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Congressional Record

SEVENTY-THIRD CONGRESS, SECOND SESSION

HOUSE OF REPRESENTATIVES

SATURDAY, JUNE 2, 1934

The House met at 12 o'clock noon.

Rev. E. P. McAdams, pastor of St. Joseph's Church, Washington, D.C., offered the following prayer:

Great Eternal God, Creator, Redeemer, and Sanctifier of Men, graciously look down upon this assembly opening its deliberations in Thy name.

Remember that in spite of the waywardness of the nations and individuals, the representatives of the people of the United States and its possessions have always maintained their living faith in Thy power and love and a consciousness of their dependence upon Thee.

We pray Thee, then, to infuse into their minds the spirit of wisdom to seek and to apprehend the truth, the spirit of counsel, and fortitude to enact those measures which will best serve the Nation's interest and will direct this Nation along those ways which will enable its citizens to pursue that peace and good will which was broadcast first by angels for the Infant King and again by Himself personally on the day of His resurrection.

We bow our heads and hearts asking Thy benign benediction upon this humble and sincere protestation of our loyalty, whilst we repeat the prayer which Thou thyself has given us, "Thy will be done on earth as it is in heaven." Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Horne, its enrolling clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 7353. An act granting the consent of Congress to any two or more States to enter into agreements or compacts for cooperative effort and mutual assistance in the prevention of crime, and for other purposes.

The message also announced that the Senate had passed, with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 9370. An act to authorize an appropriation of money to facilitate the apprehension of certain persons charged with crime.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3696. An act authorizing the President to make rules and regulations in respect to alcoholic beverages in the Canal Zone, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 2714. An act to amend section 895 of the Code of Law of the District of Columbia; and

S. 1780. An act to provide for the discontinuance of the use as dwellings of buildings situated in alleys in the District of Columbia, and for the replatting and development of squares containing inhabited alleys, in the interest of public health, comfort, morals, safety, and welfare, and for other purposes.

MEMORIAL DAY ADDRESS AT ANTIETAM BATTLEFIELD

Mr. LEWIS of Maryland. Mr. Speaker, I ask unanimous consent to print in the CONGRESSIONAL RECORD a historical address delivered by the gentleman from Idaho, Mr. THOMAS C. COFFIN, on Decoration Day.

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

There was no objection.

Mr. LEWIS of Maryland. Mr. Speaker, in accordance with permission granted me, I include herewith the remarks of my colleague Mr. COFFIN, of Idaho, on the occasion of the memorial services at the battlefield of Antietam, delivered at Sharpsburg, Md., on Memorial Day.

The privilege which has been accorded me of taking part with you in these memorial services here today can have come to me only as an expression of that great courtesy which distinguishes the people of Maryland. To one like myself, a native of the great West, whose pioneer builders came in almost equal proportions from those who wore the blue and those who wore the gray during the great War between the States, it is possible only to look upon this spot, one of the outstanding milestones in our national history, from a standpoint which those of you more intimately connected with that great struggle, through environment and tradition, may possibly not entirely appreciate. To me the armies which contended here over 70 years ago were composed entirely of countrymen of mine who, in that generation, found a resort to arms the only means by which a disputed question of constitutional development could be decided.

As we come here on Memorial Day, we come as Americans, proud of the opportunity to pay our tribute of respect to those who made the supreme sacrifice in defense of principles in which they honestly believed and which in the ultimate were decided, not by force of arms but by the power and the direction of a Divine Providence, the purpose of which has become more clearly discernible as the years go by.

In the sense in which history is teaching us to look upon the battle that was fought here in September 1862 we are coming more and more to realize the omnipresence of a divine guiding hand in the destinies of this Nation. We are coming to realize that Antietam stands out as one of those whitehot forges wherein the power that fashions order out of chaos was most active.

To me the significance of Antietam on this day, so long after the tide of war flowed across the spot whereon we stand, is that of a milestone in the development of this great country, which all of us now enjoy. It is as such that we of this generation should be eternally thankful to those brave men of an earlier generation who struggled here that our national destinies might be fulfilled.

When the forces of Robert E. Lee and George B. McClellan met at South Mountain and in and around Sharpsburg, at Antietam Creek, there were opposed to each other probably the finest armies that had ever been developed in the history of the world up to that time, and certainly the two outstanding military geniuses of the Civil War. In practically every conception having to do with our country, Robert E. Lee and George B. McClellan differed only as the environment from which they came differed. To each of them the issue of the Civil War, up to that time, was the same. It did not concern the institution of slavery but rather in the broad constitutional sense it concerned the character of Federal Union which had been born with the American Constitution. It concerned nothing more than the right of one of the sovereign States, by its own action, to dissolve the contract by which it was bound to the other sovereign States as an American Union.

Had the war ended by the complete triumph of General McClellan at Antietam, and had General McClellan remained a dominating figure in the days that would have followed there can be little doubt that the dark and tragic days of the reconstruction period would have been avoided and the price which this country has paid in the long period of prejudice and partisanship could, to a large extent, have also been avoided.

Not far from here, upon the Union left, on September 17, 1862, was stationed General Burnside with between 10,000 and 12,000 men. Owing to the fierce fighting which was going on on the Union right and center, General Lee had found it necessary to withdraw all but a very few of the men upon his extreme right facing Burnside. That was a movement which General McClellan had anticipated and had sought to bring about, and with the knowledge that the strategy in that respect was having the desired edge that the strategy in that respect was having the desired result, he ordered Burnside, even at the point of the bayonet, if necessary, and regardless of the loss of life that might be entailed, to advance across Antietam Creek and on the rear of Sharpsburg to the end that he might interpose a wedge between the Confed-

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erate center and the reinforcements that were hurrying from Harpers Ferry. Although the Confederate position, as official reports now very clearly demonstrate, was held by probably not to exceed 500 men, Burnside was delayed for hours; and although opposed by this meager handful of Confederates, suffered in the neighborhood of 2,000 casualties.

Before the movement ordered by McClellan had actually been accomplished, the division hurrying from Harpers Ferry had arrived upon the field and the opportunity to have made Antietam a complete and crushing Union victory was lost. As one analyzes the movement that took place upon that day, it is difficult, indeed, to understand why the orders repeatedly given to General Burnside by General McClellan were not carried out. The fact remains, they were not carried out, and the fact remains that Antietam goes down in history as the bloodiest single day's battle ever fought upon this continent, but without any ultimately decisive results. Following this great battle, General McClellan, by a march and by strategy that military experts and students are coming to regard as one of the really great military feats in our history, placed himself in a position before Culpeper Courthouse, where he could have dealt with the armies of Longstreet and Jackson separately, and where both of those great Confederate commanders realized that their positions were most precarious. Again was interposed that force which seems to have dominated every movement in the war between the States, and McClellan, whom General Lee, years after the war, described as the ablest Union commander he was called upon to face, was removed from the command of the army and supplanted by Burnside, who immediately neutralized the favorable position in which McClellan had placed the Union Army and permitted the joining of Longstreet and Jackson, almost without firing a shot. It would almost seem that it was predestined that the war between the States was to continue until the blood and treasure of this Nation had been poured out without stint and the long aftermath, the end of which we are only now beginning to see, was left to plague our people.

Antietam marked the first of the titanic struggles of the Civil War which were apparently destined to be indecisive and to be, and to remain, but one of those pages of frightful carnage from the 4 years' trial out of which our more perfect Union was to be consolidated.

Slightly less than a year later occurred a similar episode in our history when the 3 days of battle at Gettysburg again resulted in a stalemate. At Gettysburg, however, it was the interposition of fortuitous and unforeseen and unforeseeable circumstances that prevented the decisive defeat of the Union Army.

And again, 2 years later, although in a much lesser degree, from the standpoint of the men engaged, the delay administered to General Early at Monocacy rendered indecisive a thrust by General Lee which failed by hours only. Again, it was the interposition of unforeseen and unforeseeable circumstances that resulted in great loss of life and another stalemate.

It was only in the following year that Grant, with an utter disregard for the loss in human life that might be entailed, made slaughter the order of the day to end the great holocaust.

Following in the train of these bloody, and increasingly bloody years, there grew up that intolerable sentiment, without which the cankerworm of reconstruction days would never have been imposed upon the South.

In the almost 70 years which have elapsed since Appomattox, in varying degree, we have felt the aftermath of the passions and the prejudices that had their roots in this conflict between the States. As we look back over that long period we fail to discern a single time, until the past 2 years, when it could truly be said that the administration of our country was national in its scope. With every new administration we have been made to feel that sectionalism, born of the War between the States, was one of the controlling features in the elevation of one of our citizens to the Presidency. We of today are the first, since the days of the Civil War, who can truly say that our national administration is one dependent upon no section and no class for either its existence or its support. Our country has returned to the position which it occupied before the War between the States in that our national policies and our national destinies can once again be directed and controlled by an administration representing industrial New England and the North and East, as well as the great southern section and the great undeveloped West. We stand today for the first time in a position where we can honestly say that the passions and the prejudices born of our great internal struggle no longer control our national policy or mold or modify it in any respect. Today we can look back upon our national travail, which began at Antietam, and can almost feel that the Divine Providence in whose special keeping have been the destinies of this Nation has completed the task of molding a finer and a more perfect instrument of government for the benefit of all the people—North, South, and West.

STATE OF NEBRASKA

Mr. SHALLENBERGER. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I wish to ask a question. It is the intention of the gentleman from Nebraska to call up a bill authorizing the issuance of a duplicate check for $10,451.12, which it is asserted has been lost. The bill as drawn provides that this duplicate $10,451.12 check shall be issued without the requirement of an indemnity bond.

If the gentleman will accept an amendment changing the word "without" to "with", thereby incorporating in the bill the requirement for indemnity bond to protect the Government, there will be no objection to the bill; but there ought to be an indemnity bond to protect the Government, because there is outstanding a check for $10,451.12 which somebody might get hold of and cash. Such things have happened in the past; so the Government must be protected.

Mr. SHALLENBERGER. Mr. Speaker, I agree with the gentleman from Texas, and I shall offer an amendment providing that there shall be an indemnity bond.

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

There was no objection.

Mr. SHALLENBERGER. Mr. Speaker, on the 17th of last January the Department of Agriculture issued a check to the treasurer of the State of Nebraska for $10,451.12, which check the Department of Agriculture and the treasurer of the State report has been lost in the mails, destroyed, or stolen; at any rate, it has disappeared. At the request of the Secretary of Agriculture I have introduced this bill; and the form of the bill is the form the Secretary of Agriculture sent to me. Since the gentleman from Texas has called attention to the fact that the bill as drawn reads "without the requirement of an indemnity bond", I shall offer an amendment to strike out the word "without" and insert in lieu thereof the word "with."

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

Mr. SHALLENBERGER. I yield.

Mr. BLANCHARD. Does the Treasury Department approve this bill?

Mr. SHALLENBERGER. This bill comes from the Secretary of Agriculture and also from the treasurer of the State of Nebraska. The check is from the Department of Agriculture to the treasurer of the State of Nebraska.

Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 3646, as amended, of the Revised Statutes of the United States, the disbursing clerk of the Department of Agriculture is authorized and directed to issue, without the requirement of an indemnity bond, a duplicate of original check numbered 15757, drawn January 17, 1934, in favor of "State treasurer of Nebraska trust fund" for $10,451.12 and lost, stolen, or miscarried in the mails.

Mr. SHALLENBERGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SHALLENBERGER: Page 1, line 6, strike out the word "without" and insert in lieu thereof the word "with."

The amendment was agreed to.

The bill, H.R. 9820, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RICHMOND PEARSON HOBSON

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3380) providing for the appointment of Richmond Pearson Hobson, formerly a captain in the United States Navy, as a rear admiral in the Navy, and his retirement in that grade, and immediately consider the same.

The Clerk read the title of the bill.

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

Mr. SNELL. Reserving the right to object, will the gentleman tell us what this does and how much extra cost it involves?

Mr. VINSON of Georgia. I will endeavor to inform the House on the objects and purposes of this bill.

The purpose is to permit the resident to commission Captain Hobson as an admiral in the line, and automatically and immediately retire him and place him upon the retired list of the Navy. The total cost to the Government will be $4,500 a year.

I may say that today is the thirty-sixth anniversary of the sinking of the collier *Merrimac* in the War with Spain, and it is indeed appropriate that this character of recognition should be accorded Captain Hobson at this time. The bill has been unanimously passed by the Senate, and, after a long and careful hearing by the Naval Affairs Committee of the House, it was unanimously reported to the House. I am asking the House now to consent to the immediate consideration of this bill and to unanimously enact the same.

Thirty-six years ago tonight, while the United States was at war with Spain, the United States collier *Merrimac*, under heavy fire from forts and ships, was taken into the harbor and sunk in the channel of Santiago de Cuba.

ASSETS FOR THE NAVY AND THE NATION

Mr. Speaker, this legislation on the anniversary of the sinking of the *Merrimac* in many ways is unique. Extensive hearings held by subcommittees of the Naval Affairs Committees of both Houses brought out facts around which hang high values constituting assets to the naval service, to the country, to humanity, and especially to the youth of this and other generations.

While delays due to the congestion on our Private Calendar permitted the Senate to pass the bill first, the House by the delay has this anniversary for its day, and feels a more intimate relationship, as the commander of the *Merrimac* was from 1907 to 1915 a Member of the House from Alabama. A few of our older Members remember him with admiration and affection. We hardly realized at the time the far-reaching significance of his tireless work in the Committee on Naval Affairs—one result of which was the establishment of the Office of Chief of Naval Operations, in the face of the disapproval of the Secretary of the Navy. Highest authorities have testified that this office alone produced the efficiency that enabled us to get our armies overseas in time to save the World War to the Allies. It is realized now in all responsible quarters that in this Office of Naval Operations is bound up the efficiency of our Navy in the wars that the future has in store for America.

THE WORLD WAR AND NATIONAL DEFENSE

The older Members remember how they considered lightly the warning that Captain Hobson sounded year after year of the approach of the World War as he pleaded for building up the Navy so that America could be the great neutral, able to exert powerful influence to prevent the World War, and if it came, to inspire respect for our rights as a neutral by both sides and thus to safeguard the rights of all neutrals and of civilization. This policy of a peace-loving nation, far from the hatred and strife of other lands, but holding power adequate for our own home defense and the defense of our commerce and vital interests everywhere, is as sound for America now as it was then. The older Members recall the persistency with which Captain Hobson pointed out the rising importance to America's peace of the control of the sea in the Pacific, and the positive danger of letting that control pass to foreign hands. It was Captain Hobson who secured the authorization of the naval base at Pearl Harbor and raised his voice for the strong fortification of the Panama Canal, and urged year in and year out the assembling of the Navy into one great fleet with its home in the Pacific Ocean.

HOBSON AND AIR POWER

The older Members recall the incident when the Democratic floor leader, John Sharp Williams, shortly after the first feeble flight of the Wright brothers, taunted his young kinsman, Captain Hobson, with being such a Navy jingo that he would put a fleet in the air as well as on the sea. Captain Hobson's answer was:

> I expect to see the day when great fleets will carry on in the air, and my hope shall be that America in that day will be in aviation the biggest and the best.

It would not be amiss in these days for Congress to give consideration to Captain Hobson's up-to-date formula for our safety—America as a minimum to maintain power on the sea second to none, and simultaneously power in the air adequate to control the air out to midocean on both oceans at the same time.

Mr. Speaker, in the course of the hearings on this bill, many features of the first order came out in line with the Navy traditions. It was the first time that a naval constructor was ever included in the staff of a fleet at sea. Captain Hobson brought this about against strong opposition. Sending naval constructors to sea is now an established practice.

NAVAL CONSTRUCTORS AT SEA

The practical advantages came out in many ways in most cases for the first time in any navy. The improvising, placing, and securing of the torpedoes on the *Merrimac* and the hawser and stops for the bow anchor, applied as in the launching of a ship; elaborate calculations of stability in damaged condition applied to battle tactics; cutting out woodwork, throwing inflammables overboard, reorganizing fire mains and fire conditions for battle; conquering buoyancy sufficient to float the beached Spanish flagship *Maria Teresa*.

Mr. Speaker, it was 49 years ago, Monday of last week, May 21, 1885, when Midshipman Hobson entered Annapolis. His 4 years' training there, standing first in his class, its youngest member holding the highest position in the corps, and his subsequent training for 3 years in the French Government's postgraduate schools for its engineers, graduating there with honor, seem to have brought forth a scientific method that makes Captain Hobson especially helpful and reliable in approaching unsolved problems, especially his insistence upon exhaustive research to establish the facts, holding conclusions and questions of judgment and of policy in abeyance.

HOBSON AND ALCOHOL EDUCATION

Older Members recall his research into the properties of ethyl alcohol and his classic speech in Congress, called "The Great Destroyer", and the permanent influence his distribution of millions of copies of this speech had in promoting real temperance among our people.

Few are aware that he disappeared from the prohibition picture because the drys rejected and scorned his earnest pleadings for alcohol education, thoroughly organized and sustained, to be made the policy, leaving legislation to follow naturally on the heels of education and public sentiment. Better it would have been for them and for the country if the drys had followed his counsel instead of plunging into the opposite policy of radical legislation and the neglect of alcohol education.

HOBSON AND THE WORLD DOPE RING

It came out in the hearings, though few of us are aware, that for 12 years this American has headed up scientific warfare against the world illicit narcotic drug traffic, through founding and directing the International Narcotic Education Association (incorporated, California, headquarters Los Angeles) and the World Narcotic Defense Association (incorporated, New York, headquarters New York City and Geneva, Switzerland). Until these organizations appeared the great dope ring of the world was unchecked in its ruthless exploitation of mankind, running roughshod over all the efforts of individual nations and their groupings. A 6-year drive culminated in a great treaty convention going into effect last summer and now operating in 42 nations. In the brief time that has elapsed the cost of morphine in the illicit traffic in America has gone up more than 500 percent, and is still rising. This tells the tale of the effectiveness of this American scientific leadership in this warfare, regarded formerly as hopeless.

Mr. BLANTON. Mr. Speaker, reserving the right to object, when the gentleman states this will cost $4,500, does he mean that is in addition to the retired pay which Captain Hobson would have otherwise drawn as a retired captain in the Navy?

Mr. VINSON of Georgia. No. Captain Hobson does not draw retired pay at this time.

Mr. BLANTON. No; but he would be retired?

Mr. VINSON of Georgia. Yes.

Mr. BLANTON. What would his retired pay be if he were retired in the grade of a captain?

Mr. VINSON of Georgia. It would be identically the same after 20 years' service. If Captain Hobson had been retired instead of resigning from the Navy, he would have been entitled after 30 years' service to $4,500 a year.

Mr. BLANTON. As a captain in the Navy?

Mr. VINSON of Georgia. Yes.

Mr. BLANTON. This does not increase the pay that he would have drawn as a retired captain after 30 years' service?

Mr. VINSON of Georgia. That is correct.

Mr. BLANTON. This is the thirty-sixth anniversary of the sinking of the *Merrimac*?

Mr. VINSON of Georgia. Yes.

Mr. BLANTON. I think he deserves this belated recognition, and I shall not object.

Mr. BANKHEAD. Mr. Speaker, I am in a rather peculiar situation with reference to this request, and I do not know whether I should make this statement or not, but those who were familiar with political conditions in Alabama a number of years ago will recall that Captain Hobson and I had quite a contest when I first came to Congress. This is merely a personal statement, but it gives me gratification on this anniversary of the heroic exploit of Captain Hobson to appeal to all of my colleagues on the floor of this House to grant this consent to the passage of the bill. I trust no objection will be offered.

Mr. VINSON of Georgia. I yield to the gentleman from Oklahoma.

Mr. McCLINTIC. Captain Hobson has not been drawing pay from the Government since he resigned?

Mr. VINSON of Georgia. The gentleman from Oklahoma is correct. Captain Hobson has never drawn one dollar of pay, because he resigned his commission in the Navy on account of his health.

Mr. CULKIN. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. CULKIN. I think the recognition of Captain Hobson at this time is entirely proper, although belated. May I ask the chairman of the committee if any recognition has been given to the other participants in the sinking of the *Merrimac?* For instance, Ensign Joseph Wright Powell commanded the launch that was under fire for some hours in broad daylight, and I understand brought Captain Hobson out.

Mr. VINSON of Georgia. No. The captain was captured by the Spaniards and stayed in prison until after the Battle of Santiago.

Mr. CULKIN. I stand corrected, but the launch commanded by Ensign Powell was under fire of the Spanish fleet and shore batteries for some hours after daylight came.

Mr. VINSON of Georgia. Some years ago one of the men who accompanied Captain Hobson reenlisted in the Navy and later on deserted. This man was given an honorable discharge. We cleared his record and put him back in good standing so far as pension rights and other considerations were concerned.

Mr. CULKIN. I earnestly urge consideration of Ensign Powell and his gallant men who were in this open launch and who remained under fire for some hours in broad daylight. They made a brave but futile attempt to bring off Captain Hobson.

Mr. VINSON of Georgia. That has not yet been presented to the House.

Mr. CULKIN. I trust the committee will consider that matter to the end that Ensign Powell and his associates may be given their proper place in history.

Mr. VINSON of Georgia. May I say to the Members of the House that this bill does not carry any back pay whatsoever. If the President approves this bill, the captain is put upon the retired list as an admiral of the lower half, and he will commence to draw retired pay from the date he goes on the retired list.

Mr. FISH. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from New York.

Mr. FISH. May I say that this was one of the outstanding acts of great heroism in the history of our country. Captain Hobson volunteered for this dangerous service. In other countries, such as Great Britain, when their citizens and subjects have done heroic acts they are likewise rewarded in a financial way, but far beyond anything dreamed of in this country, particularly officers of higher rank. I hope this bill will pass unanimously. [Applause.]

Mr. HOEPPEL. Will the gentleman yield?

Mr. VINSON of Georgia. I yield to the gentleman from California.

Mr. HOEPPEL. May I make the statement that it has been my observation that there is entirely too much consideration given by the Congress to the officers of the Navy and not sufficient consideration to the enlisted men.

There are at present on the retired list of the Navy 182 officers who have been placed on the retired list, not because of disability but because they have not been selected for promotion. These able-bodied men are receiving $668,000 per annum from the taxpayers, and I maintain that if we are going to consider this bill favorably we should add an amendment to it providing adequate and proper consideration to the only known living enlisted man now on the retired list who was on the *Merrimac* with Captain Hobson. Until such amendment is offered I shall object.

Mr. VINSON of Georgia. Mr. Speaker, I may state to the gentleman that that very subject matter is now being considered, and we are trying to do something fair and right by every man who accompanied Captain Hobson on this expedition. Let us cross one bridge at a time and I am satisfied the gentleman will have no complaint to make.

Mr. HOEPPEL. Will the gentleman, as the Chairman of the Naval Affairs Committee, assure me that he will give favorable consideration and approval to a bill which I shall introduce to at least advance this enlisted man one rank on the retired list and also to grant adequate consideration to any other enlisted men who were on the *Merrimac* with Captain Hobson and who are not retired?

Mr. VINSON of Georgia. I will say to the gentleman that I will lend favorable consideration to the subject matter, but the details will have to be worked out, and I shall be pleased to cooperate with the gentleman.

Mr. HOEPPEL. If the gentleman will assure me that he will at least approve of one increase in rank on the retired list for the only known living enlisted man who was with Hobson, I shall not object.

Mr. VINSON of Georgia. As I have just stated, we can handle only one bill at a time. We are trying to take care of everyone who accompanied Captain Hobson on this occasion.

Mr. HOEPPEL. Will the gentleman at least approve of this?

Mr. VINSON of Georgia. I am thoroughly in accord with that principle.

Mr. HOEPPEL. Mr. Speaker, as I have the utmost confidence in the Chairman of the Naval Affairs Committee, Mr. VINSON of Georgia, and am sure that he will cooperate with me to extend adequate consideration to these enlisted men, I withdraw my objection.

Mrs. KAHN. Mr. Speaker, will the gentleman from Georgia yield?

Mr. VINSON of Georgia. I yield.

Mrs. KAHN. May I express my approval of this belated recognition, because, along with the gentleman from New York, I feel we do very little for the men in our services who perform heroic service. For a long time I have tried to get recognition for a bill that would provide for promotion in rank to Maj. Andrew Rowan, who is famous as the man who

carried the message to Garcia, a real exploit in American history. I have been unable to get it favorably considered. I am pleased, however, to see that at least someone has been more successful than I have been in according to Captain Hobson the belated recognition he deserves and hope this will serve as a precedent.

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

Mr. VINSON of Georgia. I yield to the gentleman from Kentucky.

Mr. MAY. Mr. Speaker, I am thoroughly in accord with the proposal to enact this bill today. I think this is the time and the hour when it should be done, but I think there has been one point in favor of Captain Hobson that has not been mentioned, and that is that almost immediately after he performed this heroic deed he was eligible for retirement, but due to the fact that on account of the exposure he had endured on this occasion his health was impaired and he had to resign, and by reason of his resignation at that time his retirement then was postponed, and he has not received a dollar from the Government since then. I am very strongly in favor of the enactment of this measure.

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

Mr. VINSON of Georgia. I yield to the gentleman from Ohio.

Mr. TRUAX. I should like to call the attention of the Chairman of the Naval Affairs Committee to the fact that just a few days ago there were two pension bills considered by the Committee on Pensions, one for the widow of General Bliss, who without question was one of the foremost men of the World War, representing the President in many cases in foreign conferences; and the Honorable Newton D. Baker, Secretary of War during that period, appeared before the committee speaking in favor of this pension. There was also a pension bill introduced for the widow of Admiral Moffett. Both of these pensions were rejected by a majority of the committee on the ground that no preference should be given to dependents of officers over those of enlisted men. I merely wanted to get this in the RECORD for the purpose of ascertaining when the gentleman will give consideration to the enlisted men who were on the *Merrimac* with the distinguished Captain Hobson.

Mr. VINSON of Georgia. I may state to the gentleman from Ohio that we propose to have a committee meeting Monday and will go into the subject at that time and see what we can accomplish.

Mr. TRUAX. I hope the gentleman will give his most sincere consideration to these enlisted men. I like Captain Hobson. He is a distinguished citizen of this country, and I shall offer no objection to the bill; but it is time we began to consider the men down at the bottom instead of always considering the men at the top. [Applause.]

