invalid Pensions.

By Mr. NOLAN: A bill (H. R. 12469) for the relief of D. E. Tracy; to the Committee on Claims.

By Mrs. OWEN: A bill (H. R. 12470) authorizing the President of the United States to present in the name of Congress a medal of honor to Glenn Hammond Curtiss; to the Committee on Military Affairs.

By Mr. PALMER: A bill (H. R. 12471) granting an increase of pension to Virginia L. Fry; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 12472) granting an increase of pension to Paulina Gookins; to the Committee on Invalid Pensions.

By Mr. SMITH of West Virginia: A bill (H. R. 12473) granting a pension to Ardelia Pettry; to the Committee on Invalid Pensions.

By Mr. SWING: A bill (H. R. 12474) for the relief of Arabella E. Bodkin; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 12475) granting an increase of pension to Mary A. Bell; to the Committee on Invalid Pensions.

By Mr. WHITTINGTON: A bill (H. R. 12476) for the relief of B. T. Williamson; to the Committee on Claims.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 12477) granting an increase of pension to Mary S. Knight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12478) granting a pension to Sarah Lee Hess; 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:

7301. Petition of Arrowhead Izaak Walton Association, of Hibbing, Minn., urging the passage of the Shipstead-Nolan bill, protecting the forests and water levels in the Arrowhead district of northern Minnesota from exploitation until an adequate plan of conservation can be worked out for the region; to the Committee on the Public Lands.

7302. By Mr. CAMPBELL of Iowa: Petition of the Woman's Club of Sheldon, Iowa, and the Woman's Christian Temperance Union of Sheldon, Iowa, requesting that Congress enact a law for the Federal supervision of motion pictures, establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7303. By Mr. FITZGERALD: Petition signed by 39 residents of Dayton, Ohio, asking for modification of the Volstead Act; to the Committee on the Judiciary.

7304. Also, petition signed by 16 residents of Dayton, Ohio, for modification of the Volstead Act; to the Committee on the Judiciary.

7305. By Mr. GARBER of Oklahoma: Petition of Chamber of Commerce of city of Newark, N. J., in opposition to consolidation of the carriers and urging that the consolidation provisions of the interstate commerce act be repealed; to the Committee on Interstate and Foreign Commerce.

7306. Also, petition of division of vocational education, State board of education, Oklahoma City, Okla., urging support of House bill 10250; to the Committee on Education.

7307. Also, petition of Emil Soucek, Lamont, Okla., urging support of House bill 10250; to the Committee on Education.

7308. Also, petition of Jet Chapter, Future Farmers of America, Jet, Okla., urging support of House bill 10250; to the Committee on Education.

7309. Also, petition of Luse-Stevenson Co., Chicago, Ill., in opposition to increased tariff on corkboard; to the Committee on Ways and Means.

7310. Also, petition of H. E. Wallace, Republican county chairman, Spiro, Okla., urging support of House bill 2968; to the Committee on the Judiciary.

7311. Also, petition of Labor Union 552, Enid, Okla., urging support of Sproul standard wage bill, H. R. 9232; to the Committee on Labor.

7312. Also, petition of Wives of letter carriers of Stillwater, Okla., urging support of House bill 6603; to the Committee on the Post Office and Post Roads.

7313. By Mr. KVALE: Petition of League of Women Voters of Olivia, Minn., urging rejection of Norris amendments providing for leasing Muscle Shoals to private interests; to the Committee on Military Affairs.

7314. By Mr. OSIAS: Petition of Julio Dumagco, Daraga, Albay, P. I., urging the passage of Senate bill 476 and House bill 2562; to the Committee on Pensions.

7315. By Mr. SWANSON: Petition of Elliott (Iowa) Woman's Christian Temperance Union, favoring Federal supervision over moving pictures in interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7316. By Mr. UNDERHILL: Petition of citizens of Massachusetts, urging Congress to pass the Sparks alien amendment, House Joint Resolution 263; to the Committee on Immigration and Naturalization.

7317. Also, petition of citizens of Massachusetts, indorsing the bill for the exemption of dogs from vivisection in the District or Columbia or in any of the Territorial or insular possessions of the United States; to the Committee on the District of Columbia.

7318. By Mr. YATES: Petition of Seegon Creek Creamery Co., Danville, Ill., protesting against Senate bill 3060; to the Committee on Appropriations.

7319. Also, petition of Paul F. Beich Co., Bloomington, Ill., protesting against Wagner bill, S. 3060; to the Committee on Appropriations.

7320. Also, petition of American Asphalt Roof Corporation, East St. Louis, Ill., urging defeat of Senate bill 3060 appropriating certain money; to the Committee on Appropriations.

7321. Also, petition of Gertrude Welch, Eleanor T. Cochran, Roberta Harvey, Katherine Strawn Dixon, and Dorothy Schmidt, of the Junior League, of Chicago, Ill., urging passage of House bill 9042; to the Committee on the Library.

# SENATE

TUESDAY, *May 20, 1930*

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Lord, our Heavenly Father, whose blessed Son came not to be ministered unto but to minister, and gave us a new commandment that we should love one another, grant, we beseech Thee, that inspired by Thy love and following in His steps we may worthily minister in Thy name to all who suffer wrong, to the friendless and the needy, and to all who are burdened with care.

Give us wisdom to resolve and patience to perform the nobler tasks, that doing good by stealth we may blush to find it fame, knowing that one self-approving hour outweighs whole years of men's applause. And when the dusk—that miracle of gold and violet moments with the light of immortal heaven behind the rampart of the hills—shall call us home, may we find rest and peace in Him, who came among us as one that serveth, and having loved His own, loved them even to the uttermost, Jesus Christ, Thy Son, our Lord. Amen.

### THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed the following bills of the Senate:

S. 180. An act to legalize a bridge across St. Johns River, 2½ miles southerly of Green Cove Springs, Fla.;

S. 548. An act for the relief of retired and transferred members of the Naval Reserve Force, Naval Reserve, and Marine Corps Reserve;

S. 3741. An act to extend the times for commencing and completing the construction of a bridge across the South Fork of the Cumberland River at or near Burnside, Pulaski County, Ky.;

S. 3742. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Burnside, Pulaski County, Ky.;

S. 3743. An act to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Canton, Ky.;

S. 3744. An act to extend the times for commencing and completing the construction of a bridge across the Tennessee River at or near Eggners Ferry, Ky.;

S. 3783. An act for the relief of the State of Georgia for damage to and destruction of roads and bridges by floods in 1929; and