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

Mr. VINSON of Georgia. I yield to the gentleman from Illinois.

Mr. SABATH. As one of the very few left who had the privilege of serving in this House with this great, brave, and courageous gentleman, Captain Hobson, I am indeed appreciative that the Naval Affairs Committee has brought in this bill authorizing and conferring upon him the deserved honor—that of rear admiral—and I hope that no one will oppose its immediate consideration.

While Captain Hobson, with whom I have had the pleasure to serve, though I was obliged to oppose him frequently, I felt the House lost a great legislator when he left us; but it was fortunate for the House and for the country that in his place we gained a gentleman who today is recognized by all as one of the great legislators, although we lost a splendid Member in Captain Hobson, the country and the House have been benefited by the election at that time of the gentleman from Alabama [Mr. BANKHEAD] to succeed him.

Not only was Captain Hobson a brave and courageous soldier, he was also a very capable and efficient legislator. During the 8 years I served with him I found him to be a man of unusual ability, full of vigor and determination. Naturally we could not always agree on important measures, and especially on the question of prohibition. However, that did at no time alter our, as I believe, mutual friendship and his great accomplishment was not in any way minimized in my estimation. I am pleased to say that he was just as fearless on the floor of the House as he was in Santiago Bay 30 years ago, and when I learned that he was supplanted as a Member of this House I indeed regretted it. Though that district has lost a valuable representative, yet after these years I am pleased to say that by his loss they have gained one of the most useful statesmen and diplomats in this House, as I do not know a single man who stands higher in the estimation of his colleagues or who possesses greater ability or who has achieved more for his district than our beloved, revered colleague, WILLIAM B. BANKHEAD, and who today occupies the third highest and most important position in this House. [Applause.]

Mr. OLIVER of Alabama. Mr. Speaker, will the gentleman yield?

Mr. VINSON of Georgia. I yield.

Mr. OLIVER of Alabama. Mr. Speaker, Captain Hobson, technically speaking, is a citizen of Alabama and one whom we are very proud of, but the pending bill seeks to honor him as a citizen of the Nation and one of its most beloved heroes. As a member of the Alabama delegation, I wish to express to the Naval Affairs Committee of the House and to its distinguished chairman, the gentleman from Georgia [Mr. VINSON], our sincere appreciation for their thoughtfulness in calling up this bill for passage at this time. It has just passed the Senate without a dissenting vote, and I am sure there will be no one opposing its passage in the House.

From the act conferring the Congressional Medal of Honor on Captain Hobson it is appropriate to here quote this excerpt:

> For distinguishing himself conspicuously by extraordinary courage and intrepidity at the risk of his life on June 3, 1898, by entering the fortified harbor of Santiago, Cuba, and sinking the partially dismantled collier *Merrimac* in the channel under persistent fire from the enemy fleet and fortifications on shore.

[Applause.]

Mr. GUYER. Mr. Speaker, will the gentleman from Georgia yield?

Mr. VINSON of Georgia. I yield to the gentleman from Kansas.

Mr. GUYER. Mr. Speaker, the two outstanding heroes of the War with Spain were Gen. Frederick Funston, whose home was in the district which I have the honor to represent, and Capt. Richmond Pearson Hobson, of Alabama, the former of the Army and the latter of the Navy. Both attempted seemingly impossible undertakings. Funston, by the capture of Aguinaldo, practically ended the Philippine insurrection. Captain Hobson did not completely succeed in his objective of bottling up Cervera's fleet in the harbor of Santiago by sinking the *Merrimac* in its entrance, but the superlative heroism with which he did his perilous work crowned him with the chaplet of immortality. The people of our country have long since enshrined both of these popular heroes in their hearts, and Funston was promoted until he became the head of the Army of the United States as ranking major general.

Today we tardily perform a duty already too long delayed in rendering this honorable recognition to the hero of the *Merrimac*.

Three weeks before the declaration of War with Spain, Col. Eugene F. Ware, a gallant Union soldier who wrote under the pen name of "Ironquill", wrote a poem under the title of "Kansas to Alabama" which was published widely at the time. It appeared in a St. Louis newspaper, and 4 days thereafter a reply "Alabama to Kansas" appeared in the same paper. Inquiry failed to disclose the author. The little poem of "Ironquill" is the more significant, since Kansas and Alabama furnished these two fine specimens of American manhood who became idols of the Nation.

KANSAS TO ALABAMA

Are you there, are you there, Alabam?
  There seems to be a lot of trouble coming.
There's music in the air, Alabam—
  The music of the fifing and the drumming.
    Be my pard, be my pard,
    And we'll fight them mighty hard, Alabam.

Our old war made it plain, Alabam,
  We neither one was lacking spunk or mettle.
This little round with Spain, Alabam,
  Will have a question I would like to settle.
    Can you march day and night
    And outfight me in the fight, Alabam?

If you should, if you should, Alabam,
  My sunflower on your bosom I'll be pinning;
Might feel sore—but I would, Alabam—
  I'd honor both the hero and the winning.
    Here's to you, here's to you,
    And to what we both can do, Alabam.

—*Ironquill.*

ALABAMA TO KANSAS

Bet your life, bet your life, Kansas boy,
  The Yankee and the Johnnie are for Cuba.
Just hail me with your fife, Kansas boy;
  I'll answer with my Alabama tuba.
    Count me in, count me in,
    I am eager to begin, Kansas boy.

Here's my hand, here's my hand, Kansas boy,
  The cotton-bloom to sunflower sends greeting;
On the ocean and the land, Kansas boy,
  Soon the grandees and the dons we'll be meeting,
    North and South, heart to heart,
    Nevermore will fight apart, Kansas boy.

Get your flag, get your flag, Kansas boy,
  If you fall I will anchor it in glory;
'Tis not for me to brag, Kansas boy—
  I fought it once—but that's another story.
    Light is come, wrong is past,
    Now I'm Union to the last, Kansas boy.

—*Anonymous.*

This recognition of Captain Hobson is all the more deserved by reason of the fact that his exposure and imprisonment in a Spanish prison physically incapacitated him for further service in the United States Navy.

During the years succeeding the War with Spain he represented his State with distinction in the House of Representatives, and after that service rendered valiant service to his country in the interest of temperance and against the evils of narcotics. His character reflects credit upon American manhood, and every good citizen will applaud our action in honoring him today on the thirty-sixth anniversary of the sinking of the *Merrimac*. [Applause.]

The Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to appoint Richmond Pearson Hobson, formerly a captain of the United States Navy, a rear admiral in the Navy, with the rank, pay, and allowances thereof, and upon his acceptance of such appointment and the issuance of the commission in pursuance thereof, he shall be retired by the President as from active service and be placed upon the retired list in the grade of rear admiral, as of 30 years' service, and with the pay of that grade.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. BRITTEN] may have permission to extend his remarks on the bill at this point.

The SPEAKER. Is there objection?

There was no objection.

THE SPIRITUAL VALUES ATTACHED TO HOBSON AND THE "MERRIMAC"

Mr. BRITTEN. Mr. Speaker, it is happy indeed that on this the thirty-sixth anniversary of the sinking of the *Merrimac* the House should complete the legislation making the commander of that exploit a rear admiral on the retired list, thus settling right the matter that has been unfinished business for Congress for 32 years.

Mr. Speaker, it has been a general impression, due to the fact that the steering gear was shot away and the ship sank farther in than designed, that the exploit of the *Merrimac* failed of its purpose. On the contrary, it fulfilled its mission in a perfect way. The hearing brought out the report of Captain Concas, captain of the Spanish flagship *Maria Teresa* and chief of staff of Admiral Cervera, that the *Merrimac* compelled the Spanish ships to come out by daylight and to slow down, without formation or support, and turn prematurely very slowly, even then their propellers barely missing the hulk of the *Merrimac*, and pass out at reduced speed, far apart, one at a time—conditions that were perfect for their complete destruction and the quick ending of the war.

Mr. Speaker, the hearings brought out the fact that the commander of the *Merrimac* has been entitled to retirement for the last 32 years, on account of disabilities incurred in excessive service in the Tropics during and immediately after the Spanish War, and this legislation is but an act of justice; but I maintain that this action is a tardy but a proper recognition for extraordinary heroism, a recognition that is necessary if the Navy and our country are to harvest the full, permanent spiritual benefits of the deed.

I do not detract from the merits of the scientific and professional values so eloquently cited by Chairman VINSON when I place above them the imponderables, the rare spiritual values attaching to the sinking of the *Merrimac*. Who can measure the full value to the Nation, especially to the youth, when the press brought the first news, then day by day the further details of the exploit? Certainly the exaltation that thrilled me has been one of the experiences that I can never forget. Who can measure the value to the Navy of the added consciousness and affection for the Navy this brought to the American people? Who can measure the permanent value to the Navy and the Nation as Hobson and his crew of the *Merrimac* take their places in America's Westminster?

VOLUNTEERS FOR DEATH

Mr. Speaker, I have always been fascinated by the manifestation when hundreds upon hundreds of the officers and enlisted men volunteered for a task that looked like certain death. It seemed that the whole personnel of the fleet would have volunteered, had not the flagship signaled the fleet, "No more volunteers." The *Iowa* was typical in answer to the admiral's call to the fleet: "I want volunteers to sink the *Merrimac*." Captain Evans—Fighting Bob Evans—in a short while answered back, "My entire crew has volunteered. How many men do you want?" In his Sailor's Log, Admiral Evans recites:

The answer came back promptly, "I want one seaman from the *Iowa*." The question then was how to select 1 man out of 600 good ones. I was naturally anxious to send a man who would die reflecting credit on the ship. I had no idea that anyone would ever come out of the scrape alive. Two men were selected, one by me and one by the executive officer. I took a petty officer named McLean, who had served with me in the *Yorktown*, a first-class man in every respect; the executive took a young seaman named Murphy, a native of the State of Maine, also first class in every way. When told that I was going to sentence one of them to death in a few minutes, and being asked if they still wanted to go in the *Merrimac*, they both smiled and said "Yes." McLean offered Murphy $50 for his chance, which was promptly declined, and the toss of a penny decided the case in Murphy's favor. Then McLean offered him $150 for his chance, which was also promptly declined, and the poor fellow went forward with the tears streaming out of his eyes because he had lost a chance to have his head shot off! They were fine fellows to tie to, those blue-shirted chaps of mine.

Further on the admiral recites:

It was from this position that I watched the *Merrimac* make her last trip on the morning of June 3. During the night of the 2d I caught sight of her several times, but it was nearly daylight when I saw her distinctly as she made for the entrance of the harbor. The Spaniards were on the alert, and just as the *Merrimac* turned into the channel I saw the flash of a small gun, and immediately afterward the firefly sparks along the shore indicated that the infantry had opened on her with their Mausers. Then the guns on *Socapa* began to blaze and were followed by those on the *Morro* and *Esmeralda* batteries and the Punta Gorda Fort. Within 3 minutes the *Reina Mercedes* and other ships opened up, and as their heavy guns flashed the doomed ship stood out clear and distinct in the accumulating clouds of smoke. Finally the whole entrance to the harbor was a roaring blaze of powder smoke, and the *Merrimac* was shut out from our view. It was a dreadful sight—to my mind, what hell might look like with the lid off. I had seen all I cared to look at, and, convinced that the gallant Hobson and his equally gallant men had gone aloft forever, I retired to the pilot house, where I consoled myself with a pipe.

In his Relations of the United States and Spain, Admiral Chadwick, who had been captain of the *New York* and Sampson's chief of staff, writes:

The final question as to command had arisen during the afternoon. Sampson recognized the claim of the commanding officer, Commander James M. Miller, who protested against being displaced by anyone. Hobson had energetically urged his own claim as being more thoroughly conversant with the preparations than anyone else. Several young officers persistently asked to go, but Sampson finally concluded that Hobson, as having done the main work of preparation and being perfectly conversant with it, should, as a matter of fairness, be given preference. The question in his mind was wholly one of fairness. Hobson had been an officer of the line and had as such served at sea; he had left the military branch to enter the construction corps, so that the propriety of the choice from the standpoint of his ability to handle a ship could not well be gainsaid. There was much feeling over the decision, and most urgent requests were advanced by various officers; but the admiral's view, embodied in the remark, "Hobson has done the work", should be allowed full weight. Nor was there any question of a crew; practically all the men of the fleet were volunteers for the service, and the ship had to be searched and stowaways removed before she started in.

Captain Hobson, in his book, the Sinking of the *Merrimac* writes:

The call for volunteers had been made by signal, and names were pouring in by the hundred. It may be said broadly that the bulk of the fleet was anxious to go. The admiral had thought that perhaps it might be well to have a junior officer, and had asked for volunteers from the junior officers of the *New York*. The junior officers' mess responded en masse. Powell, one of my pupils at the Naval Academy, was on deck when I came on board, and begged me to take him. Eggert, another of my pupils, saw me, and pleaded to go. Men of the *New York's* crew pressed upon me and used all kinds of arguments to persuade me to take them. It was as though a great favor were being asked and every means were taken to have it granted.

Captain Miller had now returned to the *Merrimac*. When I was about to leave, the admiral sent for me and said that Captain Miller claimed it as his right as commanding officer of the vessel to go in with the *Merrimac*.

Further on he writes:

While on the *Merrimac*, Mullen, the boatswain, had asked to go. As the letting go of the bow anchor would be especially perilous, with the running out of the chain and the breaking of stops and hawsers, and no one would appreciate the danger better than the boatswain, he was accepted.

About the same time, Charette came to me and said that he had put down his name with the volunteers before leaving the *New York*, and he hoped I would take him for he had served with me when I was a midshipman on the *Chicago*.

Elsewhere he writes:

A fine-looking seaman was at the wheel. I went close and examined him and said to myself: "Unless looks deceive, he is the man for the additional work with the torpedoes." Before being spoken to, he asked if he might go with us. "What is your name and rate?" I asked. "Clausen, coxswain of the barge, sir." The rating confirmed by judgment from his looks, and I replied: "Yes; you may go. When relieved at the wheel you will be given your station and duties." The delight in the man's face could be seen in the moonlight.

And again:

Good-byes were now exchanged. The *New York's* men, Powell, and the pilot disembarked. Just then Mr. Crank came up and reported engines and boilers ready for the run, the boilers requiring no further firing. The launch had shoved off and was some distance away, and Mr. Crank repeated the tender of his services to go in. It would have been wrong to accept them. I hailed the launch. * * * Then it was that this gallant engineer left the *Merrimac*. He had not gone from her for a moment during the whole course of preparation, had not had a moment's rest in 2 days and 2 nights, and had been repairing the boilers and putting them in shape while the others were unengaged. He had expected to go in the first day and had passed through all the experience of suspense preceding action.

Elsewhere he writes:

Those were hours of interesting experience before the start. There was no diversion of the senses, and this fact and the feeling of loneliness seemed to deepen the impression of the closeness of God and nature. My business affairs had been disposed of at the beginning of the war and I had no disquieting thoughts as to the past or the future. The mind and heart accepted the reality of things with deep, keen, exquisite delight. There were singular emotions as the thoroughness of preparation and the sureness of execution became clearer and clearer, while the details and the processes were gone over again and again. Toward midnight, when there was no longer any chance of the moon failing, these emotions amounted to exultation, so much so that I could not help giving it expression. Charette had been stirring near at hand; in fact, a little while before, when someone in the darkness had made a noise, Charette expostulated in a vehement whisper: "Can't you keep quiet there? Don't you know Mr. Hobson is sleeping here?" I called out: "Charette, lad, we are going to make it tonight. There is no power under heaven can keep us out of the channel!" He seemed surprised that the outer channel was the objective, and said that he and all the other men thought we were going up into the harbor; that the admiral, Captain Chadwick, and I had been seen consulting the chart which took in the inner harbor and they all thought that we would go inside 3 miles beyond the entrance. Such was the mission for which these brave men had so ardently volunteered.

After describing the transfer to the *Morro*, he said:

I asked Captain Bustamante if he would be kind enough to have the surgeon directed to give careful and constant attention to the wounded men and to allow one of the crew, Charette or Montague, to come in to receive instructions as to details in taking care of their health in confinement.

Soon after the captain left, directions for the door to be left open during the daytime were issued by the authorities, and in a few minutes Charette was sent in. He had his usual cheerful look, unperturbed by the sight of the men's wretched cell and by the uncertainties of our confinement. He referred to the heavy situation we had passed through, and said, "Every man would do it again tonight, sir." Indeed, throughout the whole term of imprisonment the men showed the most remarkable spirit of cheerfulness. They never had the support of kind words and courteous visits, as I did, yet never once did they exhibit signs of anxiety or fear.

CHIVALRY IS NOT DEAD

Mr. Speaker, the courteous intercourse between the commander of the *Merrimac* and his Spanish captors stands out unique in the history of warfare and has a value for all the world. As you recall, the Spanish-American War was inaugurated by the blowing up of the *Maine*. The gruesome scenes in the long process of extricating the bodies of the dead from the wreckage of the ship had set American psychology for a war of revenge, with the slogan, "Remember the *Maine*." The Nation was electrified when, a few hours after the sinking of the *Merrimac*, a tugboat came out under a flag of truce bearing the chief of staff with a message from Admiral Cervera, commending the *Merrimac* men and announcing that they were safe and would be treated with every consideration. From time to time further news came out of incidents of courtesy, while the reports of the commander of the *Merrimac* are largely an account of the extraordinary chivalry displayed toward him and his men by Admiral Cervera, his staff, the officers of the *Reina Mercedes*, the officers of the *Morro*, the officers of the military prison in Santiago City. We all remember the happiness it gave the American Navy and the people everywhere to acclaim the gallant Admiral Cervera wherever he appeared and to entertain him and his officers at Annapolis and his men at Norfolk as guests of the Nation, a just tribute to a brave and chivalrous foe. By the time the war ended the spirit of revenge had been completely displaced by a spirit of appreciation, of admiration, and positive affection. The treaty was negotiated on a minimum basis to meet the logic of events, free from exactious reparations, indemnities, humiliations. America paid Spain $20,000,000 for territory captured and at her own expense transported the Spanish armies from Cuba back home to Spain. The peoples of the two nations have had a better understanding and a higher regard for each other ever since, and another war between them is literally unthinkable.

TODAY CHIVALRY IN EUROPE WOULD PAY

The European nations, close neighbors that should be the best of friends, might well study this American method before they again seize each other by the throat in a superinduced frenzy of anger, hate, and fear. It is useless to dismiss the idea as too idealistic for the realities of Europe since America's participation in the World War. Certain it is that European methods were in a stalemate when Americans reached the fronts. The Germans were not conquered. Their armies were still far out in enemy territory. American fighting had hardly begun. It was not the force of the physical blows, but the psychological power of the higher spirituality of the Americans that broke the German morale and quickly ended the war with the saving of hundreds of thousands of lives on both sides. In the light of history, posterity will surely proclaim that it would have been better

had American ideals prevailed at Versailles instead of the dictation of an assumed conqueror. The time will come when the example first set by Cervera and Hobson at Santiago will be the attitude of all combatants, and America's method of dealing with Spain, with Cuba, and the Philippines will be adopted by all victors, until at last spiritual forces shall rule the world and the nations will war only on a common front against the foes of mankind.

HOBSON BELONGS TO THE HOUSE

Mr. Speaker, the Senate may have preceded us by a few days in passing his bill, but Captain Hobson belongs to us; he is an alumnus of this House.

Having known him for a quarter of a century, I will make an appraisal on this notable occasion while he is still with us. I do not take second place even to Chairman VINSON in appreciation of Captain—soon Admiral—Hobson's scientific attainments and the powerful scientific method he always brings to bear upon problems that come to challenge him. But anyone who studies the 49 years of his eventful public service will see that the deepest, the dominant, strain in his life is spiritual. He is tenth in descent from Elder Brewster of the *Mayflower*, and the Puritan in him dominates the cavalier. It is because he puts God into the equation, takes conscience for his guide, and makes maximum service his goal that he has gladly attacked one after another the foes of his country and of humanity, no matter what the odds, no matter what the consequences to himself. Well do I remember when the powerful Democratic floor leader, Mr. Underwood, his colleague from Alabama, warned him on the floor of the House that his attack on the liquor traffic might seriously injure the Democratic Party. His reply was thoroughly characteristic:

> Mr. Speaker, if the Democratic Party, my party, can only live by serving the liquor traffic, then in God's name let it die.

Well I remember, too, when the Brownsville bill was up with its threat of political death for Southern Members, and his friends pleaded with him just to retire to the cloakroom and not vote at all if he felt he could not vote against the bill. Instead, he asked for 3 minutes' time, made a fearless appeal for justice, and voted for the bill. In 48 hours three candidates had announced against him in his district.

I am told that the first time he became officer of the day at Annapolis he reported his classmates as well as others for infractions of the regulations. He took the consequences without complaint, 2 years in coventry, but he held to his course, and a new policy in the corps was the result.

There are traditions in the Navy that on several occasions, when he considered the right involved, he defied his senior officer at the risk of his career.

He has confided to me that his last spiritual preparations made it very easy to take in the *Merrimac* with efficiency. He considers the high spiritual attitude of the fleet in a just war for humanity as accounting for the thousands who volunteered and for the matchless loyalty of the crew of the *Merrimac* as they stayed with him during the ordeals against the strong dictates of self-preservation. He confided to me that when left alone lying on the bunk in the stateroom of Commander Acosta, of the *Reina Mercedes*, and he relaxed for the first time, the cry of his soul, half aloud, was one of gratitude, "O God, had life ever gone through such fire, and not a man lost."

Whether Hobson is attacking at fearful odds the army and navy of Spain at Santiago, or the liquor traffic of America, or the entrenched dope ring of the whole world, I see the same calm courage, the same fearlessness of consequences springing from great spiritual depths.

I join gladly, Mr. Speaker, with all Members of both Houses to do justice to a faithful public servant and to extend tardy recognition to a gallant naval officer for extraordinary heroism in war, but I hope I may contribute something to make this occasion even more memorable by bringing up to the light, as a national asset, a life so consistent that every father, every mother, every teacher, every minister in this country, or any country, can point to it without reservation, now and forever.

COMMUNICATIONS BY WIRE OR RADIO

Mr. BANKHEAD. Mr. Speaker, I call up House Resolution 411.

The Clerk read as follows:

House Resolution 411

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 3285, an act to provide for the regulation of interstate and foreign communications by wire or radio, and for other purposes, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continued not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute amendment and any other amendments recommended by the Committee on Interstate and Foreign Commerce, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. At the conclusion of such consideration the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

THE UNDERLYING REASONS FOR THE GAG RULES—TO KILL OFF M'LEOD AND FRAZIER-LEMKE BILL

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

The SPEAKER. Is there objection?

There was no objection.

Mr. McGUGIN. Mr. Speaker, the greatest existing menace to representative government in the United States is the political chicanery too frequently practiced by Members of Congress upon their own constituents. So far as the present session of Congress is concerned, the outstanding political trickery which is being practiced is found in the case of the McLeod bank pay-off bill and the Frazier-Lemke farm-mortgage bill.

The Speaker of this House and the majority leader, following the wishes of the President, are unalterably opposed to the consideration of these two bills in the House of Representatives. Every Member of this House, particularly the Democratic Members, knows that the Speaker and the majority leader are unalterably opposed to these bills being voted upon in this House. A petition has been signed by 145 Members to force a vote on the McLeod bill. Under the rules this is a sufficient number of signers to force a vote. One hundred and fifty-five Members have signed the petition to force a vote on the Frazier-Lemke bill. Political pressure from the Democratic leadership in the House prevailed upon some 15 Members to withdraw their signatures from this petition. Yesterday it was perfectly apparent that the necessary 145 names would be obtained for the Frazier-Lemke bill.

Under the rules of the House, after a petition has been signed by 145 Members to force a vote on a bill, the bill must lie on the Speaker's desk for 6 legislative days, and thereupon the House must vote upon it. Therefore, yesterday, it became perfectly apparent that, irrespective of White House opposition and of the opposition of the Speaker and the majority leader, there was going to be a vote on the McLeod bank pay-off bill and the Frazier-Lemke bill. Thereupon the Democratic leadership, under the pretense that it had to have gag rules in order to keep 115 Republicans from running over 315 Democrats, pushed through the gag rules of yesterday, which will prevent any vote on these bills. Of course, there is no one so silly and so gullible as to believe that this unprecedented "gag rule" passed by the House yesterday was necessary in order to protect 315 Democrats from 115 Republicans.

One of these new gag rules provides that the majority leader may move to recess the House from day to day rather than to adjourn from day to day. By the taking of a recess, the legislative trickery can be practiced of making any number of calendar days just one legislative day. For example, recessing from Saturday to Monday, from Monday to Tuesday, and from Tuesday to Wednesday, would leave the situa-

tion whereby Monday, Tuesday, and Wednesday would be the legislative day of Saturday. In other words, 4 calendar days are 1 legislative day, while the following of the regular rule of adjourning from day to day each calendar day would be a legislative day. By this legislative trickery, it is now within the power of Speaker RAINEY and Majority Leader BYRNS to make it utterly impossible for 6 legislative days to expire before the adjournment of this Congress even if we are in session until December 1. In this way it will be utterly impossible for the necessary number of legislative days to be obtained in order to pass upon either the McLeod bank pay-off bill or the Frazier-Lemke farm mortgage bill.

Therefore, by this legislative sharp practice, every Member who yesterday voted for these gag rules then and there voted to make it impossible to obtain a vote in this House during this session on the McLeod bill or the Frazier-Lemke bill. There can be only one exception to this, this trickery might be carried one step further and permit a vote on these two bills on the last day or two of this session and at a time when every Member knows that there will be no chance for these bills to be considered by the Senate.

Here is the political trickery and deceit which is being practiced by Members upon their own constituents. Many of them signed the petition to force a vote on the McLeod bill and the Frazier-Lemke bill. They have written to their constituents and have told them that they have done all that they can do to bring up these bills; that they have signed the petition in order to force a vote. They will go into the campaign and point out that they signed a petition to force a vote on these two bills. By this legislative trickery they are going to depend upon their constituents being unable to understand the effect of and the real purpose of the special gag rule adopted yesterday.

So that there may be no misunderstanding and so that there may be no injustice done to any particular Member, I wish to state that every vote cast for these gag rules, which make it impossible to have a vote upon the McLeod bill and the Frazier-Lemke bill, was cast by Democratic Members. Not a single Republican vote was cast for these rules. There were five Democratic Members who voted against these gag rules. They were CROSSER and SWEENEY, of Ohio, DUNN, of Pennsylvania, HOEPPEL, of California, and CONNERY, of Massachusetts. Out of the tremendous Democratic membership in this House, they stand out in bold relief as the Members who will not vote for gag rules which will make it utterly impossible to accomplish the very purpose which they signed a petition to accomplish.

These remarks are no criticism against any Democrat who has refused to sign any petition to bring up any of these bills and who yesterday voted for the gag rule. They have practiced no deception upon their constituency. They have not held out to their constituents that they were in favor of these particular bills and then voted for a rule which makes it impossible to have a vote upon these bills. An example of this is my colleague from Kansas [Mr. AYRES]. He voted for the gag rules of yesterday, but he is practicing no deception upon his constituents because he has not signed a petition, and he has not led any of his constituents to believe that he is trying to force a vote on the McLeod or Frazier-Lemke bills. While as a matter of free and open legislative government these gag rules are an outrage, there is no deception involved upon the part of a Member who voted for the rule and who has not endeavored to lead his constituents to believe that he favors the McLeod and Frazier-Lemke bills.

The merits or demerits of these bills pale into insignificance as compared with the greater question of retaining public confidence in congressional government by Representatives playing the game absolutely square with their own constituents, their neighbors and friends.

The Democratic leadership made bold the statement that the Republicans were carrying on a filibuster to wreck the administration program. Of course, they know better. Most assuredly every Democratic Member who has ears to hear and a mind to understand what he hears knows better. They all know that the Republicans were protesting against the leadership of this House forcing this House to be in session on Memorial Day and against unwarranted arbitrary conduct on the part of the Democratic membership in denying to the minority Members their rights. They also know that the Republicans were protesting because the majority had refused to show the time-honored respect of adjourning for a day upon the death of a member. Mr. Brumm, Republican Member of Pennsylvania, died May 29. The death of a Republican Member and Memorial Day together were not enough to prevail upon the Democratic leadership for the House to stand adjourned on Memorial Day. Furthermore, what administration legislation was before the House on the days on which the Republicans were protesting? The silver bill was before the House on Memorial Day. It is purely a political bill and is branded as such by true friends of silver, such as Senators LONG, of Louisiana, and THOMAS, of Oklahoma, both Democrats. On the second day on which the Republicans were protesting, the Tarver bill, providing for the setting up of a new commission to perform the duties in relation to Federal prisons which are now performed by the Attorney General, was brought before the House.

Since when did that insignificant frivolous bill become a part of the administration emergency program? After the Tarver bill it was the program to bring up the Lozier census bill, which is to provide jobs for thousands of faithful deserving Democrats to take a wholly unnecessary census at the expense of the taxpayers of this country. Since when did that become a part of the administration emergency program?

The people of this country are not so dumb as some politicians may think. Sooner or later they are going to catch up even with the most shifty congressional politician. The American people like fair play. The ordinary American citizen will excuse and have respect for a Member of Congress who honestly disagrees with him, but he will detest the Member who tries to deceive him. In the end this legislative and political duplicity is not even going to be good politics.

This legislative and political dishonesty and duplicity cannot possibly work from the standpoint of representative government unless, indeed, Franklin did not know what he was talking about when he laid down the proposition that "honesty is the best policy."

THE CRIME-BREEDING MOVIES

Mr. CULKIN. I make the same request.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CULKIN. Mr. Speaker, I have introduced a measure (H.R. 9912) entitled "A bill to protect the motion-picture industry against unfair trade practices and monopoly; to provide just settlements of complaints of unfair dealings; to provide for the manufacture of wholesome motion pictures, both silent and talking, at the sources of production; to create a Federal Motion Picture Commission, and defining the powers of said Commission."

I am fully conscious that the bill introduced by the gentleman from Texas [Mr. PATMAN], H.R. 6097, has the right-of-way as a matter of legislation and I intend to support it when it comes to the floor of the House. This measure I propose is perhaps, in some respects, broader in scope and in my judgment provides more surely that the productions of the moving-picture industry shall become a real cultural and educational agency in America. If my measure is enacted it will definitely prevent picturized poison being fed the young people of America, 39,000,000 of whom are in attendance at the motion pictures weekly and drink in without stint, let, or hindrance, the weird and antisocial presentments of crime and love as interpreted by decadent Hollywood.

CRIME BREEDERS

I here and now definitely charge and indict the motion-picture industry with being a crime-breeding influence among the youth of America. It could not be otherwise. Immature and innocent minds, week in and week out, drink

in the hectic stories of sex appeal, white slavery, and criminalistic vice. These alleged presentments of life constantly present illicit love affairs which ever make virtue appear odious and vice attractive.

The coming generation eagerly absorb these presentations of the underworld and crime life, and morning, noon, and night see scenes that make pleasing every vice of self-stimulation or self-abasement.

Public officers in every branch of the Government service are ridiculed and particularly those charged with the enforcement of the law are presented in humiliating roles, while the underworld racketeer is glorified and uplifted.

THE INDUSTRY FAILS TO REFORM ITSELF

Since the birth of the movies in 1895 the situation has grown steadily worse, and the country is now being flooded with misrepresentations of life and its meanings. Seventy percent of the presentations are salacious, criminal, or indecent. Thirty percent of the pictures produced are in fact rational and artistic presentations of life and nature. For these productions I have nothing but praise and commendation.

A national board of review was created by the chief sinners to enforce a self-imposed censorship. The national association of the moving-picture industry has repeatedly adopted resolutions promising the production of motion pictures depicting life in artistic, uplifting fashion. The industry has repeatedly promised to court-martial its own offenders in this field, but steadily the stream of pollution which has flowed forth from Hollywood has become wider and more turbulent. Many of the agencies for reform are either subsidized or controlled by the outfits which are doing incalculable harm to the oncoming citizenship of America. It is my definite opinion that the one solution of the situation is regulation. It is my belief that the motion-picture industry is incapable of self-discipline or of court-martialing these grievous offenders against public taste and decency within its own ranks.

That interesting citizen, Will H. Hays, president of the Motion Picture Producers and Distributors of America, concedes in effect that the industry itself is incapable of self-discipline and proper censorship by reason of the fact that he himself condemns the cheap vulgarity and sex perversion presented in so many of the present-day films.

The industry has set up self-regulating bodies which under the spell of Hollywood and fat subsidies have functioned in name only. The opportunity for exploitation of the young and the immature through the box-office window is so great that no hope of self-regulation can be expected from the industry itself.

COST OF CRIME IN THE UNITED STATES

I definitely charge that the movies as presented today are direct incentive to crime. As presented today they glorify it. It should be remembered in this connection that crime is one of the biggest businesses in America and costs the country annually more than $10,000,000,000. The cost of crime in the United States each year is several times greater than the aggregate value of all the agricultural products of the United States. It is a huge organized business with a direct cost of $4,000,000,000; an overhead of four billions and a waste of five billions more. Even in these days of depression it is safe to say that crime is, from an economic and moral point of view, the greatest single problem which the United States faces.

For many years I served as district attorney and as trial judge in cases of felony. For a number of years I was judge of a children's court. Out of these experiences I naturally drew certain conclusions as to the cause of conditions in America. Out of this experience and in all sincerity I definitely charge the spoken movie as presented today with being a prime factor in the break-down of law enforcement in the United States. I definitely charge the movie with being one of the major sources of juvenile delinquency and crime. The bill which I have presented will, if enacted into law, aid materially in curing the condition which every American deplores.

The tawdry environment of the movies is an actual breeding place of crime, for there the juvenile delinquent first learns to circumvent the law. The gangman, the thug, and potential murderer are all graduates of the movie school. There he first learned how to "pull a job and bump off a guy."

THE EVIL OF BLOCK BOOKING

Many of the theater owners and managers in the country are definitely restive under the existing order. In the beginning they protested against the films that were sent them. They protest in vain, for they have to buy block booking, with the result the majority allotment to a neighborhood picture house consists of salacious films. The independent is therefore tied hand and foot. This measure will release the independent exhibitor from his chains. What have the gentlemen who constitute the board of review done to regulate the practice of block booking? Satisfied with their subsidy, they have done nothing. The children who patronize the neighborhood picture house continue to get the same poison diet that is presented in the houses in the commercial centers. This statute will break up that practice. This bill, if enacted into law, will make enforceable the producers' own code of standard of quality for films adopted in 1921. This measure does not in fact create a censorship any more than it is a breach of personal liberty to arrest a man, who, having unjustifiably shot down his neighbor, still stands with a smoking pistol in his hand. The adoption of definite standards does not mean censorship, and that, in fact, is what this statute does.

CHARACTER OF COMMISSION

My bill provides for the appointment of a commission of 5 members, 2 of whom shall be women. It definitely provides for the correction of the existing evil in this industry now ranked as the fourth in the United States. Federal intervention and control of this outfit which has gotten beyond bounds is essential in the interests of law and order and public decency. Under such a commission the spoken movie can become a sound vehicle of public entertainment. It will become a sound vehicle of public culture. Continued in its present form and under its present agencies, it will be and remain a recruiting station for crime and a breeding place for juvenile delinquency.

COMMUNICATIONS BY WIRE OR RADIO

Mr. BANKHEAD. Mr. Speaker, I would like to ask the gentleman from Massachusetts if he has any requests for time?

Mr. MARTIN of Massachusetts. I have one request.

Mr. BANKHEAD. I yield 30 minutes to the gentleman from Massachusetts [Mr. MARTIN].

Mr. Speaker, I shall make a very brief statement on the rule, because I think only a brief statement is necessary. I am informed that this bill comes from the Committee on Interstate and Foreign Commerce with a practically unanimous report.

This is a measure that has been under investigation by the Committee on Interstate and Foreign Commerce for some time. It was inaugurated originally with the recommendation of the Secretary of Commerce. It has the approval of the administration, and the provisions of the bill will be fully explained by the chairman and other members of the committee.

The only purpose in waiving points of order against the bill is to avoid the requirements of the Ramseyer rule in reference to reporting changes made in the statutes.

Now, unless there is some request for time, I will ask the gentleman from Massachusetts to use some of his time. I will say that the rule provides for 2 hours' general debate, and to consider the House amendment to the Senate bill as an original bill.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. McFADDEN].

Mr. McFADDEN. Mr. Speaker, this is an important bill dealing with the supervision and control of radio broadcast-

ing and the necessary organization that has control of this important function.

It not only deals with radio but it consolidates under one bureau all lines of communication and takes from the Interstate Commerce Commission its jurisdiction over telephone and telegraph lines of the country, and apparently takes jurisdiction of legislation affecting communications from the Merchant Marine, Radio, and Fisheries Committee and places it all in the Interstate and Foreign Commerce Committee.

The development of radio in the United States and its importance, which is equal to that of the press, was provided for in the Constitution when our forefathers drew that important document. The people of the country were given free and open expression at all times through the press. Of course, in those days nothing like the radio and the important part it was to take in the dissemination of information was thought of. This development of radio is to my mind more important than is the control of the press of the United States. I direct the attention of the membership of the House to the growing control over all lines of communication. I mean by that the attempt at censorship which is being made and to an extent attained, not only over the press but over the radio. Radio is probably the most effective method of reaching every class of people and is more important than any other medium. Many people who do not read the newspapers listen in on radio, and form their opinions from this source. Under this tremendous development of radio during the past few years we have seen built up the use of this particular function to an extent that is almost unbelievable. We see it being used for propaganda purposes, we see it being used effectively for advertising, we see it being used in culture. Those who are in control of the agencies of publicity are particularly alive to the importance of the control of this function of radio. We have seen it used effectively by political parties, by candidates, and I do not hesitate to say that which you all know, that policies of a political party disseminated with the free use over radio can control public sentiment to an extent of political decisions. It is possible to assert personality into radio talks, oftentimes more effectively than by personal contact. Any administration in power which sees fit to use this instrument can control the sentiment of the citizenry, as the same cannot be controlled through any other medium of propaganda, not even by the press.

In a speech that I delivered on the floor of this House earlier in this session I referred to the attempt of the administration to further control the use of radio, and in that connection I read from an article from Broadcasting, which is the official organ of radio, appearing in the issue of October 1, 1933:

Pettey made Democratic committee liaison man on official broadcasts.

Herbert L. Pettey, secretary of the Radio Commission, has been designated by Postmaster General James A. Farley, who is chairman of the Democratic National Committee, as liaison man for the committee on all matters relating to broadcast speeches under the committee's auspices. Mr. Farley on September 8 wrote letters to that effect to Cabinet officials and all ranking Government bureau chiefs and to the presidents of the two national networks.

Mr. Farley explained that it has come to attention of the committee that many individuals have been contacting the networks and stations with requests for time, representing themselves as spokesmen for the Democratic National Committee on radio matters. "The only person authorized to represent the Democratic National Committee on matters of this kind", Mr. Farley's letters stated, "is Mr. Herbert L. Pettey, who you will recall as the director of radio during the past campaign."

Persons wishing radio time are asked to clear their requests through Richard F. Roper, executive secretary of the committee, who then takes up the requests with Mr. Pettey, the direct radio contact. The plan applies only to radio time requests represented as being endorsed by the Democratic committee.

That shows what the Democratic Party is doing in regard to the control of broadcasting for political purposes over these systems. When the change of administration took place and the Democrats came into office, they found that the control of radio was very much in the hands of and very much to the advantage of the outgoing administration; that it had been used to a great extent by the previous administration and dominated to a great extent by it.

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

Mr. McFADDEN. In just a moment. I do not want to yield at this time.

Mr. FITZPATRICK. It is important at this point.

Mr. McFADDEN. The question of the political control of the use of radio is an important thing to the American people, and I call attention to the fact that the incoming administration felt they had to deal with this subject, else it might be controlled to their detriment. So there was immediate action as to a change in personnel of the Commission. Key men were arranged for. Hanley and Pretty and others were put in, and there was immediately appointed this special committee, of which the Secretary of Commerce was the head, who made this study that has been the basis of this particular legislation which is before you, and this is particularly an administration measure. It is the President's bill. He has seen to it that no changes are made. It was drawn in the administrative departments and was presented to the committees of the Senate and the House and has had very little consideration by either one of those committees. It is true there were hearings held and a lot of protests were entered, but no attention was given to amendments. The bill was kept just as the President wanted it.

This bill we find here today strikes out everything after the enacting clause of the Senate bill and substitutes the House bill. It is proposed here that this bill shall go through this House without any amendment or any proper consideration of it by the House. It is a long bill. The Senate bill is 175 pages long. There is not going to be an opportunity for the Members of the House to do any more, practically, than to listen to the reading of this bill, and I point out that this is another one of those administration measures dealing with an important function which affects all of the people of the United States, and which is being put through in the same manner that all of this other legislation has been proposed and passed by this House. Just as the President wishes, this House is again signing on the dotted line without crossing a "t" or dotting an "i."

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 10 minutes more to the gentleman from Pennsylvania.

Mr. McFADDEN. Prior to the introduction of this bill, I introduced a bill dealing with the question of the discrimination or censorship with regard to broadcasting. Extensive hearings were held on my bill before the Merchant Marine, Radio, and Fisheries Committee during this session, where there was evidence presented that the two leading broadcasting systems of this country, the National Broadcasting Co. and the Columbia, were practically working in unison so far as the question of consorship was concerned. This committee was told by the president of the National Broadcasting Co., Mr. Aylesworth, that they had arbitrarily set up a board of censorship and it was also disclosed that the Columbia system went along on censorship with them. And these two systems control over 80 percent of the facilities of broadcasting in the United States, and if any independent stations permit anything to be broadcast that either of these two systems object to, the independent station is immediately in hot water and placed in fear of losing its station license to broadcast. The National Broadcasting Co. and Columbia seem to dominate the Commission. The independents are scared to death at the present time.

Mr. Aylesworth said specifically in regard to that, that that was an arbitrary matter; that they felt they had a right to determine who should broadcast. Those two systems, the Columbia and the National Broadcasting, are attempting to control broadcasting in the United States. He said it is radio's contribution. The control of the Columbia Broadcasting System is now in the hands of one family, and Mr. William P. Paley and his family completely control

and dominate this important system of broadcasting. The N.B.C. is controlled by General Electric, Westinghouse, American Telephone & Telegraph, and a few of these other corporations and individuals, but they have a monopoly. The interests which have been placed in control of the question of censorship, Mr. Aylesworth told the committee, was vested in a board which they had chosen, which they said was representative of the various interests of the country, but I am frank to say that an analysis of that board of censorship indicates that it might just as well be one man. They are of one mind; they stand for the things that are international—League of Nations, World Court, and so forth.

Mr. KURTZ. Will the gentleman yield?

Mr. McFADDEN. I yield.

Mr. KURTZ. Who is William P. Paley?

Mr. McFADDEN. He is the owner of the Columbia Broadcasting Co.

Mr. KURTZ. What other business is he engaged in?

Mr. McFADDEN. I cannot say whether he has any other business or not. I do not know. But it is important on this question of the use to which radio is put to know for a fact that there is censorship, what kind of censorship it is, and how and where it came from. It would be well to keep in mind section 29 of the present Radio Act, and in doing this, see whether the Commission in permitting this kind of censorship to continue are within this law, or are just letting these two systems do as they please.

I want to point out how the control of this system is being used for propaganda purposes. Take, for instance, the question of the discussion over the radio of religious subjects.

This board which passes on the right of people to speak on any religious subject over the radio is composed of a committee designated under the direction of Mr. Aylesworth, head of the National Broadcasting Co. He stated to the committee that they had picked a Catholic, a Jew, and a Protestant as a board. As far as that committee is concerned in its action, they are largely under the direction of the Federated Council of Churches of Christ in America, an institution which was established and which is being carried on largely at the expense of the Carnegie Foundation, under the direction of the Twentieth Century Fund, which is an international propaganda outfit which has for its main purpose, under the leadership of the Carnegie Foundation, of which Nicholas Murray Butler is president, the destruction of our form of government in the United States.

The purposes of the Carnegie Foundation and the purpose they are serving are to do away with our form of government and turn this country over as a colony to Great Britain—a big brother of Canada—and millions of dollars of the funds of these foundations are being used to disseminate this idea camouflaged under various agencies, many of which are promoting our adherence to the World Court, the United States joining the League of Nations, further control of our finances by the Bank for International Settlements, and further cooperation by the labor groups in the United States with the International Labor Union with headquarters at Geneva. We must recognize the fact that the International Labor organization is affiliated with the League of Nations, that the World Court is the legal end of the League of Nations, that the Bank for International Settlements at Basle, Switzerland, is the financial part of the League of Nations, and that the Carnegie Foundation, the Rockefeller Foundation, and these other large foundations, whose policy is largely dominated by Nicholas Murray Butler and the trustees of the Twentieth Century Fund, are tied in with the Foreign Policy Association, the Foreign Affairs Committee, and their many affiliations, and through these channels an internationalization of all lines of communication is in contemplation.

This consolidation of lines of communication, as provided for in this bill, has a British origin; and the use of these various lines of communication is made readily available to the interests of this particular group to put across their propaganda at any and all times.

Now, as to this board of censorship which is established and so largely dominated by the group who are running the Federated Council of Churches of Christ in America, headed by S. Parkes Cadman, the British propagandist who is in our midst for the very purpose of helping to carry out the internationalization of the United States and bring it under the domination and control of the British Empire, there is no reason whatsoever why the National Broadcasting Co. should permit this council to decide for Protestant religions of the United States what religious subjects should be broadcast. The Federated Council of Churches of Christ in America is a self-instituted organization and does not speak for the Protestant churches in the United States. It is an attempt to amalgamate the Protestant, Jewish, and Catholic religions and is a part of the whole international scheme to internationalize the United States and take away our independence, and the Federal Radio Commission are acquiescing in permitting this board of censorship to continue in what I believe to be a violation of section 29 of the radio law.

I know that there is provided in this bill that a study of this entire situation shall be made. I mentioned the religious end of it because that is only one phase. There are several other phases to which the use of the radio is being put that is not to the best interest of the American people. So I say that the manner in which these important matters are handled is of vital interest to every man, woman, and child in the United States, particularly those who believe in constitutional government and in the protection of that form of government, because I say to you that there is being carried out to an almost unbelievable extent through the use of radio a very insidious plan of propagandizing the United States on these particular subjects. There is no fair distribution of time in opposition to the various doctrines that are disseminated throughout the country today, and much of this kind of stuff is broadcast with no opportunity to answer. The air is full of it.

Mr. Speaker, at this point I ask unanimous consent to extend my remarks by including a copy of the resolution which I presented to the Committee on Merchant Marine, Radio, and Fisheries, dealing with the subject of censorship.

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

Mr. KOPPLEMANN. Reserving the right to object, I will object unless the gentleman will permit a question.

Mr. McFADDEN. I yield to the gentleman.

Mr. KOPPLEMANN. My question is this: Approximately 3 weeks ago the gentleman from Pennsylvania delivered an address over the radio——

Mr. McFADDEN. I yield for a question only.

Mr. KOPPLEMANN. I am going to ask the gentleman a question. The gentleman delivered an address. He found no difficulty, evidently, in delivering the address over the radio, which had for its purpose an attack upon a defenseless and innocent people on account of their religion. Did the gentleman have any difficulty in voicing his mean statements?

Mr. McFADDEN. I will say to the gentleman in reply, regardless of the motive, that I was invited to deliver that address by a broadcasting company, and I did deliver the address to which the gentleman refers. It was not, however, an attack upon the Jews on account of their religion.

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

There was no objection.

The resolution is as follows:

No person, persons, company, association, or corporation owning and operating a radio broadcasting station, and receiving and broadcasting radio programs for hire, shall discriminate in the use of such station in favor of a program of speech sponsored by any person who is a legally qualified candidate for any public office, and/or by any religious, charitable, or educational company, corporation, association, or society, or any other like association or society, and against or to the exclusion of another person who is a legally qualified candidate for any public office, or of another religious, charitable, or educational company, corporation, association, or society chartered or licensed under the laws of the United States, because and for the reason that such person, religious, charitable, or educational company, corporation, association, or society holds and promulgates and advocates views contrary to those expressed in programs that have been broadcast. The owner, lessee, or operator of any broadcasting station contracting for or

accepting and broadcasting radio programs for one legally qualified candidate for a public office, and for one class of religious, charitable, or educational company, corporation, association, or society, and refusing to contract for or to accept and broadcast for hire radio programs of speech offered for broadcast by another legally qualified candidate for a public office, or by any other religious, charitable, or educational company, corporation, association, or society within the provisions of this section, because or for the reason that such legally qualified candidate, or such religious, charitable, or educational company, corporation, association, or society holds or promulgates a contrary or different view from that which is expressed by the person or parties broadcasting programs, shall be deemed guilty of an unlawful discrimination. All persons, companies, corporations, or associations owning and operating a radio station who shall be guilty of a misdemeanor shall be punished by a fine of not less than $500 nor more than $5,000, and in addition thereto may be required to forfeit the license for operating such broadcasting station.

No person, persons, company, association, society, or corporation shall by threats, or by coercion, or by misrepresentation, or any other like manner interfere with or prevent, or attempt to interfere with or prevent, the broadcasting of any radio program by any owner, lessee, or operator of any radio broadcasting station; or interfere with or attempt to interfere with, or to prevent any owner, lessee, or operator of any radio broadcasting station from entering into a contract with another person, persons, company, association, society, or corporation, to accept, receive, and broadcast programs of speech and music by radio. No person, persons, company, association, society, or corporation shall induce or attempt to induce any person, persons, company, association, society, or corporation to withdraw business or financial support or social intercourse from any radio broadcasting station, or the owner, lessee, or operator of any radio broadcasting station in the use and operation of such radio station or in the broadcasting of any and all programs offered to be broadcast, or which may be broadcast at any such station. Any person, persons, association, society, or corporation violating this section shall be guilty of a misdemeanor punishable by a fine of not less than $500 nor more than $5,000, or in the case of an individual or the responsible officials of an association or corporation, by imprisonment for a term of not less than 60 days nor more than 2 years, or by both such fine and imprisonment.

Mr. McFADDEN. I should like to have this resolution made a part of this bill and would offer it as an amendment, but I know that such an amendment to this bill would not have any chance of being adopted, as no amendments are going to be accepted by the men having this bill in charge; and on this account I am not going to waste the effort by trying to have the bill accepted. I shall hope that the Merchant Marine, Radio, and Fisheries Committee will report favorably upon my bill, H.R. 7986, which embodies this provision, and thus not ignore the wishes of over two and a half million people who have petitioned the Congress to pass this bill dealing with the subject of proper control of broadcasting and censorship.

Mr. CULKIN. Under the present law these licenses for broadcasting continue from year to year if they are extended. Is that not true?

Mr. McFADDEN. Yes.

Mr. CULKIN. That is, they may be revoked at the end of a year?

Mr. McFADDEN. Yes.

Mr. CULKIN. What is the advantage of this law over the present statute? What is the necessity for it?

Mr. McFADDEN. I suppose it is in order to keep a more complete control over broadcasting. I might say in that connection that the board having jurisdiction over this is exercising a control over the small stations, which are the independent stations, which is a subject which this committee, if it is appointed to make the study, must give very careful consideration to, because I find that the action of the Commission in dealing with the small stations is to drive them out of business, which seems to be the plan of the two big chains. Broadcasting in the United States is rapidly becoming a monopoly in the hands of those two systems. They have now under contract 80 percent of all the available stations and their time. The Columbia Broadcasting System is very responsive to suggestions from the other important system, the National Broadcasting Co. These two outfits dominate the chain systems. It is a situation that looks to me—and anyone who will study it must believe likewise, for he cannot come to any other conclusion—that the purpose is to have a centralized system completely under the control of one dominating influence—and that the National Broadcasting Co., which is owned, operated, and controlled by the Radio Corporation of America. It would seem from the method and manner in which the Commission has been operating, as though it were encouraging doing away with the small stations, just in accordance with the aim of the National Broadcasting Co.

I might say in that connection as an illustration that a station located in western Pennsylvania has recently been going through a critical period with the Commission, in which they are finding all kinds of fault with the operations, which is similar to that which is taking place with all of the small stations throughout the country, making it utterly impossible for those stations to comply with the regulations of the Commission. The Commission in their dealings with the small independent stations, particularly those stations who are not now under contract with N.B.C. or Columbia, are carrying on a policy of absolute intimidation. They do not dare say that their souls are their own, lest the license be taken away from them. If you do not believe this statement, read the hearings on my bill held before the Merchant Marine and Radio Committee just recently.

These facilities are then transferred to other companies. It is a situation which confronts the independent broadcaster in the United States today.

[Here the gavel fell.]

Mr. MARTIN of Massachusetts. Mr. Speaker, I yield 5 additional minutes to the gentleman from Pennsylvania.

Mr. McFADDEN. In this connection it would be interesting for the Membership to know that which has occurred with regard to this station at ashington, Pa., operated by Mr. Spriggs, an American citizen, who has invested a large amount of money in the running of a small 100-watt station. They have practically made it impossible for him to continue to operate; and when you go through all of the detail in connection with this one situation, as I have, you cannot fail but to see that the strong hand of influence is drying up the independent broadcasting stations in the United States and the whole thing is tending toward centralization of control in these two big companies, if not one company.

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

Mr. McFADDEN. I yield.

Mr. BLAND. Does the gentleman feel that it is fair to try the merits of any particular station on the floor without knowing all the facts? The gentleman has brought a very grave charge against the Federal Radio Commission, one in which I absolutely cannot concur.

Mr. McFADDEN. Replying to the gentleman, I shall be very glad to include in these remarks supporting data.

Mr. Speaker, I ask unanimous consent to include at this point statements pertaining to this matter which I am sure will give the House more satisfactorily the information I am attempting to outline briefly in these few minutes. This matter is in regard to the station at Washington, Pa.

Mr. O'BRIEN. Mr. Speaker, are these the gentleman's own remarks?

Mr. McFADDEN. They are excerpts from statements pertaining to this particular station.

Mr. O'BRIEN. Mr. Speaker, I object.

Mr. McFADDEN. Mr. Speaker, I am sorry the gentleman from Illinois objects. I shall, however, be very glad to give the specific information to any Member of this House who desires to have it, because it shows not only an involvement of the Commission but it shows clearly the desire of these two big broadcasting companies to drive out of existence these small corporations. It involves also political influence to an extent that is unbelievable, of men who are influential in Pennsylvania, in the National Capital, the Department of Justice, and the Radio Commission.

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

Mr. McFADDEN. I yield.

Mr. GIFFORD. The gentleman has probably studied this bill. As I read the bill it simply coordinates the present disjointed action of the various parties supposed to supervise. Is there any statement of policy in this bill based upon the report of the Federal Trade Commission relating to the communications system being monopolies?

Mr. McFADDEN. I do not think there is. There should be a definite policy laid down, one fair to all the people.

Mr. GIFFORD. There is nothing in this bill anywhere on the question of the policy to be pursued relating to educational or communication features laid down for the guidance of this particular new commission?

Mr. McFADDEN. I think it avoids that particular question.

Mr. GIFFORD. Does not the gentleman think, in view of the long report of the Federal Trade Commission relating to this being a very great monopoly, that some attention should have been given to the matter, that some policy should have been stated in the bill?

Mr. McFADDEN. I do.

FOR THE RELIEF OF FRANK J. BOUDINOT (H.R. 6275)

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

The SPEAKER. Is there objection?

There was no objection.

Mr. HASTINGS. Mr. Speaker, the original bill was prepared and introduced upon the request of the Cherokee Indians themselves. They recognize that Frank J. Boudinot has rendered long, continuous, and effective service in their behalf, and are anxious that he be adequately compensated.

The bill has been rewritten and in its present form recites the fact that it is presented at the request of the Cherokee Indians, and provides that upon final determination by the Court of Claims of any suit or suits pending against the United States brought under the several jurisdictional acts approved March 19, 1924, or as subsequently amended, there shall be considered by the Court of Claims the question of the services and expenses of Frank J. Boudinot, a member of the Cherokee Tribe of Indians, for those services and expenses incurred prior to the enactment of the jurisdictional act above referred to.

The Cherokee Nation was in effect destroyed by the act of June 28, 1898, commonly known as the "Curtis bill." Prior to that time it was a self-governing Indian nation. This act prevented the Cherokees from legislating further without the approval of the Secretary of the Interior, destroyed its judicial system, and prevented it from appropriating or expending its own money in any further effort to continue its national existence.

Later, appreciating that it was useless to further resist the purposes of the Government, the Cherokees themselves, by a vote on August 7, 1902, ratified an act of Congress approved July 1, 1902, commonly known and referred to as the Cherokee Agreement. This agreement embodied many of the features of the act of June 28, 1898, and the disintegration of the Cherokee Nation, which had started with the enactment of the Curtis bill, continued. Rolls had to be made, the lands allotted, and many details had to be administered.

The Cherokees insisted upon a final settlement of the numerous claims which they had against the Government, and they met on many occasions and at various places, prepared and sent letters to the Interior Department, and sent resolutions to Congress, and, in fact, took every step necessary to keep alive the many claims which they were desirous of having presented and adjudicated against the Government.

It must be remembered that this was before statehood had been granted to Oklahoma. Therefore, Oklahoma had no Representative either in the Senate or House and, insofar as these particular claims were concerned, the views of the Cherokee Indians were presented to the Department and to the committees of Congress through organizations of their own, and all meetings on these matters, from time to time, and year to year, wherever held, were attended by Frank J. Boudinot, who assisted in the preparation of letters and resolutions setting forth the views and will of the Cherokee Indians.

Frank J. Boudinot, in addition to having a literary education, is a graduate of the law department of Ann Arbor University, and has been admitted to practice law in all the tribal courts in the Cherokee Nation, Oklahoma State and Federal courts, and the Court of Claims and Supreme Court of the United States. His people were distinguished representatives of the Cherokees before their removal from Georgia, and throughout the entire history of the Cherokee Tribe the name of Boudinot, with that of Watie and Ridge—all of the same family—may be found.

From 1898 Frank J. Boudinot, to my personal knowledge, continued to assist in keeping alive the claims insisted upon by the Cherokees, and but for his efforts and of those associated with him I feel safe in asserting that no jurisdictional act would finally have been passed.

When Congress admitted Oklahoma to statehood on November 16, 1907, Boudinot, with renewed energy, continued his efforts to secure a forum where the claims, later filed in the Court of Claims, might be filed. For the past 25 or 30 years, to all intents and purposes, he has lived in Washington, and has spent all his personal means in a continuous effort to provide a forum where these claims might be adjudicated.

I was elected to Congress in the November 1914 election. Mr. Boudinot immediately, through me, continued his efforts in the form of bills to secure the right of the Cherokees to go into the Court on Claims, with the right of appeal to the Supreme Court, to adjudicate their claims. He discussed the matter with me from year to year. He appeared before the departments, before the committees of Congress year after year, in an effort to secure the Cherokees the right to present their claims in court. With his cooperation I introduced and secured the enactment of the first jurisdictional bill of March 19, 1924.

This was the result of 28 years of almost continuous effort of a man who has tenaciously insisted that the Cherokee Indians should have their day in court. He has impoverished himself and the members of his family and has made great financial sacrifices for a principle. Delays have been encountered in the trial of the cases in that reports have not been forthcoming as quickly as was anticipated, and as a result the suits that were filed under the original jurisdictional act of March 19, 1924, have not as yet been brought to trial.

Mr. Boudinot has cooperated in securing the enactment of much amendatory legislation, including the act of May 19, 1926, which authorized any number of suits to be brought under the original jurisdictional act of March 19, 1924, and the joint resolution of February 19, 1929, which extended the time within which these suits might be brought under the original jurisdictional act, until June 30, 1930.

Largely as a result of his efforts nine suits have been brought on behalf of the Cherokees, involving various amounts, including accountings and interest.

Subsequently I assisted in the preparation and enactment of the act of April 25, 1932, which authorized either new suits, or permitted the eastern and western Cherokee Indians to be made parties to the suits which had previously been filed in behalf of the Cherokees, in order to make sure that all the rights of the Cherokees might be tried on their merits.

In the meantime the Cherokee Indians, appreciating that Frank J. Boudinot had spent a lifetime and all his personal means in making the fight for them, met and passed a resolution to grant him additional compensation of not to exceed 5 percent for his services and expenses on behalf of the Cherokees prior to the enactment of the original jurisdictional bill.

In this connection I think I am justified in saying that I believe that former Senator Robert L. Owen, of Oklahoma, himself a Cherokee, and myself, also a member of the tribe, know more of the services of Frank J. Boudinot on behalf of the Cherokees than any other persons.

Former Senator Owen, prior to his election to the Senate, was active in Cherokee affairs, later was United States Indian agent, and finally conducted some litigation for the Cherokees, and upon the advent of statehood in Oklahoma, was elected one of the two United States Senators from that State and served the State in the Senate for 18 years. During all this time, both before and after he entered the Senate, he knew Frank J. Boudinot personally, knew of his

services to the Cherokees, and of the sacrifices he made in their behalf.

Personally I have known Mr. Boudinot all his life. He formerly lived in my home town of Tahlequah, Okla., and I have known in detail of his services in behalf of the Cherokee Indians. Both Senator Owen and I appeared before the Bureau of Indian Affairs in behalf of this legislation in behalf of Frank J. Boudinot, and Senator Owen made an earnest plea for favorable consideration of the bill. I supplemented his efforts. Later when the bill was introduced in Congress and was pending before the House and Senate Indian Committees, Senator Owen appeared before the Senate Indian Committee and urged favorable action on the rewritten bill. I appeared before both committees and before a subcommittee of the House Indian Committee, and gave the bill my unqualified approval.

The bill, as rewritten, provides that in the event any judgment or judgments should be rendered in favor of the Cherokees, the Court of Claims is directed to include in its decree allowances to Frank J. Boudinot for a reasonable percentage, not to exceed 5 percent, of such recovery.

I have never introduced a private bill in Congress which I think had more merit in it than this bill in behalf of Boudinot. Here is a man who has spent all his private means, has made great personal sacrifices, and impoverished himself and his family, tenaciously clinging to the hope that these claims on behalf of the Cherokees would be finally adjudicated. He has finally reached the end of the trail. His financial condition impedes his further progress. He has reached the age when his physical condition is weakened. No man within my knowledge or experience has so completely given his entire life to the service of an Indian tribe or group of people.

The Cherokee tribe, of which Boudinot is a member, appreciate his services and passed resolutions, which are included in the hearings, urging favorable action on this bill. A representative of the tribe, when these hearings were in progress, came from Oklahoma to Washington to renew the representations of the Cherokees and to urge favorable action on this bill.

I have had no hesitancy in earnestly pressing before the committees of the House and Senate, and on the floor of the House itself, favorable action upon this bill. If this bill becomes a law, and if and when a judgment is rendered in behalf of the Cherokees in any of the pending suits, the question of the allowance of a reasonable fee for compensation and money for expenses of Frank J. Boudinot comes before the Court of Claims for consideration, I feel safe in asserting that the court, after considering the length of time and lifetime record of Boudinot in behalf of the Cherokees, will not hesitate to grant him fair and reasonable compensation, which will meet with the approval of those familiar with every detail of his efforts in behalf of the Cherokee Indians.

COMMUNICATIONS BY WIRE AND RADIO

Mr. BANKHEAD. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. HOIDALE]. Then I shall move the previous question on the resolution.

DROUGHT SITUATION IN MIDDLE WEST

Mr. HOIDALE. Mr. Speaker, those of us who live in the drought-stricken areas of the Middle West, have had our attention nailed so intently to the suffering and distress of our people that we have almost lost sight of anything and everything else.

We have anxiously been watching the weather map upon the wall from day to day without seeing a sign of relief. Days have gone by, weeks have gone by, months have gone by, and no rain. In many sections of the West the soil has blown off the fields, filling up depressions, ditches, and piling up along fences like snow drifts.

Cattle, and other farm animals, are dying from starvation, and in some places from lack of sufficient water. A letter received this morning says that the writer has talked with a farmer from Clarkfield, Minn., who says that in that part of western Minnesota they are shooting cattle by the hundreds to keep them from starving to death.

I am just in receipt of two telegrams, which I will read:

No rain; pastures dead; crops destroyed; cattle dying from starvation; farmers broke, with no credit; local system of relief broken down; situation is of national concern; we look to the Federal Government for aid in our emergency; urge immediate generous additional appropriation to avert wholesale loss of livestock; every additional day without aid disastrous.

ART SPENCER,
Chairman Mass Meeting Farmers of Bigstone and Traverse Counties.

Drought conditions in Sibley County most serious ever known; many instances of live stock dying because feed unobtainable at any price; absolutely imperative that Government waive restrictions in corn-hog rental contracts, permitting planting of forage crops not only on uncontracted acres, but also on contracted areas without forfeiture of rental payment; we are in the toughest spot known since the county was settled, and ask that you contact Agricultural Adjustment Administration immediately and spare no effort in impressing upon them the necessity for quick action.

H. H. BONNIWELL, Jr.

These are only samples of hundreds of telegrams and letters that come in describing the situation and praying for help.

A great deal has been done by the Government, but this catastrophe has developed into such proportions that it has been impossible to adequately supply the demand for relief.

A week or two ago some of the Members of Congress, including myself, from nine States, got together for the purpose of devising ways and means of handling this situation. In the 2 weeks that have passed since we had our first meeting more than 12 additional States have been added to those that are in need of relief. The situation is as yet little understood and the consequences will reach far into the future.

Instead of working themselves out of debt, our farmers will this year, because of crop failure, be saddled with an increasing load of obligations. Taxes that cannot be paid because there is no income from the farm will add to the increasing debt burden.

Immediate relief must, of course, be provided for those in distress, but we must bear in mind that the relief that is furnished at this time to take care of hungry people and starving cattle is not going to be an adequate remedy. We must have in mind and we must act to provide help for the farmer upon a permanent basis. If this is not done, agriculture will crumble in financial ruins. I am not going to attempt this morning to set out in detail the things that should be done and must be done to help agriculture, but I do want to impress upon this Congress and upon the country the seriousness of the situation and the necessity for reaching a helping hand to our rural communities and to those who live upon the farms.

And another thing that we must immediately set about to accomplish is to provide for water conservation in order to avoid calamities of this kind in the future. It is well to take care of the situation today, but we must also have our eyes upon the future.

This drought has been creeping in upon us for many years. For years we have suffered from a decreasing supply of surface water with the result that our lakes and rivers have gone dry and our subsurface water level has been lowered to a danger point.

Let me give you some of the facts that indicate what is facing us.

When I came to western Minnesota as a boy I helped dig many a well when an abundance of water was found at a depth ranging from 14 to 25 feet. There was a good supply of moisture in the subsoil. This subsoil mixture, so necessary to production, and the subsurface water level was maintained by surface waters in the sloughs and low places which soaked into the ground and furnished a subsoil moisture that helped materially to carry crops through in dry seasons. This surface water level has now been lowered to such an extent that it is necessary to go down from 80 to over 200 feet in order to get a supply of well water. The change has been tremendous and disastrous.

Back in the eighties our farm was normally one-third under water. Our hay was cut by rimming around the low places. Now the boys play golf on the lowest part of what was then our farm.

At this very time our State is suffering terribly from the result of last summer's drought. The price of grain or other products of the farm can do the farmer no good if he cannot raise enough on his land to keep his stock from dying.

As chairman of a committee appointed to investigate what may be done to conserve water, I have just submitted a report to the full committee as follows:

What has transpired since this committee was appointed 2 weeks ago has emphasized the need for speedy and far-sighted action in efforts that must be made to increase precipitation and conserve the waters from seasonal rains and snows.

Statistics prove that the last 8 or 9 years have given to the States of the Middle West a reduced and steadily declining rainfall. Normal rainfall in the State of Minnesota, for instance, is about 26 inches. During the last 5 years our average has been slightly over 21 inches. The rainfall this year has been less than 40 percent of normal. Substantially the same conditions have prevailed in the other States of the drought-stricken section.

No problem facing our Nation today is of greater moment than this question of water. The most fertile and promising area in the great agricultural West is being converted into a semiarid region. A continuation of these conditions not only means financial and economic ruin to the Middle West, but its direful effect will be felt in the Nation at large in more ways than one. It is a threat that hangs like a dark cloud over the land.

We have had dry seasons before, but never one of such devastating severity as this.

What is the cause and what can be done about it?

No doubt we have ourselves to blame in the first instance in that we entered upon very unwise drainage operations that resulted in the dumping of our rain and snow waters into the ocean a few hours after the earth had been blessed by this moisture. When we did that we were interfering with the laws of nature. Today we view the wreckage and suffer the consequences.

It is conceded that precipitation comes from air moisture created by evaporation from surface waters. It is a compensating process continuing in an endless cycle. A desert that yields up no moisture gets nothing from above.

Not only have the surface waters of earlier days disappeared from our lakes and rivers but the moisture in our subsoil is gone and we get no evaporation from below. The subsurface water level which in former years in Minnesota stood at less than 20 feet has now fallen to 100 feet, and in many places it is necessary to go below that for water.

What is the remedy?

1. Build dams in rivers and at the outlets of lakes throwing the waters back into lakes and low places that can serve no better purpose.

2. Build water reservoirs in places that make that kind of water storage feasible.

3. Close, temporarily at least, drainage ditches and tiling.

It is understood, of course, that fair compensation must be made to landowners whose lands are appropriated for the common good.

The planting of trees and the conservation of forests must be taken into account.

This is a brief statement of the conditions that now confront us.

We need action and we need it quickly. There is no greater or better field for the expenditure of the P.W.A. money than is afforded by a sensible plan to divert and conserve waters now going to waste.

A delay of another year may be very costly. The West cannot stand another crop failure. The consequences would be too dreadful to contemplate.

We had a conference this week with Colonel Waite for the purpose of ascertaining what has been done in the way of surveys and plans along the lines here suggested. We found that some work has been done and that a report on the situation will probably be forthcoming in July. We gave to Colonel Waite the assurance that we would take an active part in bringing about quick action and that we would insist that it is imperative that work on a big scale get well under way this summer in order that we may retain such spring water as may fall next spring.

We are impressed with the thought that it is necessary to take immediate steps to arouse the public to a realization of the fact that we are facing a major calamity that must be met promptly and courageously.

A rainfall tomorrow or the next day will afford a measure of temporary relief, but we will be face to face with a calamity until we restore nature to the position which we so ruthlessly destroyed some years ago in our eagerness to put every acre into production.

This program would cost some money, but the cost will be small compared with the money that we are now spending and will continue to spend if this situation is not remedied.

We call upon municipalities and farm organizations to join in this effort to bring water back to lands that are now parched and sterile because of lack of moisture.

This situation is serious enough so that this Congress should immediately appoint a committee to take charge of and direct efforts in connection with this drought situation. The agencies of the Government now established for different purposes seem to be so taken up and engrossed in other matters that they are not prepared to take charge of this situation. This is something that will require all the time and all the attention of one man or a body of men, and it is my opinion that arrangements should be made immediately to have this matter of water conservation given immediate and constant attention until the problem is solved.

I am calling your attention to this now in order to plead with you for your sympathy and support in such efforts as will be put forth to alleviate the most devastating drought condition from which this country has suffered in its history.

We must immediately provide enough money to furnish complete relief, but this is only patchwork. We must get down to the big question of taking care of the future.

Mr. TRUAX. Will the gentleman yield?

Mr. HOIDALE. I yield to the gentleman from Ohio.

Mr. TRUAX. The gentleman does not have to go as far west as his own State. The State of Ohio, my State, is literally burned up.

Mr. MOIDALE I know it, and so are Indiana, California, and other States.

Mr. HOEPPEL. Will the gentleman yield?

Mr. HOIDALE. I yield to the gentleman from California.

Mr. HOEPPEL. I should like to have the gentleman explain to this Congress how we are going to legislate effectively to grant relief to these people inasmuch as the proposed legislation coming to this floor Monday and all of next week comes in under a gag?

Mr. HOIDALE. The people who are in control of the gag may have some sympathy for the people of the United States, and I trust they will have.

Mr. GLOVER. Will the gentleman yield?

Mr. HOIDALE. I yield to the gentleman from Arkansas.

Mr. GLOVER. Will the gentleman give us for the benefit of the RECORD the number of States over which this drought extends?

Mr. HOIDALE. I understand some 22 or 23 at the present time.

[Here the gavel fell.]

Mr. HOIDALE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include a report of mine.

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

There was no objection.

Mr. BANKHEAD. Mr. Speaker, I move the previous question on the adoption of the resolution.

The previous question was ordered.

The resolution was agreed to.

REGULATION OF COMMUNICATIONS BY WIRE OR RADIO

Mr. RAYBURN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 3285) to provide for the regulation of interstate and foreign communications by wire or radio, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 3285, with Mr. DISNEY in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. RAYBURN. Mr. Chairman, the rule provides an hour to each side for general debate. I shall certainly take a very small part of that time because I do not deem it necessary to take up very much time on this matter.

With reference specifically to the remarks of the gentleman from Pennsylvania [Mr. MCFADDEN], I may say that they do not apply in anywise to this bill, for the reason that in the House draft of the bill we do not in anywise

amend or change the Radio Act. I think it is also a fair statement to make that the bill as a whole does not change existing law, not only with reference to radio but with reference to telegraph, telephone, and cable, except in the transfer of the jurisdiction and such minor amendments as to make that transfer effective.

I think I am also justified in saying that this is a unanimous report from the Committee on Interstate and Foreign Commerce.

Mr. CULKIN. Will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from New York.

Mr. CULKIN. The gentleman says the existing law is substantially reenacted. Will the gentleman tell the House specifically whether section 29 is reenacted? Section 29 relates to the right of free speech by means of radio and communication and provides that no obscene language may be used.

Mr. BLAND. Will the gentleman yield?

Mr. RAYBURN. I yield to the gentleman from Virginia.

Mr. BLAND. I think a reading of title III in the bill as reported shows that this is not affected in any way, because the gentleman's committee simply transferred the powers of the Federal Radio Commission to this new Communications Commission and does not undertake in any respect to change or to modify the existing radio law.

Mr. RAYBURN. That is the statement that I made, and I felt sure I was correct. I am certainly glad to have the assurance of the gentleman from Virginia [Mr. BLAND], who knows more about radio legislation than any member of our committee.

Mr. CULKIN. May I say briefly that section 29 is of first importance and should be continued in any subsequent legislation.

Mr. RAYBURN. That is what we intended to do.

Mr. BLAND. Will the gentleman yield on that point?

Mr. RAYBURN. I yield to the gentleman from Virginia.

Mr. BLAND. I may say to the gentleman that as Chairman of the Committee on Merchant Marine, Radio, and Fisheries I believe this is the best that could be effected at this time, dealing with such a delicate article as the radio.

Mr. RAYBURN. I may say to the gentleman from Virginia that we have brought all of the elements of communication under one head. We did not set out to amend the law with reference to radio especially, a matter about which our committee knows little, because it has not handled that legislation, and we thought we were doing about as much as we might be expected to do at this time.

I shall put in the RECORD with my remarks a further explanation of some of the provisions of the bill as an extension of my remarks.

Section 1 states the purpose of the act and provides for the creation of the Federal Communications Commission.

Section 2 (a) states the application of the act to interstate and foreign communication by wire or radio and transmission of energy by radio. The Canal Zone is excepted, because all radio activities in that area are under military and naval authorities. The Philippine Islands are excepted because their distance from the United States makes it inadvisable for a commission in the United States to try to regulate interference in the Philippines. The present laws governing communications do not apply to either the Canal Zone or the Philippines.

Section 2 (b) exempts from most of the provisions of the act small independent telephone companies whose only interstate business is through physical connection with a nonaffiliated company. The sections to which such independent companies are subjected are those providing for the regulation of rates and prohibiting unjust discrimination in interstate and foreign service.

Section 3 contains definitions taken largely from existing law and international conventions.

Section 4 provides for a bipartisan seven-man commission serving 7-year terms. In paragraph (f) the commission is authorized to appoint certain general officers without regard to the civil-service laws or the Classification Act of 1923. By paragraph (k) the commission is directed to make a special report not later than February 1, 1935, recommending such amendments to the act as it deems desirable in the public interest.

Section 5, authorizing the commission to organize itself into not more than three divisions, follows section 17 of the Interstate Commerce Act. The full commission has the right to review decisions of a division, but such review lies within the discretion of the commission and is not mandatory.

TITLE II. COMMON CARRIERS

Section 201 (a) is based upon section 1 (4) of the Interstate Commerce Act which relates only to transportation. It establishes the duty of common carriers to furnish communication service upon reasonable request; and requires them where ordered by the commission after a hearing to establish physical connections with other carriers and to establish through routes and charges.

Section 201 (b) provides that charges, practices, classifications, and regulations in connection with such interstate and foreign communication service shall be just and reasonable. It is based upon the Interstate Commerce Act, section 1 (5) and (6), which mentions only charges in connection with communications. The types of messages listed in the classification are taken from the Interstate Commerce Act. The proviso permits carriers subject to the act to enter into or operate under contracts with other common carriers for the exchange of services if the Commission is of the opinion that such contract is not contrary to the public interest. The proviso differs from the present law in that it applies to existing contracts and makes such contracts subject to the jurisdiction of the commission, whereas under present law the commission has no jurisdiction of the contracts. The usual type of contract contemplated is that by which the telegraph companies furnish message service to railroads in return for transportation of men and materials and perhaps for rights-of-way.

Section 202 (a), based upon sections 2 and 3 (1) of the Interstate Commerce Act, forbids unjust and unreasonable discriminations. The present law is followed, and there can be no doubt that reasonable classifications are permitted. This is the section against which some newspapers and stock-exchange firms are protesting because of a possible restriction of leased wires. Their protests are really based upon amendments which Postal Telegraph suggested to the section, which amendments were not adopted by the committee. There is no ground for fear that the law will not recognize existing classes of service.

Section 202 (b) is a new provision designed to make doubly sure that charges for wires in connection with chain broadcasting are within the jurisdiction of the commission.

Section 202 (c) is a penal provision which will apply to those small independent companies made subject to sections 201–205, inclusive, but exempted from the other provisions of the act under section 2 (b).

Section 203, regarding the filing of schedules of charges, is based upon section 6 of the Interstate Commerce Act, which relates only to transportation. It is clear that the commission must have information as to the charges made by the carriers if it is to regulate rates.

Section 204 providing for hearing as to the lawfulness of new charges and for the suspension of such new charges for 3 months in proper case is based upon section 15 (7) of the Interstate Commerce Act, which relates to transportation only. It is an essential power if rates are to be regulated. It did not apply to communications in the Interstate Commerce Act because that act did not require the filing of schedules of charges and therefore the Commission had no information as to the new rates upon which to call for a hearing or to base a suspension.

Section 205, authorizing the commission to prescribe just and reasonable charges and to fix maximum and minimum charges, is taken over from section 15 (1) of the Interstate Commerce Act without important change.

Section 206, covering liability of carriers for damages, is based on section 8 of the Interstate Commerce Act.

Section 207, dealing with recovery of damages, is based upon section 9 of the Interstate Commerce Act.

Section 208, relating to complaints to the commission, is based upon section 13 (1) and (2) of the Interstate Commerce Act.

Section 209, relating to orders for payment of money, is based upon section 16 (1) of the Interstate Commerce Act.

Section 210, relating to franks and passes, is based upon section 1 (7) of the Interstate Commerce Act. It carries over existing law permitting communication companies to exchange franks for messages and to exchange such franks with railroads for passes.

Section 211 (a), requiring common carriers to file with the commission copies of their contracts with other common carriers, is taken from section 16 (5) of the Interstate Commerce Act. Section 211 (b) authorizes the commission to require the filing of other contracts of any carrier, but permits it to waive the filing of minor contracts. This new provision is desirable to enable the commission to determine whether any such contracts are designed to enable carriers to escape the effects of the law.

Section 212, relating to interlocking directorates and to the dealing by officials in securities of their companies, is based upon section 20 (a) (12) of the Interstate Commerce Act, relating only to transportation.

Section 213, relating to the valuation of carrier property, differs from section 19 (a) of the Interstate Commerce Act in that valuation is made permissive instead of mandatory and the commission is left wider discretion as to the method of valuation to be employed.

Paragraph (e) is taken from the Emergency Railroad Transportation Act of 1933 and requires the commission to keep itself informed of new construction and improvements. The Interstate Commerce Commission has made considerable progress in the valuation of telegraph companies. Paragraph (g) permits it to complete such valuations if requested to do so by the communications commission.

Section 214, relating to extension of lines, is based upon section 1 (18) to (24) of the Interstate Commerce Act, which relates only to transportation. It requires a certificate of public convenience and necessity from the Commission for the construction of a new interstate line but permits the construction of local lines and the supplementing of existing lines without such certificate. The section is designed to prevent useless duplication of facilities, with consequent higher charges upon the users of the service.

Section 215 directs the commission to make three separate studies and to report its findings to Congress, with recommendations for any additional legislation which may be found to be needed.

First. Paragraph (a) directs an examination into transactions relating to the furnishing of equipment, supplies, research, services, finances, credit, or personnel which may affect charges or services. It is designed particularly to develop the facts with respect to intercompany transactions and to the relation of holding companies to operating companies. State regulation of communication companies has been greatly handicapped because the State commissions have been unable to get information of the type which the commission is here directed to obtain.

Second. Paragraph (b) directs the commission to investigate the methods by which and the extent to which the telephone companies are furnishing telegraph service and vice versa. The telegraph companies have complained bitterly that they are being subjected to unfair competition through the entry of the telephone company into the telegraph field using its byproduct facilities. It is contended that the telephone company is taking the cream of the telegraph business without assuming common-carrier telegraph obligations, and that its tactics have seriously handicapped the telegraph companies. The commission is directed to find the facts in the matter.

Third. By paragraph (c) the commission is directed to examine into the so-called "exclusive contracts" by which one telegraph company keeps another from competing for public business in public places such as railroad stations and hotels. Such contracts have been objected to on the ground that they operate as a restraint of competition in the face of the congressional mandate that the telegraph business be competitive.

Section 216, relating to the application of the act to receivers and trustees, follows the Interstate Commerce Act.

Section 217, relating to the liability of carriers for acts and omissions of agents, follows the Interstate Commerce Act.

Section 218 follows section 12 (1) of the Interstate Commerce Act in authorizing the commission to make inquiry into the management of business of carriers subject to the act. It contains a new provision directing the Commission to keep itself informed of technical developments and improvements in order that the commission may be able effectively to regulate communications. Another new provision authorizes the commission to obtain from holding and affiliated companies information necessary to enable the commission to carry out its duties.

Section 219 providing for annual and other reports is based upon section 20 (1) of the Interstate Commerce Act. It adds new provisions authorizing the commission to require such reports from holding and associated companies and providing that reports shall show the amount and privileges of each class of stock and the names of the 30 largest holders of each class of stock and the amount held by each.

Section 20, paragraphs (a) to (g), relating to accounts records, memoranda, and depreciation, is based upon section 20 (5) to (8) of the Interstate Commerce Act with changes necessary to permit State commissions to prescribe the systems of accounts for the intrastate operation of carriers. Paragraphs (h) to (j) are new. Paragraph (h) authorizes the commission to classify carriers and to except the carriers of particular classes in any State from the requirements of the section where the State commission regulates accounts or depreciation for the particular class of carriers. Paragraph (i) requires the commission to consult the State commissions before prescribing new systems of accounts and paragraph (j) removes any limitation upon the power of a State commission to prescribe, for the purposes of the exercise of its jurisdiction, rates of depreciation. The last three paragraphs named were placed in the bill at the request of the State commissions which feel that their task of regulating intrastate communications will be greatly facilitated by the adoption of these paragraphs.

Section 221 (a), providing the procedure for the consolidation of telephone companies, closely follows section 5 (18) of the Interstate Commerce Act. Paragraph (b) leaves local exchange service to local regulation even where a portion of such local exchange service constitutes interstate communications. It is designed to cover cases of cities located within two States, as Texarkana.

Paragraphs (c) and (d) authorize the commission, in making valuations of telephone property, to value only that part of the property used in interstate or foreign telephone toll service.

TITLE III. PROVISIONS RELATING TO RADIO

Section 301 abolishes the Federal Radio Commission and transfers its functions and powers to the new Commission.

TITLE IV. PROCEDURAL AND ADMINISTRATIVE PROVISIONS

Section 401, relating to jurisdiction to enforce the act and orders of the commission, follows sections 20 (9) and 16 (12) of the Interstate Commerce Act.

Section 402, relating to the application of the district court jurisdiction acts, adapts the procedure now applicable to orders of the Interstate Commerce Commission. Inasmuch as the Radio Act of 1927 is not amended by the present bill, the procedure applicable to appeals in matters now coming under that act will continue to be as provided in the Radio Act of 1927. Thus, the review of orders affecting the common-carrier aspects of the commission's jurisdiction will be by the district courts, while that of the radio orders will be by the Court of Appeals of the District of Columbia.

The remaining provisions of the bill are believed to be sufficiently explained in the committee report.

I think it would be enlightening to the Members of the House if in their study of this communications problem

they would read the report made to the Committee on Interstate and Foreign Commerce of the House by Dr. Splawn, our special counsel, on the question of communications, in which he sets out very fully the whole financial and physical set-up of all communications and makes some recommendations that we did not carry into this bill, for the reason we thought it was a wise thing to do to allow this new commission to study these matters in the future and, based upon that report, bring in such recommendations for new legislation as they deem necessary and proper.

Mr. HOPE. Is the report which the gentleman mentions available to the Members of the House?

Mr. RAYBURN. Yes; it was made some time ago. The first volume was published 5 or 6 weeks ago, and the second volume came out just a day or two ago.

It may be of interest to the House if for just a moment I take the time to explain something about the size and scope of communications in the country.

In the telephone field there are 88,303,231 miles of wire; in telegraph and cable there are 2,336,976 miles of telegraph and cable wire; and power lines are estimated at 200,000 miles.

The capitalization of the telephone is $6,025,678,634; telegraph and cable, $349,542,130; and power—and this is an estimate—$15,000,000,000.

In plant and equipment, the telephone has $4,660,662,997; telegraph and cable, $465,639,421; and in comparison with the railroads, the investments of railroads in plant and equipment is estimated at $26,086,990,995. The capitalization of the railroads is $29,129,250,000.

In the telephone field the average per capita revenue amounts to $8.41 to each person—man, woman, and child—in the United States. In the telegraph and cable field, 88 cents; electric service, $15.82; and in railroad freight, $19.91.

The dividends in these industries for 1932 were about as follows:

In the telephone field $340,000,000; in the telegraph field, $2,500,000; and in the radio communication about one-third of $1,000,000. The estimated number of radio sets in the United States is 16,500,000.

The number of employees is about as follows:

In the telephone field there are 300,000 employees, or 80 percent of all the employees in the communications field; and in the telegraph 65,000, or 15 percent; and in radio about 22,000, or 5 percent.

The telephone companies have sixteen and two-thirds million telephones and 11,000 central offices; the telegraph, 26,000 central offices; and the radio broadcasting is estimated to have 50,000,000 listeners.

The extent of the use of these facilities is about as follows:

In the telephone field it is estimated that per year there are 28,000,000,000 conversations, or 222 per capita. In the telegraph field there are 127,000,000 messages sent per annum, and in radio 2,500,000 messages.

The age of these industries is about as follows:

Telephone, 58 years; telegraph, about 82 years; and the radio had its inception about 38 years ago.

The competition in the industry will run about as follows:

Telephone: American Telephone & Telegraph Co., 95 percent of the business; 100 independent companies, 5 percent of the business.

In the telegraph field: The Western Union, 75 percent; the Postal, 24 percent; and the independents, 1 percent.

In telephone service the American Telephone & Telegraph is practically a monopoly. At present and for several years past American Telephone & Telegraph has paid dividends at the rate of $9 per year.

The things we expect this commission to consider, among others, are these:

There has been great complaint about excessive depreciation charges in these fields. There has been great complaint about so-called "watered stock." There has been no complete regulation of security issues in these fields as there has been since 1920 in the railroad field. They should study this question and make some recommendation to Congress as to further need for regulation along these lines.

These public utilities have been practically a monopoly for quite a long time. There has been no national planning in this field.

Some of the few reasons for the bill are as follows: We think that we ought to bring the regulation of all these communications under one authority.

Today we have the telegraph and telephone and cable, with control and regulation by the Interstate Commerce Commission, but the Interstate Commerce Commission in all these years has had the great question of the transportation of the railroads to handle, and they have devoted very little time to any sort of regulation of the telegraph and telephone and cable. There is no hope in the future that they will have more time to devote to it than they have had in the past.

Also, the Post Office has some telegraph jurisdiction and, of course, the Radio Commission has the radio.

The State Department has jurisdiction over cable landings, and the Army and Navy have some radio and telegraph facilities. It is not our intention to take away from the Army or the Navy their small control which they have over radio and telegraph, because we think it would be unwise.

As to the Interior Department, the only control they have is in the public parks of the country, and we think that should remain there. And by and large we think, as the President stated in his message, and by common consent, all these instrumentalities should be brought into this one body.

We are forming a new commission and we are abolishing the existing Commission. The Radio Commission at the present time has a membership of five. We provide that the new commission shall have a membership of seven, and for a very good reason. We anticipate a division of two members for the radio, with the chairman of the commission as a third; we anticipate a division for the telephone of two members, with the chairman of the commission as a third; and we anticipate a division of two for the telegraph, with the chairman as a third. The Senate provided a commission of five and made a division for the telephone and telegraph and one for radio. We believe—and the membership of the House committee believes—that into the telephone and telegraph field at the present time in their breadth and in principle and set-up we should bring some kind of real control, and that there ought to be a division of the telephone and a division of the telegraph. The influential thing about that was that Dr. Splawn, who made the investigation, said that the telephone and telegraph should have a separate division each, and that they will have plenty of business.

Mr. SNELL. Will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. SNELL. Is there anything in the bill that in any way interferes with the telephone companies in favor of the telegraph companies?

Mr. RAYBURN. Not unless it is in the present law. We did not change it.

Mr. SNELL. No change in the present law?

Mr. RAYBURN. We transfer the jurisdiction to the new commission, and the only amendment as to the telegraph and telephone companies is to make effective their transfer.

Mr. MEAD. Will the gentleman yield?

Mr. RAYBURN. I yield.

Mr. MEAD. The Senate provided for a certain fixed percentage of radiobroadcasting. Is there any provision in the House bill of that kind?

Mr. RAYBURN. No.

Mr. MEAD. What is the gentleman's idea?

Mr. RAYBURN. We had up what is known as the "Father Harney amendment", that came to us in the House as it did in the Senate. That provided for the allocation of 25 percent of all the time to religious, educational, and, though I do not believe they used the word "uplift", yet they used a word that corresponds to it. If we begin to take away from the Radio Commission its authority to

allocate, we would be in the same position that the Congress would be in if, after giving to the Interstate Commerce Commission its function of regulating railroads and fixing the rates, we would then start out to introduce and pass measures to revise the rate structure. In that way we would probably get into a lot of trouble. Our thought—at least, my thought—was this: If 25 percent should be allocated, or the allocation of it taken away from the Radio Commission, why not take away 30 percent or 40 percent or 100 percent? Also, if you allocate 25 percent to education and religion, then what difficulty is the Radio Commission going to have in dividing that 25 percent between Catholic, Jew, Protestant, and other sects, and also between what colleges, where located, and what else might be supposed to be taken into consideration for morals, education, and uplift? Our committee took that position, and we believe it is a wise one.

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

Mr. RAYBURN. Yes.

Mr. BLAND. Would not an attempt by the committee or by anyone to make this change so involve the broadcasting structure all over the United States that it would have to be studied carefully by some other commission in order to arrive at some equitable solution of the problem?

Mr. RAYBURN. Yes; and if we do this, then it will practically amount to a revocation of every broadcasting license in the United States, because they must all be revised.

Mr. MEAD. If the gentleman will permit, the first proposal in the Senate specifically allocated 25 percent. That was amended, however, and the provision in the Senate bill merely refers the entire matter to the commission for study.

Mr. RAYBURN. That is a matter that will be in conference.

Mr. MARTIN of Colorado. Mr. Chairman, will the gentleman yield?

Mr. RAYBURN. Yes.

Mr. MARTIN of Colorado. To ask the gentleman from Texas if he would indicate the possible reaction of the other body to the action of his committee in eliminating title III, the special radio provisions, and preserving the existing radio law.

Mr. RAYBURN. I could not do it. The committee of which Senator DILL is chairman, and of which Senator COUZENS was formerly chairman for a while, studied radio, had long hearings, as I understand it, and I think the gentleman from Virginia [Mr. BLAND] will bear me out, that they reported a rather far-reaching bill during the last session of Congress.

Mr. BLAND. Yes.

Mr. RAYBURN. It did not pass. They wanted to incorporate some of it as a provision of this law. I do not know what position the House committee would take. We did not think we should go into a revision of the radio law, and I think personally it is much better to go ahead and formulate this commission and let them study all these questions and make their recommendations in the light of their study.

Mr. MARTIN of Colorado. The reason I asked the question is that it has been brought to my attention that some of the small operators are very much concerned over title III of the act as it appears in the Senate bill.

Mr. RAYBURN. I know they are; but we did not want to go into that, and in writing our amendment we have left title III out.

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

Mr. RAYBURN. Yes.

Mr. BLAND. I notice there is a section here that deals with procedural and administrative matters. Do the provisions of this bill materially alter the procedural provisions of the existing radio legislation?

Mr. RAYBURN. Io do not think so. I know they do not as far as the administration under the Interstate Commerce Act is concerned. We did not intend to do that.

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

Mr. RAYBURN. Yes.

Mr. DIRKSEN. I understand that some of the stations are now over their quota in their assignment of radio units. Is it the implication of the bill that if the Commission should so find and seek a more equitable distribution to put arbitrarily some of the private radio stations out of business? It would be almost necessary to do that.

Mr. RAYBURN. That is a matter in the hands of the Commission, because whatever power the Commission has now this new commission will have in the administration of the law.

Mr. DIRKSEN. Was that question raised in the course of the deliberations of the committee?

Mr. RAYBURN. All those questions were raised, and we decided to leave them out by leaving the Radio Act as it is at the present time.

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

Mr. RAYBURN. Yes.

Mr. MILLIGAN. Under the present Radio Act they can reallocate them. They grant a license for only 6 months.

Mr. RAYBURN. Yes.

Mr. BLAND. The only possibility which I can see is in the procedural provisions.

Mr. RAYBURN. We did not intend to do that.

Mr. MILLIGAN. As I understand it, the same procedure is retained for the Radio Commission in this new commission.

Mr. RAYBURN. That is my impression also. I thank the Members of the House for their attention. [Applause.]

Mr. MAPES. Mr. Chairman, I yield 10 minutes to the gentleman from Connecticut [Mr. MERRITT].

Mr. MERRITT. Mr. Chairman, I have nothing of great importance to add to what the chairman has said. I agree substantially with what he has said.

I approached this question with considerable prejudice against the formation of any new commissions, but I found that the control of the telegraph and telephone, which is now under the Interstate Commerce Act, had not received very much attention, because, as the chairman has said, the Interstate Commerce Commission was entirely occupied with railway communication. Several things of interest have developed in the course of the examination of this question. In the first place, with regard to the very important matter of telephone communication, it developed that some 97½ or 98 percent of all telephone communication is intrastate, which this bill does not affect.

At one of our first hearings we had before us the State commissioners, to see what their attitude was. Their attitude in general was that they needed this bill to help them to do their own intrastate duties well. In the course of that examination I asked the men who represented the State commissioners whether, as far as they knew, there was any nation in the world that had as efficient telephone service as the United States. They all said, "No." Then I said, "Is there any particular criticism as to the rates for the 2½ percent of communication which is interstate?" They said, "No." Then it occurred to me that if that is so, if we have the best service and the interstate rates are not to be criticized, what is the use of doing anything about it? It developed as the hearings went on that by reason of improvements and inventions and the mechanical part of the service, telephone and telegraph and radio are becoming more and more interconnected, so that it is hardly possible to regulate one without regulating the other. I think, however, that the House should feel as I do, that it is very much to the credit of the men who founded and who have developed the great telephone system in this country, that they have done it on such absolutely sound, honest, and conservative lines.

It may interest the Members of this House to know that not only is there no "water" in the capitalization of the telephone companies but that the company has received $114 for every $100 share of stock, so there is no "water" in the company. As the State commissioners have said, in

general there has been no complaint of the rates and no complaint of the service.

I do not know so much about the telegraph companies, but I believe the capitalization of those companies is sound. I know still less as to radio. Of course, there has been great talk as to "water" and supersalesmanship of radio stock. I should have been glad if this legislation had confined itself to setting up a committee to investigate and report; but as to radio, that is exactly what this act does. All legislation about radio is found in section 301, which provides that the Federal Radio Commission is hereby abolished, and all the duties, powers, and functions of the Federal Radio Commission under the Radio Act of 1927, as amended, or under any other provision of law, are hereby imposed upon and vested in the new commission. That is the only thing that is in this bill about the power over radio.

As to the other parts of the bill, with regard to the remarks of the gentleman from Pennsylvania, you will find in section 215 and in section 202 very specific provisions against any discrimination in service or in charges. Of course, it is not possible, with human imperfections, to form any commission which may not do unfair things, but in a Government of this sort, covering such a great extent and such enormous range of matters, I do not see any other solution if any services are to be regulated except to form a commission of this sort and gradually make rules and regulations from experience. As the chairman has said, it is much safer to give this commission the power to do that than to attempt, with what little knowledge we have, to lay down a code which will cover all sorts of conditions and all sorts of individual practices. We found that out in the N.I.R.A. All that any regulatory body can safely do is to lay down a set of general principles and allow the parties who are doing the work to formulate the details as to carrying out those principles.

Mr. FULMER. Will the gentleman yield right there?

Mr. MERRITT. I yield.

Mr. FULMER. Does this bill give the new commission any more power over the regulation of radio than the present Radio Commission has?

Mr. MERRITT. It does not.

Mr. FULMER. Is it not a fact that about all this bill hopes to accomplish is to transfer the activities of the Radio Commission and certain jurisdiction on the part of the Post Office Department and the Interstate Commerce Commission to this new commission?

Mr. MERRITT. That is right.

Mr. FULMER. May I ask the gentleman a further question? Is it not a fact, from the testimony that was given before your committee, and especially the testimony of Dr. Strawn, that the main thing is that a thorough investigation should be made of the radio corporations at this time?

Mr. MERRITT. That is right.

Mr. FULMER. I will say that I introduced a resolution at the beginning of the session; and from all the information I have, it would go to show that a thorough investigation should be made; but apparently the Department of Commerce recommended this bill to get away from an investigation.

Mr. MERRITT. There is a provision in this bill that the commission shall report by January 1935.

Mr. FULMER. That investigation will be made by the new commission?

Mr. MERRITT. That investigation will be made by the new commission; yes, sir. Of course, the advantage of that is that the commission can make a report, Congress can act as its wisdom counsels it to act, and then that same commission, knowing all the facts, can carry it out better than if they were not already acquainted with the subject matter. I think it is good business, because, just like the Interstate Commerce Commission, they act on their judgment, and the Congress on its judgment, and the combined wisdom of the two bodies will result in better regulation than if they were independent.

Mr. FULMER. Is it not a fact that the present Radio Commission is of that opinion at this time, but they are not interfering with radio operation?

Mr. MERRITT. I think the difference is that this new commission will have acquaintance not only with radio but also with the telegraph and telephone; they will all work together.

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

Mr. MERRITT. I yield.

Mr. PATMAN. The gentleman called our attention to section 215 relating to uniform charges for the same service. Does the gentleman have any knowledge of telephone companies giving free privileges to use the long-distance telephone to certain people in the country; in other words, giving them the franking privilege over their long-distance lines?

Mr. MERRITT. I do not know whether they do or not.

Mr. PATMAN. Does not the gentleman know that that has been done in the past?

Mr. MERRITT. I assume that is true of every company, especially in regard to its employees.

Mr. PATMAN. And if this law is enacted that practice would be prohibited.

[Here the gavel fell.]

Mr. MAPES. Mr. Chairman, I yield 5 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I assume from the fact this bill was reported out unanimously by the Committee on Interstate and Foreign Commerce that the bill must be meritorious and that it merely transfers powers that are already authorized to one separate commission. I, therefore, do not propose to take much time in discussing the merits of the proposals before us; and I do not assume to know very much about it except the general purpose of the legislation.

I admit that I am somewhat worried over the fact that the Democratic administration finds it necessary to employ hundreds of publicity agents to support the socialistic policies of the administration and the policies of the President and of the Democratic Party.

Four or five years ago some of us on the minority side thought that President Hoover knew something about publicity. He probably was the best publicity manager that we had ever had as President of the United States up to that time, but President Hoover was a mere piker compared to this administration, which has completely outclassed him. There are literally hundreds of paid publicity agents throughout the United States receiving substantial salaries. I venture to say that there are over a hundred who receive salaries in excess of $3,000, a very large proportion of them former members of the press—intelligent, likeable, and competent. Go to any department of the Government, small or large, or to any bureau of the Government, and you will find a publicity agent. They are frank and open about it; you will find the title right on the door. It may not always be "publicity agent", for they have various terms; it may be "director of publicity", "agent of publicity", "director of bureau of information", "public-relations division", and so on. Then there are hundreds of people employed at Government expense who clip newspaper articles and who mimeograph publicity articles. The result is that we are in the midst of a government of propaganda, by propaganda and ballyhoo, largely for the Democratic Party at the expense of the taxpayers of America. I think that fair-minded Democrats must sympathize with the Republicans who have not even got a look in. We have not got a chance at all. The only rights we have are once in a while to take the floor of the House of Representatives when there are about a score of Members present and express our views. Until recently it has been very difficult to get on the radio. A year ago Republicans could not get on the radio anywhere, but I imagine they feel they can be generous with the Republicans now because they keep adding to their publicity agents every time a Republican talks on the radio. So they can afford to let one or two of us

speak now and then and develop an excuse for some more jobs for deserving Democrats to handle publicity.

I think it is unfortunate that the radio is controlled by the administration or terrorized by the administration to the extent that the policies of the administration literally burn up the radio time day and night.

Mr. BROWN of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield.

Mr. BROWN of Kentucky. Possibly the reason they will not let you Republicans talk on the radio is for fear you might start a filibuster.

Mr. FISH. No; they are afraid we will convert the country; and they are in with the Democrats, as the Democrats are in power. But you will have the same experience we have had. We have been in power for many years, and all the big interests try to exploit the party in power. They are like barnacles on a ship, they will grab hold of you just as they grabbed hold of us in the past. They will not let go as long as you are in power.

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

Mr. FISH. I yield for a brief question.

Mr. TRUAX. The gentleman spoke about the number of publicity agents in this administration. The lesser number in the Hoover administration is probably accounted for by the fact that the Hoover administration had nothing to publicize.

Mr. FISH. Well, for several years they did not need any publicity as the Democrats do today to take care of the socialistic doctrines of the new deal.

Permit me, Mr. Chairman, to say to the "Senator" from Ohio [laughter] that you may have fooled the people this year with the depreciated dollar; but when you increase the cost of living another 25 percent and give them a 50-cent dollar, then you will need all the help you can get from the radio. It is all right now, because some of them think you are just soaking the rich; but when the time comes that they realize they are getting soaked too, then look out. You will have need of every publicity agent you now have and a lot more besides, hundreds of them, to make this new deal go over and make the consumer and American wage earner think they are getting somewhere when they pay for a 50-percent increase in cost of living with a 50-cent dollar.

I hold in my hand a clipping from a magazine. I do not want to do an injustice to the Democratic Party, of course. [Laughter.] I would not think of that for a moment, nor would I interfere with your publicity agents or other deserving Democrats. But here is an article published in the American Political Science Review of October 1933, entitled "American Government and Politics."

It is entitled "Campaign Funds in a Depression Year", by Louise Overacker, of Wellesley College, and reads as follows:

> The Democratic records show a curious situation so far as radio expenses are concerned. During the campaign itself, only $182,451 was spent for this purpose; but the list of unpaid obligations filed at the end of the year showed $160,964 outstanding in radio bills, more than $100,000 of which was owed to the National Broadcasting Co. Almost all of these debts remained unpaid on May 31, 1933. * * * Such a situation is certainly unhealthy and gives rise to the suspicion that there may have been some kind of understanding between the Democratic National Committee and the radio companies.

I do not want to make specific charges on a matter of this kind. I assume, of course, all Democrats are honest, but what commitments were made during the campaign by party managers and whether any promises were indirectly made to radio corporations I am not able to prove. At the same time, it does look as if something were wrong if these bills have not been paid. They ought to be paid in fairness to yourselves and your own party and to the country.

I should like to propose an amendment, or I should like to have some Democrat propose it instead, that no public official or member of his family shall be paid any money for speaking over the radio. There is no reason in the world why the secretary to the President, Mr. Howe, should receive $900 for making a radio speech that is not worth 9 cents.

Mr. HEALEY. How is the gentleman going to prevent it?

Mr. FISH. All you have to do is to write into the law a definite prohibition that no public official or member of his family shall receive any money for speaking over the radio.

Mr. HEALEY. Or any other place.

Mr. FISH. That applies to both Republicans and Democrats, because we expect to be in power in 1936.

Mr. BLAND. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Virginia.

Mr. BLAND. The gentleman said, as I understand him, that in the campaign the Republicans were unable to get time over the radio.

Mr. FISH. No; I did not make that statement. We pay for our time. I think the Republicans paid the bills for their time in the last Presidential campaign. A year ago some of us Republicans could not get time, but today a few of us can.

Mr. BLAND. May I call the gentleman's attention to the specific provision that equal facilities shall be given to all candidates and parties.

Mr. FISH. During the campaign we paid for our time.

Mr. BLOOM. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. BLOOM. In reading this clipping, there is no mention that the Democratic National Committee owes this money or any part of it.

Mr. FISH. Oh, yes, there is.

Mr. BLOOM. I beg the gentleman's pardon. I have read the article over very carefully.

Mr. FISH. As of May 31, all of those debts remained unpaid.

Mr. BLOOM. It does not say by whom?

Mr. FISH. It is by the Democratic National Committee. You read the paper, and then we will discuss that matter later. There is no dispute about that proposition, and I am not going to quibble with the gentleman.

I want to show you Democrats how far you have gone on this publicity question. I do not know how far you are going, but you are away ahead of anything the Republicans ever thought of. Here is a new wrinkle in the T.V.A.

Mr. BLOOM. What is the T.V.A.?

Mr. FISH. The Tennessee Valley Authority. It is that socialistic venture down in Tennessee. The gentleman will know more about it when he pays his bills next year.

> Indeed, it was the T.V.A. which devised a new wrinkle in the promotion and propaganda field when it entered into a 4-months' contract with a leading advertising agency of New York City, which was announced by Director E. Lilienthal on April 23.

Mr. RAYBURN. I am not going to raise a point of order at this time, but I shall after this. The discussion and debate is supposed to be and must be under the rule confined to the bill. I would appreciate it very much if the gentleman would confine himself to the bill, because I do not want to let him run along and then have to object to someone else.

Mr. FISH. This article merely goes on to say:

> This is the first time a department of the Federal Government has retained an advertising and merchandising agency for consulting services. The cost is $10,000.

It is just a sample to what extent the Democratic administration has gone to waste public funds and to use propaganda to support the gradual loss of confidence in the socialistic features of the new deal.

Mr. BLOOM. He is from the gentleman's district.

[Here the gavel fell.]

Mr. RAYBURN. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. MALONEY].

Mr. MALONEY of Connecticut. Mr. Chairman, I have no special desire to speak at length on this bill today. My natural inclination is to bow to the superior wisdom and experience of our very able and courageous chairman; but I had been hopeful that those who were chiefly responsible for amendments which were offered to this bill on the other side of the Capitol would be afforded an opportunity to make some reference to them in the debate here today. Because they are unavoidably absent, I feel obliged to make some particular reference to one suggested amendment already very briefly discussed.

Those of you who have read the Senate bill know that provision is made therein for a study of the allocation of radio time, which would properly take care of education, religion, agriculture, and labor.

I have not yet heard any serious reason why the Radio Commission, or the new organization which will administer this bill, should not make such a study or should not have authority to reallocate time to those all-important groups and institutions. Of course, every Member of the Congress knows that these particular groups represent the very cornerstone of our Government, and that education, religion, labor, and agriculture should be afforded a proper time to tell their story, and to spread their advantages over the radio broadcasting systems of this country.

During committee consideration of this bill I offered a more modified amendment than had been proposed. I was particularly prompted to do that by the very able presentation of Father Harney, and partially prompted by the interest of many Members of the Congress in some such addition to this bill.

I am not going to offer an amendment now. I choose to go along with the majority of my committee, which has perhaps wisely decided that this is not the time nor the place to offer this amendment. I continue to be hopeful, however, that if the bill is passed in its present form, without amendment by the House, that the conferees will give further careful consideration to that part of the Senate bill. I would like to take these few minutes more of your time to express the hope on my part, and I am sure on the part of many others, that those who will administer this law will be particularly careful of radio, and not permit it to fall into the careless ways of the motion-picture industry. Most of us are hopeful that there will not be built up the tyranny that exists in the motion-picture field, which allows certain producers to ride roughshod over the interests of independent theater owners and a great majority of the careful and clean-thinking people. I have no such fear, but I think I would be a little bit remiss if I did not express my feeling and give what I think is the principal reason why the people concerned with this amendment want this subject further considered.

I know that the great majority of radio-broadcasting companies—and I am certain more than a majority of those representing the great networks—are determined to give these groups a fair allotment of time and proper representation; but there has been evidence of real selfishness on the part of one group, and that particular selfishness is what prompted these proposed amendments; that selfishness is what prompted this particular portion of the Senate bill. These people have now within their own hands a means of correction. [Applause.]

[Here the gavel fell.]

Mr. RAYBURN. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. KENNEY].

Mr. KENNEY. Mr. Chairman, I rise for the purpose of submitting to the House an editorial written by John Borg, editor and publisher of the Bergen Evening Record.

The editorial, entitled "The New Deal Critics Forget to Remember", appeared in that newspaper published at Hackensack, N.J., Thursday, May 31, 1934. It is probably the finest editorial yet written on the phases of our national recovery. Accordingly, it deserves the thoughtful consideration of every Member of this House.

In presenting Mr. Borg's editorial, permit me to pay tribute to his high character, his marked ability, and his record of useful service in promoting the cause of good government. A Republican, he has always risen above partisan politics; and, not without sacrifices, he has faithfully and unswervingly dedicated the columns of his newspaper to the service of that great majority of unorganized taxpayers which constitutes the backbone of Bergen County, N.J. His influence, nevertheless, is not limited or confined to Bergen County, for his ability and energy, which have been combined in him for the promotion of the public welfare, are felt and appreciated widely in the State and Nation.

[From the Bergen Evening Record, Thursday, May 31, 1934]

NEW DEAL CRITICS FORGET TO REMEMBER

If intelligent critics of the National Industrial Recovery Act would realize that the Nation is confronted, not by a depression, but by an era of drastic economic readjustment, they would probably commend rather than condemn the fundamental principles of the new deal.

There have doubtless been many errors of omission and commission. It would be surprising if the reverse were true. The problems which harassed the United States last year were without precedent in our national experience. Necessarily we were compelled to embark on an uncharted economic sea to reach the harbor of sane solution.

Our debts—private, corporate, and public—exceeded the Nation's total wealth for the first time in our history. We were collectively insolvent. Commodity prices had to be raised in an attempt to increase the capital values dependent on them. That was surely a meritorious effort to restore our national solvency, to enable private as well as public debtors to meet their just obligations, and to prevent complete economic collapse with its attendant possibilities for the collapse of our civilization itself.

Such an end justified the employment of every means at the Government's command to prevent it. Out of that travail was born N.R.A., which socialized the world's greatest capitalistic nation, figuratively, overnight.

Ten million unemployed had to be fed, clothed, and housed; property rights had to be subordinated to human needs; concentrated wealth had to be redistributed; wages and salaries had to be raised to increase the ability of the masses to consume our unsalable agricultural and industrial products; and, above all, a revolution with all its attendant bloodshed and social intolerances had to be averted.

Instead, therefore, of damning N.R.A. and all its works, the conservatives of America ought to be supporting it, at least in principle. It enabled them to salvage many of the advantages and comforts of the old individualistic system, whereas without its orderly control of the crisis they might have lost everything, including something more precious to them than individual wealth.

Despite its minor frailties and faults, the fundamental principles of N.R.A. are still vital to the reconstruction program, now merely in its initial stages. The Nation is not going to be socialized—it already has been.

Our great middle class, constituting 95 percent of the country's population, is equally impatient of its 1 percent of millionaires and its 4 percent of bums who wouldn't work if they could. The chaos of early 1933 compelled a new deal; they got it, and are now experiencing its first stages. To imagine that they would permit its essential benefits to be scrapped without a fight is self-delusive. It will, therefore, probably be strengthened instead of weakened as its logical sequences are developed by trial and error.

An ultimate possibility is that corporation executives, excluding those who risk their own capital by owning actual control of their enterprises, may be restricted in the emoluments of their positions. Practically all corporations whose stocks are listed on our exchanges are owned by the public and not by the directors and officers who manage them by the grace of stockholders' proxies. To that extent they are therefore quasi-public corporations and might be legally classified as such.

The principle seems equitable that no quasi-public corporation executive, selling nothing but his services to the passive stockholders who take all the business risk, should receive more for such services than the President of the United States, who manages the largest business enterprise in the country.

It might even be argued with some logic that such executives should be restricted in their salaries to the proportion their gross business volume bears to the annual gross expenditures of the Federal Government. Thus quasi-public corporation executives would be scaled down from the President's annual $75,000 salary in the proportion that their annual business bears to our four-billion-a-year National Budget, the resultant savings to be passed along to wage earners, consumers, and stockholders to increase mass buying power.

All of this may be some years ahead of the procession which the economic chaos of our past financial jazz era set in motion. Certainly N.R.A. did not create the conditions which almost engulfed the world's richest Nation. It was merely erected afterward in a desperate effort to control the aftermath and provide some semblance of orderly direction out of the abyss.

Obviously, if damnation is merited, we ought therefore to damn the indiscretions and excesses which undermined the country's economic health, not to curse the remedies that had to be emergently applied to save its life.

Mr. RAYBURN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. TRUAX].

Mr. TRUAX. Mr. Chairman, the gentleman from New York—and we all like him, even though he does complain a good deal—reminds me of a time when I was selling hogs down in the South. I stopped at a railroad station, and there was a cracker sitting there with a 'coon dog and the dog was sitting on his haunches dismally howling. I said to the cracker, "Why does the dog howl?" "Well", he

said, "he has got the hookworm", and I said, "Why does the hookworm make him howl?" and he said, "He just howls", and I said, "I want a better reason than that", and finally he said, "Well, to tell you the truth, that there dog is sitting on a sand burr and he hasn't got sense enough to get off of it, and he just sits here and howls because it hurts." [Laughter.]

Now, my friend from New York is trying to find issues, but being unable to do so he just naturally comes up here and howls, day by day, about the Roosevelt administration. [Laughter.]

I am deeply pained that it was my misfortune to miss the free-for-all scrap that was staged in the House yesterday, and the various and sundry roll calls pertaining thereto.

When it comes to answering roll calls, I yield to no Member of this House. When it comes to a proposition of sitting on this floor day after day listening to debate, taking part in debate, and fighting for the oppressed and distressed common people I yield to no Member of this House. When it comes to putting forth heroic efforts and giving the best there is in me for the rights of the common people, I yield to no Member in a free-for-all scrap such as was staged here yesterday.

My reason for missing the roll calls and the belligerency that took place was because of a necessary visit to my home State of Ohio. No; I did not go back for political reasons. I did not return to see how the horizon looked with reference to my campaign. I returned for the sole purpose of participating in an event that comes but once in the life of every Member of this Congress—the graduation from high school of his eldest son.

Had I been blessed with the income and wealth of some, I might have made this round trip to Ohio upon palatial, expensive, air-conditioned trains and Pullmans. But not having been anointed with the wealth and income of the silk-stockinged aristocracy, I made the trip in my faithful Ford, using one day, Thursday, to go to Ohio, the commencement exercises being held Thursday night, and using the next day, Friday, to drive back through a sun-baked and dust-clouded Commonwealth with prevailing temperatures of 103 degrees.

I am here today, back in the harness for the farmers, the unemployed, the war veterans, and small business men and producers. Upon arrival I was glad to learn that the roll calls I missed were practically of unimportance, since they were forced by the Republican side in their ill-fated and abortive attempt to filibuster against the Roosevelt recovery program and the N.R.A.

Without regard to the merits of the facts found or alleged to have been found by the National Recovery Review Board, the significant fact is its bold recommendation as an official body of the United States Government to the President of the United States to pursue a course of State socialism.

A study of the history of this Board and of its members and agents leads one to the unavoidable and alarming conclusion that the final recommendation of the Board was part of a preconceived plan on the part of some of its members and their advisers to undermine the confidence of the people of the United States in their Government in a time of national emergency. They used this opportunity for high public service to spread socialistic and communistic doctrine on the front page of all the newspapers throughout the land.

When an obscure professor from Indiana became alarmed at certain alleged statements of subordinate officials at a dinner party, this body conducted an investigation to determine whether or not our administration was infected with communistic and socialistic doctrines. How much more important it is that we make clear to the American people just how this scandalous report came to be made. If it were not for the high position that this board holds and the fact that its report was an official message to the President of the United States, the personal theories of government held by some of its members would not be of any importance. But the way this report was publicized and the way that certain Members of Congress have taken up its battle cry makes it imperative as our duty to the people of the United States that we clear this matter up. A slight investigation into the real facts demonstrates the obvious bad faith of the board. In order to lay the basis for the astounding recommendation to abandon the recovery movement and move to state socialism, naturally it had to be demonstrated that the National Recovery Administration was not succeeding. Since this was a large order, the oppression of the little fellow was taken up as the most convenient vehicle.

Now, of course, there are cases where the codes have worked some hardships against small enterprise. It was this very fact and the difficulty of bringing to light these few cases that caused General Johnson to recommend the appointment of this special board so that the flexible machinery of N.R.A. could right the wrongs. However, the board found that as a general rule N.R.A. uniformly promoted monopoly and oppressed small enterprise.

To get away from allegations and counterallegations here are some facts: Dun & Bradstreet's review shows that the failures per hundred establishments with liabilities under $100,000 progressed steadily from 0.34 in 1919 to 1.38—a record high—in 1932; or, in other words, out of every 1,000 small business men in 1919, 3 went into bankruptcy. The cutthroat competition of the chain store and the large manufacturer, by virtue of quantity buying and production, forced the little fellow to the wall, so that in 1932 there were over 13 small business men out of every 1,000 who had to give up the ship—an increase of over 400 percent. Even during the boom years of 1924 to 1928 over nine out of every thousand small enterprises went into bankruptcy every year. Now, during 1933, especially since the passage of the Recovery Act and the codes, we find that at the end of the year there was not even one little fellow going into bankruptcy out of every thousand but that only 1 out of every 2,000 failed. But, of course, everyone that does fail lays his failure to N.R.A.

I would like to pause here to read an editorial appearing in the Cleveland (Ohio) Plain Dealer for May 17, 1934, which brings out this point:

NOT SO SICK

It is current fashion for the foes of Roosevelt recovery to beat their breasts on behalf of the little man. One is told that N.R.A. has become the handmaiden of monopoly and that its codes are putting a millstone around the neck of all the little businesses of all the little men.

Yet a report from Washington that the codes for the service industries will be abandoned brings several thousand protests to the N.R.A., mostly from the dry-cleaning industry, admittedly one of N.R.A.'s problem children. Manifestly most of them must have come from the little man for there are not that many big ones.

Another index of the business health of the little man is the steady decline in commercial failures. Last week, reports Dun & Bradstreet, failures were fewer than for any similar period in 14 years. They numbered 222 against 437 a year ago, and a weekly average of over 400 in predepression years.

Still another indication that all the little men are not dead or dying is the substantial decrease in the number of vacant stores noted in Cleveland and almost every other city. They should be increasing if one is to believe the recovery critics' tales of woe, for in the main it is the little men who do business in the little stores.

Many little men in business have been having their troubles, even as have the big men. But many of them seem to be convalescing very successfully.

The Darrow Board heard the evidence of the few but disregarded the evidence of the many, and what is more, disregarded the facts.

There is another side to the picture that the Board neglected. The National Industrial Recovery Act gives a mandate to the administration not only to rehabilitate industry, large and small, but to reemploy the millions of destitute workers; the individual worker is the real little fellow in this economic world. For him the Darrow report had little or nothing to say. And yet the most recent report on reemployment, that of the National Industrial Conference Board, in a survey issued May 23, estimated the total unemployed for the month of May as 7,907,000. This figure represents a decline of 114,000 from March 1934, and a reduction of 5,296,000, or 40.1 percent, as compared with the total unemployed in March 1933, the high point of unemployment in this country.

So we see that there has been a tremendous improvement in employment and in the condition of the small business man under N.R.A. But there was another mandate in the act—that the benefits accruing to the employer and to the employee should not impair the public interest. In other words, the interest of the consumer was also to be protected. We have heard much from self-styled champions of the consumer—which means champions of the whole people—admitting the benefits to industry and labor, but contending that prices increased too rapidly and that recovery is, therefore, more apparent than real, since the consumer cannot afford to buy at existing price levels. These allegations are not supported by the facts. The columns of our public press, especially those appearing under financial and business pages, are literally swamped with statistics from reliable sources to the effect that production is booming and that the volume of unit sales is higher than at any time since the crash. There are more and more people who are willing to buy and are buying at existing price levels. Certainly it is not the employers of the country that are doing all this buying of consumer goods. The consumer is the employee, and as his wages go up he is buying more and more, causing more production and more employment. The vicious descending spiral has been reversed and the theory of the National Industrial Recovery Act has been vindicated.

Here is an article in the Washington Post of Tuesday, April 17, 1934:

INDUSTRIAL RECOVERY IS FOUND ADVANCING ALONG WIDER FRONT—SURVEY REVEALS FIRST QUARTER'S BUSINESS MOVED FORWARD VIGOROUSLY—GAINS RECORDED IN PRODUCTION, SALES, PRICES, PAY ROLLS, AND EMPLOYMENT

NEW YORK, April 16.—Industry moved ahead vigorously in the first quarter of 1934. Increased activity, visible in a number of lines late in 1933, was extended to all major industries in the first 3 months of 1934, with gains in production, sales, prices, employment, and pay rolls recorded on a far greater scale than in the corresponding period of any recent year, according to a survey of industry for the first quarter of 1934, which has just been completed by the research department of Dun & Bradstreet, Inc.

The extent of the industrial gains is shown in the trends of seven primary factors, the survey points out, all of which point to but one conclusion: That American industry enters the second quarter of 1934 with recovery in full swing.

The preceding months have been a period of steady progress and outstanding achievement, emphasized and made more striking by the low level from which the forward movement began. Fundamental conditions not only have improved greatly but the momentum of industry has been accelerated sharply.

PRODUCTION UP 10.8 PERCENT

The extent of the industrial improvement in the first quarter of 1934 is shown in the movement of the index of industrial activity during that period. The December index figure was 71.6. In the following 3 months it advanced successively to 72.5 to 73.2, and finally, in March, to 79.3. The gain over the December level of activity was 10.8 percent. This is the most impressive first-quarter-activity increase recorded in any recent year.

A continuance of the expansion of the volume of industrial sales also was a feature of the first 3 months of the year. For the first time in a number of years the sales of each one of the 25 industries chartered was higher than in the corresponding quarter of the year before.

In the third quarter of 1933 the sales average of 16 of the 25 industries were over 100 percent. In the fourth quarter 100 percent or more was shown by 23 of the 25. Among the most outstanding gains were those of steel, automotive, chemical, and household-products industries.

EMPLOYMENT AND WAGES GAIN

First-quarter wage increases were of striking proportions, manufacturing pay rolls in February reaching a new high in a gain of 12 percent over the January figures, restoring a peak untouched since early in 1931, and making the greatest 1-month improvement in 15 years. The increases affected workers practically in all industries, and applied both to salary and to wage earners. The average increase in wage scales was slightly greater than the average increase in salary scales.

The gains in employment in the first quarter of 1934 were equally as impressive as the wage increases. The average total of unemployed in the period was a little more than 8,000,000, whereas the total for the corresponding period of 1933 was over 13,000,000. The same totals, on the basis of 50,000,000 normally gainfully employed, show a gain in employment of 14.2 percent.

There is no need to recount endless statistics. Every reliable index now at hand shows that since the adoption of the codes of fair competition under N.I.R.A. there has been a steady recovery caused by the fact that the fundamental principles on which it is based have been put to work and are working as anticipated. When the National Recovery Act started its effort, business was stagnated. The plea was heard on all sides to start the great flywheel of industry. The President's plan was simple. If all employers would shorten their hours and take on more men at higher wages, this would increase the purchasing power of the great army of the unemployed who had had nothing to buy anything with for years. This was to be the spark which would turn the great wheel over. That is exactly what has happened. Millions of men have been reemployed and pay rolls are increasing and nothing now can stop it, not even abortive attempts to sidetrack the issue by pessimistic recommendations of a resort to state socialism as our only way out.

But people are inclined to lose sight of this simple fact. In the beginning of March the Administrator paused to take a breath in the tremendous task of supervising the formulation of codes by industry groups and asked for constructive criticism. No such appeal was ever before made by an administrative officer of our Government in so important a position. The well-founded criticism was received with open arms and was used and is now being used in the reorganization of N.R.A. along lines suited to its new task of supervising the administration of the codes formed during the past year. Criticism makes news. The slow, steady, internal improvement does not make news. This is always a fact, but people are inclined to forget it. They see only the critical side and do not see the answer.

There are those who say that N.R.A. is too rigid and inflexible. Nothing is further from the fact. A more flexible method of administration has never before been devised. The recent action of the President in relaxing the trade-practice provisions of the local service trades, except where there is majority agreement in each locality, is a perfect example of this flexibility. Yet destructive critics allege that this forward step toward consolidation and improvement of administrative methods after fair trial is the beginning of the crack-up. This is typical of the destructive and subversive attacks to which I have referred.

It is time that we reconsidered the fundamental philosophy of N.R.A. as expounded by the President on June 16, 1933, when he signed this act. Let us look at some of the things he said then and see how well he foresaw the problems and how well his program has been carried out. He said:

> The law I have just signed was passed to put people back to work—to let them buy more of the products of farms and factories and start our business at a living rate again. This task is in two stages—first, to get as many hundreds of thousands of the unemployed back on the pay roll by snowfall, and second, to plan for a better future for the longer pull. While we shall not neglect the second, the first stage is an emergency job. It has the right-of-way.

Now, many of N.R.A.'s critics have complained because the whole army of 12,000,000 unemployed was not absorbed by industry by last Christmas, and alleged that the original promise had been broken. The President said many hundreds of thousands. As a matter of fact, the figure actually was in the millions. I quote again:

> In my inaugural I laid down the simple proposition that nobody is going to starve in this country. It seems to me to be equally plain that no business which depends for existence on paying less than a living wage to its workers has any right to continue in this country.

Here again may I pause to point out that critics of N.R.A. who shed crocodile tears for the little fellow are weeping for those who owe their existence in industry to paying less than a decent living wage. Of all of the complaints of small business men received by N.R.A., over 90 percent can be traced to the complaint that they are unable to pay the minimum wage and to abide by the maximum hour provisions of the codes.

Now, we come to the fundamental philosophy of this law. The President said:

> The challenge of this law is whether we can sink selfish interest and present a solid front against a common peril.
>
> It is a challenge to industry which has long insisted that given the right to act in unison, it could do much for the general good which has hitherto been unlawful. From today it has that right.

Now, there are critics of N.R.A. who have filled the public press and the ether with outcries of "regimentation." I wish to call your attention to the fact that not one code has been adopted which was not written by the industry and agreed upon by the vast majority of that industry. There is no regimentation by fiat—there is self-organization by the will of industry itself, under the rules established by this Democratic Congress.

The President further said that—

This law is also a challenge to labor. Workers, too, are here given a new charter of rights long sought and hitherto denied—

Further—

This is not a law to foment discord and it will not be executed as such.

Now, there are vociferous critics of the administration who claim that N.R.A. has sold out to labor. Other critics say that N.R.A. has sold out to industry The very fact that the volume of this criticism is so evenly divided is an indication of how well N.R.A. has done its job. Every time a benefit is given to labor there are those in industry who squeal. Every time labor is not given all that its extreme advocates demand there are those who make violent outcry. The very essence of N.R.A.'s job is compromise. It must constantly compromise conflicting special interests for the benefit of the public interest. This is the very essence of democratic government.

The President foresaw on the date he signed this act that this resolving of conflicting interests was the most difficult problem before us, and he said:

It is further a challenge to administration. We are relaxing some of the safeguards of the antitrust laws. The public must be protected against the abuses that led to their enactment, and to this end we are putting in place of old principles of unchecked competition some new Government controls. They must, above all, be impartial and just. Their purpose is to free business—not to shackle it—and no man who stands on the constructive, forward-looking side of his industry has anything to fear from them. To such men the opportunities for individual initiative will open more amply than ever.

He further stated that—

Government must guard those who play the game for the general good against those who may seek selfish gains from the unselfishness of others, and it must be done quickly. We must see that our haste does not permit favoritism and graft. All this is a heavy load for any government, and one that can be borne only if we have the patience, cooperation, and support of people everywhere.

The facts and statistics which I have set forth above show how well this challenge has been answered.

But there are still those who are skeptical. There are those who becloud these fundamental facts with insidious propaganda. The President foresaw this, too, the day he signed the act. He said:

Finally, this law is a challenge to our whole people. * * * This great cooperation can succeed only if those who bravely go forward to restore jobs have aggressive public support and those who lag are made to feel the full weight of public disapproval.

The worst enemies of our country in a time of emergency are those who attempt to destroy the faith of the people in their power to meet the emergency. One of the most insidious ways to shake that faith is by stirring up rumblings of communism and socialism.

I cannot believe that Clarence Darrow, who in his younger days was one of the most able lawyers of his time, would, upon sober reflection, repeat his demoralizing recommendation. I cannot think that he would allow himself to be misguided and misled further by those counselors and intimates who have apparently impressed their own cynical and destructive theories of government and human relations upon him. However, I do feel that the activities of these counselors, who took advantage of Mr. Darrow and of the position of high public trust which he holds to propagate their political theories contrary to the Constitution of the United States and in violation of the oath of office of this Board, should be investigated, particularly with regard to their apparent attempt to corrupt Members of the Congress with soviet and communistic doctrines.

In conclusion, it is heartening to note that some of our leaders and molders of public thought, who through the darkest hours of N.R.A., while it was embattled in the conflict of special interests, doubted and lost faith, have now become reimbued with a belief in the fundamental soundness of the program and are convinced of its success. Mr. William Randolph Hearst, who recently sailed for Europe, when asked his views on the National Recovery Act, stated—I quote from the Washington Herald of May 2:

It is much better than it was. I talked with General Johnson in Washington, and he seemed to have a very judicious and admirable attitude. He said that the codes were very satisfactory to many industries and they preferred to have them rather than not to have them.

I have sympathy for the National Recovery Act and all is right with it so long as they don't try to tell you to do something you cannot do.

Of business in general Mr. Hearst said:

I should say that there is a very definite change, a distinct change. Our own business—newspapers—is a very good barometer. If it were not so, we could not carry out the provisions of the N.R.A. Advertising is increasing, and that is an indication of improved business.

This is no time for scoffers and cynics to smirk at the courageous efforts of a great people. This is no time to cast down and discredit the efforts of loyal and devoted public servants, who are helping that people to reestablish faith in itself and in its ability to throw off this nightmare of despondency. This is no time for enemies of our form of government to sabotage this great cooperative effort to advance their own selfish ends. This is the time to inquire into the motives back of this campaign of planned destruction of faith. I demand a complete investigation into the personnel and motives of the Darrow Review Board.

Mr. FISH. Mr. Chairman, I would like to be advised what the N.R.A. has to do with this legislation.

Mr. TRUAX. Just about as much as the gentleman's own remarks. As a matter of fact, they have more to do with it because these are constructive utterances of mine and the gentleman's were destructive. [Laughter and applause.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD, and to include therein statistics printed in the Cleveland Plain Dealer and in the New York papers as evidence of the success of N.R.A.

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

There was no objection.

Mr. TRUAX. Now, Mr. Chairman, I want to talk on the bill. The President of the United States has asked Congress to pass this bill. He is asking for unified control of the great lines of communication. If there were anything I could add to this bill which would create a commission to handle and to supervise and investigate the communications of this country, it would be that something be done, and in the near future, to lower the rates of the telephone octopus of this country, to lower the rates of the Western Union, and the Postal Telegraph, and any other lines of similar service.

These public utilities are the only ones I know of, outside of the gas monopoly and the Power Trust, that all during this depression have not only refused to lower their rates, but have raised them, doubled, and trebled them.

We put a tax of 5 cents on telegrams. I do not know how it is in other States, but in my State, Ohio, the Western Union charges the consumer this 5-cent tax on a 25-cent telegram, while the Postal Telegraph Co. pays the tax itself. Surely the cost of operation of one telegraph line is no greater than that of the other. It is high time we had a thorough and complete investigation looking toward the lowering of rates of the telephone companies of this country, largely owned by J. P. Morgan & Co., of Wall Street. In my State this is true, because the Ohio Bell Telephone Co. is owned by Morgan & Co.

I understand that the American Telegraph & Telephone Co. is largely owned by Morgan and his band of pirates and buccaneers down in Wall Street. Think of it! When the

price of farmers' hogs is only 3 cents a pound, eggs selling at 12 dozen cents a dozen; when in my State the farmers will not even have a garden; when they will have to cut their hay with a lawnmower or a safety razor; when they have nothing to sell—Mr. Wallace's program of crop reduction is working in my State at 100 percent, and the reason you have dollar wheat on the Chicago Board of Trade is that the farmers will not have any wheat to sell. High prices when he has nothing to sell and low prices when he has a bumper crop. This unfair condition, coupled with the pig-killing, plowing-under Wallace program is sending the farmer straight to an economic hell in a double-geared, super-streamlined hanging basket.

[Here the gavel fell.]

Mr. MAPES. Mr. Chairman, I yield 3 minutes to the gentleman from Massachusetts [Mr. GIFFORD].

Mr. GIFFORD. Mr. Chairman, I am not against the bill; but each time a radio bill has been before the House for the last several years I have expressed myself with this thought in mind: There ought to be some expression of policy from Congress for these boards set up to handle radio problems. If we do not set up a policy, are they expected to take the initiative?

We all know that in general we have to listen to what may be furnished by those who buy time to advertise their products.

The thought I have expressed here often is that we ought to have an investigation leading to an enlarged use of radio for use in sending messages similar to telephone and telegraph.

It would seem that when we are traveling or located where we may not have the use of the telephone we ought to have communication by the use of the radio. Perhaps it is not yet practical. Do we not telephone by radio across the seas? Why not telephone by radio between points in the United States? Some 2 years ago we received volumes from the Federal Trade Commission tending to show that radio was controlled by a monopoly which seemed to have agreed not to go into competition with telephone and telegraph companies. I am wondering if the committee paid any attention to these reports of the Trade Commission and ever discussed any policy suggested by these reports. Is this little statement in the bill that this new board will make a study sufficient? As before, will not complaints as to present allocations be their chief concern? Congress should determine the general policy of the use of this great invention, and the board should carry out such instructions.

I want to make the point clear as I can that we should know why the radio cannot be used for the more important matters of transmitting messages, news, and educational features. People in other countries seem to be willing to pay for service they receive, rather than surrender the air to advertisers who may be able to pay for such privilege. The board should study the way that it is carried on elsewhere and make recommendations. Congress itself should suggest to this new board a broad field of investigation in the radio field.

[Here the gavel fell.]

Mr. MAPES. Mr. Chairman, I yield myself 5 minutes. I am not going to attempt to discuss the bill in detail. Frankly, I do not know enough about it to do so, but I do want to take the opportunity to express my approval of the general purpose of the bill. For several years there has been an agitation to put all communications by wire and wireless under the jurisdiction of one commission. I think that is desirable, and that is what this bill primarily does. Speaking broadly, it does not attempt to do anything further than that. Under existing law the Postmaster General has certain powers over telegraph companies, the Interstate Commerce Commission has a great deal of power by statute over telegraph and telephone companies, which, for the most part, it has never exercised, and, of course, the Radio Commission has complete control under existing law over the radio. This bill proposes to put all of the powers now exercised by these different agencies under the new communications commission and it abolishes the authority which these other agencies now have in that respect. It abolishes the present Radio Commission. Primarily that is all this bill attempts to do. There are some amendments to the laws relating to telegraph and telephone and cable, but no amendments have been proposed to the radio law. The Interstate and Foreign Commerce Committee has felt it is not sufficiently informed and that there is not enough time remaining during this session of Congress to enable it to go into the various phases of existing law to justify it in recommending any substantial amendments to the law as it now stands. The bill provides that the new commission shall report back to Congress its findings on different matters and make such recommendations for amendments to the law as it thinks should be made. These can be taken up and considered more deliberately some other time than they can be at the close of a session of Congress such as we are in at the present time.

To repeat, I am in sympathy with the general purposes of this bill and shall vote for it.

The CHAIRMAN. There being no further general debate, the Clerk will read the bill for amendment.

The Clerk read as follows:

DEFINITIONS

SEC. 3. For the purposes of this act—

(a) "Wire communication" or "communication by wire" means the transmission of writing, signs, signals, pictures, and sounds of all kinds by aid of wire, cable, or other like connection between the points of origin and reception of such transmission, including all instrumentalities, facilities, and services incidental to such transmission.

(b) "Radio communication" or "communication by radio" means the transmission by radio of writing, signs, signals, pictures, and sounds of all kinds, including all instrumentalities, facilities, and services incidental to such transmission.

(c) "Licensee" means the holder of a radio-station license granted under the Radio Act of 1927, as amended.

(d) "Transmission of energy by radio" or "radio transmission of energy" includes both such transmission and all instrumentalities, facilities, and services incidental to such transmission.

(e) "Interstate communication" or "interstate transmission" means communication or transmission (1) from any State, Territory, or possession of the United States (including the Philippine Islands and the Canal Zone), or from the District of Columbia to any other State, Territory, possession of the United States (including the Philippine Islands and the Canal Zone), or to the District of Columbia; or (2) between points within the same Territory, or possession (except the Philippine Islands and the Canal Zone), or the District of Columbia; or (3) between points within the United States but through a foreign country if the point of origin and the point of reception are not in the same State.

(f) "Foreign communication" or "foreign transmission" means communication or transmission from or to any place in the United States to or from a foreign country, or between a station in the United States and a mobile station located outside the United States.

(g) "United States" means the several States and Territories, the District of Columbia, and the possessions of the United States, but does not include the Philippine Islands and the Canal Zone.

Mr. GOSS. Mr. Chairman, I move to strike out the last word. A few moments ago one of the gentlemen on the Democratic side of the aisle spoke with reference to section (c), page 51, of the Senate bill, which was left out of the House bill. I am sure the gentleman spoke the sentiment of many Members on the Democratic side of the aisle. Many Members on the Republican side have spoken to me about this particular subsection, which reads as follows:

The commission shall study the proposal that Congress by statute allocate fixed percentages of radio-broadcasting percentages to particular types or kinds of nonprofit radio programs or to persons identified with particular types—

And so on. I understand that is not in the House bill but is in the Senate bill and that that matter could go to conference. There are many people, not only on both sides of the aisle in this House but in the country, who are anxious to have some consideration given to that. While I realize the specific 25 percent is stricken out, all that would do would be to have the commission study the matter and report back at a later date with some kind of findings. I just wanted to take 2 or 3 minutes to call attention to the fact that there are many Members on our side of the aisle as well as on the Democratic side of the aisle who are interested in this.

Mr. RAMSPECK. Mr. Chairman, I rise in opposition to the pro forma amendment.

I am also interested in this subject, although I say frankly to the Committee that, with the present information I have, I am opposed to mandatory allocation of wave lengths by the commission. However, I do think that the conference committee would do a service to the country by considering the question of whether or not we ought to have consideration by the commission of this question, which is getting to be a very acute one, and on account of which Congress is receiving a great deal of pressure from various organizations, to force the commission to allocate certain specific parts of the radio facilities to various organizations.

As a member of the Committee on Merchant Marine, Radio, and Fisheries I have had some opportunity to study this question. It is one that needs a great deal of study, because, when you get into the field of trying to allocate by law to various organizations, no matter how good their purpose may be, you find you are dealing with a very difficult question. In the religious field, for instance, you find many various forms of religious organizations that would like to participate in the radio facilities of the country; yet, as far as I have been able to see at this time, no radio station can operate under the American system without having sustaining programs. When they accept sustaining programs they enter the commercial field. For that reason I would not have favored the amendment of the Senator from New York, which was attempted to be put on this bill in the Senate. However, I hope the conferees will consider whether or not it will be helpful to have this new commission make a study and report to Congress along that line. I wish to commend the commitee for its work on this bill. In my opinion it is greatly improved as compared with the Senate draft.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 205. (a) Whenever, after full opportunity for hearing, upon a complaint or under an order for investigation and hearing made by the Commission on its own initiative, the Commission shall be of opinion that any charge, classification, regulation, or practice of any carrier or carriers is or will be in violation of any of the provisions of this act, the Commission is authorized and empowered to determine and prescribe what will be the just and reasonable charge or the maximum or minimum, or maximum and minimum, charge or charges to be thereafter observed, and what classification, regulation, or practice is or will be just, fair, and reasonable, to be thereafter followed, and to make an order that the carrier or carriers shall cease and desist from such violation to the extent that the Commission finds that the same does or will exist, and shall not thereafter publish, demand, or collect any charge other than the charge so prescribed, or in excess of the maximum or less than the minimum so prescribed, as the case may be, and shall adopt the classification and shall conform to and observe the regulation or practice so prescribed.

(b) Any carrier, any officer, representative, or agent of a carrier, or any receiver, trustee, lessee, or agent of either of them, who knowingly fails or neglects to obey any order made under the provisions of this section shall forfeit to the United States the sum of $1,000 for each offense. Every distinct violation shall be a separate offense, and in case of continuing violation each day shall be deemed a separate offense.

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

The Clerk read as follows:

Amendment offered by Mr. FISH: Page 126, at the end of line 8, add section (c): "No official of the Government or member of his family shall receive pay for speeches over the radio."

Mr. RAYBURN. Mr. Chairman, I make a point of order against the amendment. The gentleman spoke on this awhile ago?

Mr. FISH. Yes.

Mr. RAYBURN. I make the point of order, Mr. Chairman, that the amendment is not germane to the bill.

The CHAIRMAN (Mr. DISNEY). The point of order is sustained.

The Clerk read as follows:

EXTENSION OF LINES

SEC. 214. (a) No carrier shall undertake the construction of a new line or of an extension of any line, or shall acquire any line, or extension thereof, or shall engage in transmission over or by means of such additional or extended line, unless and until there shall first have been obtained from the Commission a certificate that the present or future public convenience and necessity require or will require the construction, or operation, or construction and operation, of such additional or extended line: *Provided*, That no such certificate shall be required under this section for the construction, acquisition, operation, or extension of (1) a line within a single State unless said line constitutes part of an additional interstate line, (2) local, branch, or terminal lines, (3) wires or cables added to existing pole lines or conduits or other structures constituting established routes, or (4) any lines acquired under section 221 of this act: *Provided further*, That the Commission may, upon appropriate request being made, authorize temporary or emergency service, or the supplementing of existing facilities, without regard to the provisions of this section.

(b) Upon receipt of an application for any such certificate the Commission shall cause notice thereof to be given to and a copy filed with the Governor of each State in which such additional or extended line is proposed to be constructed or operated, with the right to be heard as provided with respect to the hearing of complaints; and the Commission may require such published notice as it shall determine.

(c) The Commission shall have power to issue such certificate as prayed for, or to refuse to issue it, or to issue it for a portion or portions of a line, or extension thereof, described in the application, or for the partial exercise only of such right or privilege, and may attach to the issuance of the certificate such terms and conditions as in its judgment the public convenience and necessity may require. After issuance of such certificate, and not before, the carrier may, without securing approval other than such certificate, comply with the terms and conditions contained in or attached to the issuance of such certificate and proceed with the construction, acquisition, operation, or extension covered thereby. Any construction, acquisition, operation, or extension contrary to the provisions of this section may be enjoined by any court of competent jurisdiction at the suit of the United States, the Commission, the State commission, any State affected, or any party in interest.

(d) The Commission may, after full opportunity for hearing, in a proceeding upon complaint or upon its own initiative without complaint, authorize or require by order any carrier, party to such proceeding, to provide itself with adequate facilities for performing its service as a common carrier and to extend its line; but no such authorization or order shall be made unless the Commission finds, as to such extension, that it is reasonably required in the interest of public convenience and necessity, or as to such extension or facilities that the expense involved therein will not impair the ability of the carrier to perform its duty to the public. Any carrier which refuses or neglects to comply with any order of the Commission made in pursuance of this paragraph shall forfeit to the United States $100 for each day during which such refusal or neglect continues.

Mr. BACON. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. Perhaps the gentleman from Michigan [Mr. MAPES] can answer the question. I want to ask with reference to section 214. It seems to me that the way it is worded would prevent the construction of emergency lines, due to some flood or fire or something like that. There are many times a year when emergency lines must be erected. It seems to me the way this section is worded, the emergency construction of lines would be prevented.

Mr. MILLIGAN. If the gentleman will read page 134, he will notice it makes provision for just such a case as the gentleman has stated.

Mr. BACON. I simply ask the question to clear the matter up.

The Clerk read as follows:

INQUIRIES INTO MANAGEMENT

SEC. 218. The commission may inquire into the management of the business of all carriers subject to this act, and shall keep itself informed as to the manner and method in which the same is conducted and as to technical developments and improvements to the end that the benefits of new inventions and developments may be made available to the people of the United States. The commission may obtain from such carriers and from persons directly or indirectly controlling or controlled by, or under direct or indirect common control with, such carriers full and complete information necessary to enable the commission to perform the duties and carry out the objects for which it was created.

Mr. BACON. Mr. Chairman, I move to strike out the last word for the purpose of asking a further question. Does section 218 prevent a man who has made an invention from patenting that invention?

Mr. RAYBURN. Oh, no.

Mr. BACON. It does not deprive him of any right that he may have as an inventor?

Mr. RAYBURN. None whatever.

Mr. BACON. In other words, the company can use any inventions that they might make?

Mr. RAYBURN. For the time the patent runs; yes.

Mr. BACON. No patent rights are taken away?

Mr. RAYBURN. None whatever.

Mr. BACON. From either the individual or the company?

Mr. RAYBURN. None whatever.

Mr. McFADDEN. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, supplementing what I said in my remarks on the rule in which I called attention to attempts to take off the air station WNBO at Washington, Pa., I want the House to know and understand something more about this particular instance, because it has to do with the question of censorship and the treatment that is being meted out to the little independent broadcasting stations in this country by the Radio Commission. It is the practice, apparently, of the Commission to deal in this question of censorship directly with the broadcasting station—and may I say the Commission have no authority in law on the subject of censorship—and if they are not successful in the case of these small stations, they file complaints against them for letting certain people broadcast over their facilities.

In this case Mr. Spriggs, who operates station WNBO, was the object of certain charges—foolish charges mostly—in regard to operations that were paid for and otherwise. He wanted to continue his operations when he found out the Commission were after him and began appealing to sources from which he thought he could get relief. He employed certain attorneys in this city. Not being successful, he sought political influence. He sought the assistance of Joseph F. Guffey, chairman of the Democratic State Committee in Pennsylvania. Mr. Guffey turned him over to his appointee in the Department of Justice, a Mr. Vann, and Mr. Lohnes, an attorney here, and they assured him that they would get the matter straightened out with the Commission. They undertook it and certain other attorneys in the city of Washington, D.C., were employed apparently to assist Mr. Spriggs. All of a sudden Mr. Spriggs found out that the attorneys here employed were working in the interests of Mr. Guffey, and that Mr. Guffey wanted this radio station for his own account for political broadcasting in Pennsylvania.

I have here the correspondence between Mr. Guffey and Mr. Spriggs, showing the activities of these attorneys and the attorneys to whom Mr. Guffey turned him over, showing the activities of Mr. Vann, of the Department of Justice, using political influence. Mr. Spriggs found himself being double-crossed in this respect, after having paid large and voluminous fees; and apparently the Radio Commission were cooperating fully with Mr. Guffey and his man Vann, of the Department of Justice, and Messrs. Lohnes and George Sutton, because Mr. Spriggs was finally told, within the last 30 days, that that which he wanted most of all, the continuance of the right to operate his station, had been taken away from him and was to be given to a station in Canton, Ohio.

I submit that such tactics should not be permitted to continue. Here is a letter from Mr. Joseph F. Guffey to Mr. Spriggs, written from the Mayflower Hotel, November 15, 1933, where Mr. Guffey was located, and was dealing with all matters of Pennsylvania patronage and matters pending before the departments of the new-deal administration. He wrote Mr. Spriggs as follows:

NOVEMBER 15, 1933.

DEAR MR. SPRIGGS: This will acknowledge receipt of your telegram of the 9th, regarding the application now pending before the Radio Commission for the licensing of radio station at Washington, Pa. I understand this case is now in good shape before the Commission and that it will receive early consideration. As you probably know, Mr. Vann, of the Department of Justice—

The appointee of Mr. Guffey—

has now returned after an absence caused by an automobile accident. I am asking him to keep in touch with this matter, and I will be glad to be of every possible help in connection therewith.

Sincerely,

JOSEPH F. GUFFEY.

I would call your attention also to the fact that WNBO had made an application before the Commission, which was pending since 1930, to move its station to Monessen, the hub of five counties and the center of one and three-quarter millions of people. WNBO is the only independent broadcasting station in the cosmopolitan area of Pittsburgh. One can thus understand how Mr. Guffey, Mr. Farley, and their political associates were interested in controlling this particular station, a station which Mr. Spriggs did not wish to sell but wanted to continue to operate; and what a contemptible trick Mr. Guffey and his political associates were resorting to, and with the aid and cooperation of their political-controlled Radio Commission. I want to register my protest against such tyranny.

[Here the gavel fell.]

Mr. McFADDEN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. McFADDEN. I want to point out that the original license to WNBO was granted February 19, 1927. The original license was granted at 15 watts and its place on the dial was 1,420 kilocycles. Their station is located at Silver Haven, near Washington, Pa., and within a radius of 25 miles reaches a population of a half a million at the present time.

In 1927 the wattage of the Pittsburgh broadcasting stations was as follows:

KDKA, a National Broadcasting station, Pittsburgh, 25,000 watts. This has been increased to 400,000 watts. This station is owned by the Westinghouse Co. and is leased to the National Broadcasting Co.

WCAE, at Pittsburgh, is owned by William Randolph Hearst and carries almost exclusively N.B.C. programs, was 500 watts and has been increased to 1,000 watts. This increase was granted by the Federal Radio Commission without even notice to WNBO, in violation of the rules and regulations of the Radio Commission.

KQV, owned by Sam Brennan, is used almost exclusively by Columbia Broadcasting Co., started with 500 watts, and remains 500 watts.

WJAS, Columbia Broadcasting Co., was 500 watts and was increased to 2,500 watts.

WWVA, Wheeling, W.Va., used almost exclusively by the Columbia Boadcasting Co., now has 5,000 watts, has an application pending to go to 10,000 watts.

WWSW, Pittsburgh, used almost exclusively by the Pittsburgh Post-Gazette, owned by Paul Block (was originally Monessen and moved to Pittsburgh), started out with 100 watts and increased to 250 watts daytime and was again increased to 5,000 watts.

The station WWVA, of Wheeling, is in exactly the same status as WNBO. It has been increased from 250 watts to 5,000 watts, and this station was granted permission to move to Charlestown, W.Va., without notice to anybody. This move was restrained by a small station at Charleston by an injunction proceeding. Following the injunction granted, the Federal Radio Commission permitted WWVA to move to Moundsville, W.Va., its present location, without any notice to anyone. Notwithstanding the fact that WNBO had an application before the Commission since 1930, it could not get any favorable consideration by the Commission except through the employment of a prominent West Virginia politician who was paid a fee of $500. WNBO's increase from 15 watts to 100 watts was granted. The matter was handled by the West Virginia politician with Mr. Robinson, of the Federal Radio Commission, and George Sutton, of the Federal Radio Commission, who was at that time the technical adviser to the Commission.

In 1929 or early 1930 George Sutton resigned as technical adviser to the Commission and commenced practicing before the Commission. He then advised WNBO that he could increase their wattage to 250 watts and also could obtain permission for them to move to the Monongahela Valley for a fee of $750. This fee was paid to Sutton. Sutton then advised WNBO that it would be necessary to reequip the station completely with Western Electric equipment. This was done at a cost of approximately $10,000. The result of

Sutton's effort and the reequipment was that WNBO at its hearing was taken completely off the air by the Radio Commission. This was June 1, 1932.

From that time up until the late summer of 1933 Mr. Spriggs was subjected to all kinds of trouble and punishment by the Commission. The 6 a.m. to 9 a.m. hours were taken from him; 12 to 3 p.m. were taken from him; 6 to 9 p.m. were taken from him. Hearings were set, witnesses proceeded to Washington, the cost of which exceeded the sum of $3,500. In May 1932 he applied to have his station moved to the Monongahela Valley, and a hearing was had in February 1933. This hearing was continued repeatedly. His application was refused.

The Radio Commission placed WNBO back on the air pursuant to pressure from approximately 200,000 supporters in the form of letters and telegrams directed to the Radio Commission and to the Congressmen and from various Congressmen and Senators.

When the Radio Commission did permit WNBO to go back on the air they divided their time with WHBC, Father Graham's station at Canton, Ohio—the other station I referred to. And this is another story which I will not at this time go into.

In 1933, in the late summer or early fall, at the testimonial dinner held in the William Penn Hotel in honor of Robert L. Vann, new appointee in the Department of Justice, sponsored by Joseph Guffey and attended by James Farley, Mr. Vann was introduced to Mr. Spriggs, of WNBO. Vann proposed to Spriggs that if WNBO would furnish several thousand dollars of advertising for the various candidates in whom he and Guffey were interested, that he and Guffey would have his station moved to the Monongahela Valley overnight and they would pay the legal expenses and increase their power to 1,000 watts. The expense to be covered was the legal expense and the actual expense of moving.

WNBO permitted the candidates endorsed by Vann and Guffey to speak over the radio and furnished approximately $2,000 of advertising. Guffey and Vann advised Spriggs that the nature of the broadcasting in favor of their candidates would be outlined to him by Charles B. Wagner, of Washington, Pa., who was the Democratic member of the Pennsylvania Legislature from Washington, Pa.

The net result of the radio-advertising deal made at this dinner, which was so agreeable then, as arranged between Vann, Guffey, and Farley and Spriggs, was that Mr. Spriggs was "double-crossed" and an attempt was made by Mr. Guffey and his associates to take over this station and ruin Mr. Spriggs by destroying the value of his broadcasting station, as it would be worthless without a license to operate, which license could only be secured through the Radio Commission.

When they found out that the facts in these cases were a matter available to the public they withdrew their activity, fearing that they might not be able under the circumstances to take Mr. Spriggs' station away from him and devote it to the use of the present campaign in Pennsylvania, which covers an area of some 12 counties.

The necessary money was to be furnished Mr. Guffey by his financial political sponsor from Pittsburgh and the only condition attached to the whole matter was that a microphone was to be attached to the sponsor's desk.

It is interesting to note that Mr. Guffey advised Mr. Spriggs, of WNBO, that Mr. Horace L. Lohnes, of Washington, D.C., would act as his counsel, whereupon a conference was held with the interested parties in Mr. Guffey's office in the Mayflower Hotel. I am advised that this meeting was attended by Messrs. Spriggs, Guffey, and various others and that frequently Mr. Guffey left the room to confer with Mr. Farley. Attorney Lohnes, when approached by Mr. Spriggs, stated that he accepted the case of WNBO as his client and told them he would handle the matter in accordance with the arrangements made by Mr. Guffy and Mr. Vann, and he then proceeded to file the application. Many conferences were held between the interested parties—Guffey, Vann, Spriggs, and the Pittsburgh friend.

Finally it was made known that the Radio Commission would not grant a renewal application to WNBO. And I call your particular attention to a letter written by Robert L. Vann, of the Department of Justice, August 4, 1933, as follows:

> DEAR SPRIGGS: Write a letter to the Radio Commission at once asking a permit to withdraw application. Do this now. There is a reason. I'll see you Sunday or Monday.
>
> ROBERT L. VANN.

It is a great advantage to have a lobbyist who is on the inside of a great governmental department, who has access to other departments like the Radio Commission; and in December 1933 Robert L. Vann advised Mr. Spriggs that he and Guffey had washed their hands of the whole matter and were going to support another application for facilities of WNBO.

On February 20, 1934, there was filed before the Radio Commission an application by the Tri-State Radio, Inc., a newly formed corporation, asking for the facilities of WNBO. I should like to point out to this House that this is the first time in the history of the Radio Commission, at least so far as is known, that any radio station or any other person has filed an application for the facilities of an existing station, and I also wish to point out the utter impossibility for such an application to have been filed without the Radio Commission having disclosed the fact that WNBO's license would not be renewed. I want to call to your attention the fact that the Radio Commission sent out a notice of a hearing on this application dated March 22, 1934, fixing the hearing date for May 3, 1934, in which WNBO was not named as a respondent and to whom no notice was mailed. And on April 3, 1934, the Radio Commission filed a complaint against WNBO and enclosed a copy of the application of the Tri-State Radio Co., Inc.

The application of the Tri-State Co., Inc., discloses that Charles B. Wagner is the president, and that one of Mr. Guffey's associates, Judge Stone, is a party in interest. State Senator Wagner was Mr. Guffey's agent to arrange the political broadcasts. It is interesting to note that the attorney for the applicant, the Tri-State Radio Co., Inc., was the same Mr. Lohnes, who accepted the fee in connection with the application to move WNBO to the Monongahela Valley, and that he is the same man who was the attorney designated for WNBO as representing the interests of Messrs. Guffey, Vann, and his other financial political party in Pittsburgh. Prior to this it was common talk in Washington, D.C., that the license of WNBO would not be renewed.

If this is a fair example of the plight of the average independent broadcaster in the United States, I submit that all independent broadcasting is on its way out, particularly if they are to be unprotected by the Commission that is established with an idea of protecting this industry and to see to it that each and every one gets a square deal.

Mr. TRUAX. Mr. Chairman, I offer an amendment which I send to the desk.

The Clerk read as follows:

> Amendment offered by Mr. TRUAX: On page 128, line 26, after the word "created", add "the Commission shall investigate the exclusion of addresses of Father Charles E. Coughlin and other crusaders against the international bankers and money kings by the National Broadcasting Co. and Columbia Broadcasting System."

Mr. RAYBURN. Mr. Chairman, I make the point of order that that is not germane.

The CHAIRMAN. The point of order is sustained.

Mr. TRUAX. Mr. Chairman, I desire to be heard on the point of order.

The CHAIRMAN. The Chair is ready to rule on the point of order. The Chair sustains the point of order.

Mr. TRUAX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is a well-known fact that the addresses of one of the greatest crusaders for the common people in this country, the Reverend Father Charles E. Coughlin, have been barred by the National Broadcasting Co. and the Columbia Broadcasting System. Why? Simply because he reflects and makes certain charges against the very interests

who have the monopoly of the broadcasting systems of this country.

Moreover, they will refuse to sell time to anyone who wishes to address the millions of listeners on old-age pensions. Why? Merely because that is a measure for the benefit of the common people of this country, the poor, the needy, the aged and distressed, against whom their master, J. P. Morgan, is eternally and unalterably opposed.

I want to call the attention of this House and the people of this Nation to the fact that these two major broadcasting companies are thus throttling such magnificent voices raised in behalf of the people in distress as, for instance, Father Coughlin, who has crusaded for months past to abandon the gold standard, for nationalization of the currency, and for such measures as the Frazier-Lemke bill to refinance the farmers of this country, and for the bank pay-off bill. I maintain that the throttling and strangling of this information from the millions of people of this country who are in distress and need aid, and need it now, is something that this Congress should not overlook.

You may strangle the daily press, you may strangle the weekly and the semiweekly publications; but when it comes to that point where we, the people, permit the millionaires of Wall Street to own and control the great systems of broadcasting that come to the ears of the poor man, the farmer, the wage earner, and all of these distressed, toiling millions so that they can hear only what their masters say they shall hear, it is time that this Congress took decisive action to make the air what it used to be and what it should be today, free for all the people. [Applause.]

[Here the gavel fell.]

The Clerk read as follows:

SPECIAL PROVISIONS RELATING TO TELEPHONE COMPANIES

SEC. 221. (a) Upon application of one or more telephone companies for authority to consolidate their properties or a part thereof into a single company, or for authority for one or more such companies to acquire the whole or any part of the property of another telephone company or other telephone companies or the control thereof by the purchase of securities or by lease or in any other like manner, when such consolidated company would be subject to this act, the Commission shall fix a time and place for a public hearing upon such application and shall thereupon give reasonable notice in writing to the Governor of each of the States in which the physical property affected, or any part thereof, is situated, and to the State commission having jurisdiction over telephone companies, and to such other persons as it may deem advisable. After such public hearing, if the Commission finds that the proposed consolidation, acquisition, or control will be of advantage to the persons to whom service is to be rendered and in the public interest, it shall certify to that effect; and thereupon any act or acts of Congress making the proposed transaction unlawful shall not apply. Nothing in this subsection shall be construed as in anywise limiting or restricting the powers of the several States to control and regulate telephone companies.

(b) Nothing in this act shall be construed to apply, or to give the Commission jurisdiction, with respect to charges, classifications, practices, services, facilities, or regulations for or in connection with wire telephone exchange service, even though a portion of such exchange service constitutes interstate or foreign communication, in any case where such matters are subject to regulation by a State commission or by local governmental authority.

(c) For the purpose of administering this act as to carriers engaged in wire telephone communication, the Commission may classify the property of any such carrier used for wire telephone communication, and determine what property of said carrier shall be considered as used in interstate or foreign telephone toll service. Such classification shall be made after hearing, upon notice to the carrier, the State commission (or the Governor, if the State has no State commission) of any State in which the property of said carrier is located, and such other persons as the Commission may prescribe.

(d) In making a valuation of the property of any wire telephone carrier the Commission, after making the classification authorized in this section, may in its discretion value only that part of the property of such carrier determined to be used in interstate or foreign telephone toll service.

Mr. McGUGIN. Mr. Chairman, the real depository of the liberties of the people is to be found in freedom of speech and freedom of the press. No lesser person than Thomas Jefferson, upon reading the Constitution, made the remark, in substance, that it did not make so much difference the form of government a people had so long as they had a free press; that with a free press a good government could not go far wrong, and with a free press a bad government could not long survive.

With the coming of radio it is not enough to have freedom of speech, which includes the right to stand upon a street corner and speak one's views. With radio there must be reasonable freedom of speech over the air, otherwise the benefits of freedom of speech have been taken away from the people.

I know of no way that radio can be operated except on the basis of a license from the Government, for the simple reason that there are not enough air channels to take care of all the radio stations that might want to operate. Therefore, there must be a limitation upon them.

When the Government has the power to issue licenses to operate radios it inherently follows that this Government agency has too great a control over freedom of speech. Whether the Radio Commission or any other Government agency turns it hand, the fact remains that throughout the years the broadcasting systems which are looking to the Radio Commission for courtesies are going to be found upon the side of the administration in power. So, after all, the real protection of the people yet rests in the freedom of the press rather than in freedom of speech since the coming of radio.

We have had a fair example of this since this administration came into power. I have no concrete evidence that this administration has laid down upon any radio station and said, "You must carry new-deal propaganda, and you must not carry anything to the contrary", yet the fact remains that radio broadcasters currying the favor of a Government agency, have given unlimited facilities to new-deal propaganda and have unwarrantedly denied the right of the air to those who would rise to criticize any part of the new-deal program.

I have no personal complaint. No Republican Member of Congress can have any personal complaint, so far as I know. It is my understanding that a Republican Member of Congress can get on the air whenever he wants to with either of the chains on any reasonable time or occasion, but there it stops. The ordinary private citizen who is a Republican cannot get on the air to discuss the other side of some of this so-called "new-deal" legislation.

Mr. DINGELL. Will the gentleman yield?

Mr. McGUGIN. No; I cannot yield now. I will at the end of my remarks.

Former United States Senators who are Republicans have been denied the opportunity to appear upon the chains to discuss these public questions. I can say of my own personal knowledge that the Honorable James A. Reed, former United States Senator from Missouri, was denied the right of the air to discuss his views of the proceedings in the Wirt hearings. This was a denial of freedom of speech. A Republican Member of Congress—yes—could have had the air to discuss it if he had wanted to, but it is not enough that Members of Congress of the minority party or with minority views may have the benefit of the air. This right must be extended to other citizens. The very week that former Senator Reed was denied the opportunity to discuss over a national radio hook-up the treatment accorded to his client, there appeared upon that same network propaganda from private citizens who were denouncing and criticizing Dr. Wirt.

[Here the gavel fell.]

Mr. McGUGIN. Mr. Chairman, I ask unanimous consent to proceed for 3 more minutes.

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

There was no objection.

Mr. McGUGIN. In other words, private citizen James A. Reed was denied the opportunity to discuss one side of that question, while other private citizens had an opportunity to use the air to discuss the other side of the question. The only answer can be that those in charge of the radio facilities were either currying the favor of this administration in permitting private citizens to take the air to denounce Dr.

Wirt, or they were afraid of currying the disfavor of the administration if they permitted Senator Reed to speak over the air to criticize any of the "brain trusters."

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

Mr. McGUGIN. Not now.

There still remains the freedom of the press. The press carried this same subject matter openly, both sides of it, and carried the views of Senator Reed as well as the views of those who had contrary ideas.

So in conclusion I wish to say that with all the greatness of radio, the liberty of the people of this country yet rests in the press and not in the radio. I hope that at some time a plan may be devised whereby the use of the air will be free without censorship or discrimination.

[Here the gavel fell.]

Mr. RAYBURN. Mr. Chairman, I want to make a remark or two in reply to the gentleman from Kansas [Mr. McGUGIN] about this Wirt fiasco.

This platform for the work of investigation was laid in the Committee on Interstate and Foreign Commerce. We were asked if we were going to call Dr. Wirt, and we said no; that he was a garrulous old man, and it was thought that he would not be very enlightening to the minds of the American people.

Mr. WEARIN. Mr. Chairman, I rise in opposition to the amendment to ask a few questions of the chairman of the committee, if he will be so kind as to answer them. On page 142 is a provision that "the Commission shall at all times have access to and the right of inspection and examination of all accounts, records, and memoranda", and so forth. That reminds me, and if I am wrong I trust the chairman will correct me, that it is the general procedure to incorporate such a provision in all legislation that creates or, for that matter, reorganizes the existing Commission from the standpoint of investigating books, records of that corporation.

Mr. RAYBURN. That is true. That is in the Interstate Commerce Act. Section 20 gives that authority over common carriers.

Mr. WEARIN. That is my understanding. But they did not have that provision in the Stockyards Act of 1921. That does not give that authority. Now, there is one other question in reference to the bill from the standpoint of supervision that extends over radio stations: I presume that goes to all stations regardless of their size?

Mr. RAYBURN. If that is the law, it now remains in the bill, because we do not amend the Radio Act.

Mr. WEARIN. Now, with reference to the operation, does it affect the small mutual companies that operate within the States?

Mr. RAYBURN. They are not affected.

Mr. McFADDEN. Mr. Chairman, I move to strike out the section. I do this in order to enlighten the House by quoting from a letter from Lucian A. Spriggs to Mr. Guffey, dated October 2, 1933:

> We are following and will continue to carry out Mr. Van's recommendations to the letter. Our contact with Attorney Horace L. Lohnes, Munsey Building, was made by Mr. Van prior to his accident. When we called to see Mr. Van at the hospital in Hagerstown he directed us to Attorney Lohnes (attorney for all important radio stations in the United States), who has interceded for us to the point where we now are. Mr. Lohnes informs us that every detail will meet with the approval of the Federal Radio Commission.
>
> Mr. Van has already contacted Chairman Eugene Sykes and James Hanley (Democratic members of the Commission) and Senator Patrick Harrison, Mississippi, all of whom are favorable.
>
> We understand that a decision will likely be handed down this week dealing with our station. With your help and that of other necessary persons the decision will be favorable and will be rendered before the end of this week.
>
> Every recommendation made by Attorney Lohnes is satisfactory to Mr. Van and to us. In spite of not having to move the station, the set-up, as now recommended, will give us better coverage over the 12 counties, with remote control in each of the counties and microphones in places that you suggest. It is even better than we had anticipated when the project was first brought to your attention. This new idea gives us the needed increase in wattage.
>
> Now the important thing is a favorable decision, and this week. We know you can get it.
>
> With sincerest appreciation for your continued interest.
>
> Yours very truly,
>
> LUCIAN A. SPRIGGS,
> *Radio Station WNBO.*

This letter indicates how completely Mr. Spriggs was carrying out his part of this political-broadcasting deal in order to get through Mr. Guffey, the Democrat politico major domo of Pennsylvania, that which should have been available, and would have been available had not the whole matter been messed up in the Federal Radio Commission by first one outfit and then another who wanted to take Spriggs' station away from him.

Apparently Mr. Spriggs had definite assurance from Mr. Guffey that his desire would be fulfilled. I now read a letter from Joseph F. Guffey, dated the Mayflower, Washington, D.C., which would seem to confirm this; it is dated November 15, 1933:

> DEAR MR. SPRIGGS: This will acknowledge the receipt of your telegram of November 9, regarding the application now pending before the Radio Commission for the licensing of a radio station at Washington, Pa.
>
> I understand that this case is now in good shape before the Commission and that it will receive early consideration.
>
> As you probably know, Mr. Van has not returned to Washington, after his absence on account of an automobile accident. I am asking him to keep in touch with this matter, and I will be glad to be of every possible help in connection therewith.
>
> Sincerely yours,
>
> JOSEPH F. GUFFEY.

I read now a telegram dated September 29, 1933, to Lucian A. Spriggs, Radio Station WMBO, Washington, Pa.:

> Certificate already filed with Commission along with other pertinent papers.
>
> HORACE L. LOHNES.

Also a telegram of October 9, 1931, from George O. Sutton to Spriggs:

> I will prepare all briefs, appearances, and notices to be submitted to Commission. Have you received formal notice of hearing? Forward this and all pertinent information to me immediately so I may acquaint myself fully. Am writing you with instructions as to information to gather.

These gentlemen at that time were cooperating with Mr. Spriggs because of the fact that they were making good use of his station in disseminating political information over the broadcasting station. I have already referred to the contract price in regard to that advertising. This became so effective apparently that they were not satisfied to let Spriggs continue to operate his own plant where they could get this advertising free, but they concluded it would be better for their interests to take over the station absolutely, and that is what has been taking place here, and the Radio Commission has been carrying out the suggestions in regard to the closing of the Washington station.

This matter was called to my attention in the following manner: Mr. Spriggs came to my office and told me of all the trouble he was having in connection with the operation of his radio station and explained to me in detail that which I have set forth in this discussion. At the time of his coming to my office he had been notified by the Commission that a hearing on his application for renewal of license was scheduled for May 8. The time was nearly up, and he and his attorneys, who later called at my office, asked me if I could not arrange a postponement of this hearing. This I tried to do with Judge Sykes, of the Radio Commission, and through the General Counsel's office, all of which was to no avail, as Mr. Spriggs was advised on April 23 by Mr. Herbert L. Pettey, secretary of the Commission, that his request for a continuance of the hearing on his application for renewal of license scheduled for May 8, 1934, had been denied, and that the hearing would take place as scheduled. What the final disposition of his case has been is not known to me at this time.

The Clerk read as follows:

ORDERS NOT FOR PAYMENT OF MONEY—WHEN EFFECTIVE

SEC. 408. Except as otherwise provided in this act, all orders of the Commission, other than orders for the payment of money, shall

take effect within such reasonable time, not less than 30 days after service of the order, and shall continue in force until its further order, or for a specified period of time, according as shall be prescribed in the order, unless the same shall be suspended or modified or set aside by the Commission, or be suspended or set aside by a court of competent jurisdiction.

Mr. CULKIN. Mr. Chairman, I move to strike out the last word, and I do so briefly to call to the attention of the Committee and those on both sides of the House who may be conferees on this bill, the importance of the reenactment of section 29, which is found on page 30 of the Radio Laws of the United States, a pamphlet, without number, that covers all radio enactments since the beginning. Section 29 is really the Magna Carta of the whole procedure and covers generally the complaints that have been made here today with regard to the freedom of the air. Section 29 provides:

That nothing in this act shall be understood or construed to give the licensing authority the power of censorship over radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the licensing authority which shall interfere with the right of free speech by means of radio communication.

Of course, that section is in the law. It is complicated by the fact that under the law now a broadcasting station is liable for an action in slander and so it must necessarily have power, as a newspaper has to edit what appears in the newspaper, but this section, I am informed, is not in the Senate bill, but it is reenacted in the House bill; and I expressly commend it to the tender care of the House conferees on both sides of the aisle when the bill goes to conference. It is of the highest importance that this section should be retained in the law.

The Clerk read as follows:

DOCUMENTS FILED TO BE PUBLIC RECORDS—USE IN PROCEEDINGS

SEC. 412. The copies of schedules of charges, classifications, and of all contracts, agreements, and arrangements between common carriers filed with the Commission as herein provided, and the statistics, tables, and figures contained in the annual or other reports of carriers and other persons made to the Commission as required under the provisions of this act shall be preserved as public records in the custody of the secretary of the Commission, and shall be received as prima facie evidence of what they purport to be for the purpose of investigations by the Commission and in all judicial proceedings; and copies of and extracts from any of said schedules, classifications, contracts, agreements, arrangements, or reports, made public records as aforesaid, certified by the secretary, under the Commission's seal, shall be received in evidence with like effect as the originals: *Provided*, That the Commission may, if the public interest will be served thereby, keep confidential any contract, agreement, or arrangement relating to foreign wire or radio communication when the publication of such contract, agreement, or arrangement would place American communication companies at a disadvantage in meeting the competition of foreign communication companies.

Mr. McFARLANE. Mr. Chairman, I desire to offer an amendment. I ask unanimous consent to return to page 120 for the purpose of offering an amendment with respect to service charges.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to return to page 120 to offer an amendment. Is there objection?

Mr. MILLIGAN. Mr. Chairman, I regret that I shall have to object to going back to that page.

The CHAIRMAN. Objection is heard.

The Clerk read as follows:

SEC. 414. Nothing in this act contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this act are in addition to such remedies.

Mr. RANKIN. Mr. Chairman, I desire to refer briefly to the attack on the Tennessee Valley Authority made a few moments ago by the gentleman from New York [Mr. FISH]. His remarks, of course, were directed at the power policies of the Roosevelt administration—using the same arguments that are advanced by the Power Trust and its advocates from one end of this country to the other.

One of the greatest accomplishments of this administration—one of the greatest accomplishments of any administration in all the history of our country—is that of putting into effect the power policies of the Roosevelt administration through the instrumentality of the Tennessee Valley Authority, thereby giving to the American people electric lights and power at rates based upon the cost of production and distribution, and not upon the alleged values of watered stocks, exorbitant overhead charges, and expenses of maintaining holding companies and their subsidiaries—or based upon the helpless consumer's ability to pay. As I said on this floor once before, if President Roosevelt had never done anything else for the American people, this one act alone would be sufficient to carry his name down the centuries. It is one of the greatest achievements of modern times.

The hydroelectric power of this country is our greatest natural resource, outside of the soil from which we live. There is enough potential electric energy in our navigable streams now going to waste to supply all the needs of the American people. Heretofore this power has been used for the benefit of a favored few, and has been monopolized and so used as to maintain rates so high as to prevent its liberal use by the average individual or by the small enterprise.

When the Tennessee Valley Authority was created, something like a year ago, the President asked them to work out a "yardstick", showing a reasonable rate to be charged the ultimate consumers for electric light and power. That yardstick was worked out and the rates thereunder were applied in the first contract signed by the Tennessee Valley Authority with the city of Tupelo, Miss.

Those rates are as follows:

CITY OF TUPELO,
Tupelo, Miss.

STANDARD RESIDENTIAL RATE FOR SERVICE, EFFECTIVE FEBRUARY 7, 1934

Available to all residential customers at local distribution secondary voltage, either 2-wire or 3-wire service, as municipality may require:

First 50 kilowatt-hours, per month, at 3 cents per kilowatt-hour.
Next 150 kilowatt-hours, per month, at 2 cents per kilowatt-hour.
Next 200 kilowatt-hours, per month, at 1 cent per kilowatt-hour.
Excess: Over 400 kilowatt-hours, per month, at 0.4 cent per kilowatt-hour.

Minimum monthly bill:
5-ampere meter, 25 kilowatt-hours, 75 cents.
15-ampere meter, 33⅓ kilowatt-hours, $1.
50-ampere meter, 50 kilowatt-hours, $1.50.

BASIC COMMERCIAL RATE FOR SERVICE, EFFECTIVE FEBRUARY 7, 1934

Available to commercial customers taking service from the municipality's secondary system:

First 250 kilowatt-hours, per month, at 3 cents per kilowatt-hour.
Next 750 kilowatt-hours, per month, at 2 cents per kilowatt-hour.
Next 1,000 kilowatt-hours, per month, at 1 cent per kilowatt-hour.
Excess: Over 2,000 kilowatt-hours, per month, at 0.8 cent per kilowatt-hour.

Minimum monthly bill:
5-ampere meter, 50 kilowatt-hours, $1.50.
15-ampere meter, 66⅔ kilowatt-hours, $2.
50-ampere meter, 100 kilowatt-hours, $3.

Surcharge: Basic rate subject to a surcharge initially established by municipality and modified from time to time as net revenues improve of 10 percent. Surcharge to take the form of straight percentage added to customer's bills.

BASIC INDUSTRIAL RATE FOR SERVICE, EFFECTIVE FEBRUARY 7, 1934

Available to industrial power users having demands in excess of 10 kilowatts. Service at primary-distribution voltage or secondary-distribution voltage, at discretion of municipality.

Demand charge: $1 per kilowatt per month.
Demand: Maximum integrated 30-minute period.
Energy charge:
First 10,000 kilowatt-hours, per month, at 10 mills per kilowatt-hour.
Next 25,000 kilowatt-hours, per month, at 6 mills per kilowatt-hour.
Next 65,000 kilowatt-hours, per month, at 4 mills per kilowatt-hour.
Next 400,000 kilowatt-hours, per month, at 3 mills per kilowatt-hour.
Excess: Over 500,000 kilowatt-hours, per month, at 2.5 mills per kilowatt-hour.

It has been charged by the private power companies that these rates are below the cost of production of electric energy. That is not true; the T.V.A. took into consideration every element of cost involved. They even added an item for taxes which a private corporation would have to pay. They did this in order to be absolutely certain that they were not selling this power below the cost of production. These rates will be lowered in the years to come. They are higher than the rates in Canada, where they have had

public ownership of power facilities for many years. They are higher than the rates in Tacoma, Wash., where they have had public ownership for many years; and, if private power companies will squeeze the water out of their stocks, get rid of useless holding companies, whose stocks as a rule are all water, and quit spending so much money for high-salaried officials, attorneys' fees paid to lawyers who are hired for political purposes, and stop their expensive propaganda through the newspapers, magazines, and otherwise, they can deliver electric energy to the American people anywhere in the United States at the T.V.A. rates.

The Tupelo contract went into effect on February 7, 1934. On that date the T.V.A. began to furnish electric energy to the city of Tupelo to be retailed at the yardstick rates. Up to that time we were paying the same exorbitant rates that were charged for electric energy throughout the country by the private power companies—the same unreasonable, unconscionable and exorbitant rates that are now being paid by the constituents of the gentleman from New York [Mr. FISH].

In order that Members of the House and everyone else who reads this RECORD may appreciate what this reduction in rates has meant to the ultimate consumer, I am going to read into the RECORD at this point duplicate power bills paid in Tupelo in the month of January under the old rates and then in the month of March under the new T.V.A. rates. In order that everyone who desires to do so may get first-hand information from the people referred to, I am going to insert the names of the consumers.

I will take the domestic consumer first, since he has been the most unjustly imposed upon in the past. He was the forgotten man until the Roosevelt administration came to his rescue. Let us see what has been done for him. I hold in my hand the power and light receipts of Mr. A. E. Berkley and others of Tupelo, Miss. In January Mr. Berkley used 24 kilowatt-hours of electric energy, at a cost of $2.40, under the old rates. In March he used 27 kilowatt-hours of electric energy, for which he paid 81 cents, under the T.V.A. rates.

F. M. Laney used 63 kilowatt-hours in January, for which he paid $4.02. In March he used 62 kilowatt-hours, for which he paid $1.74.

Let me read you a list of a few of the domestic consumers in Tupelo, showing the amount of electric energy used in January 1934 and the cost to them under the old rates, together with the amount used by the same consumers in March 1934 and the cost to them under the new T.V.A. rates.

Name	Electricity used in January 1934 under old rates	Cost	Electricity used in March 1934 under T.V.A. rates	Cost
	Kilowatt-hours		*Kilowatt-hours*	
R. O. Perkins	72	$6.98	61	$1.72
Dr. W. C. Spencer	35	3.50	28	.84
T. L. Power	13	1.30	11	.75
W. O. McLean	26	2.60	24	.75
T. J. Bowen	21	2.10	11	.75
T. H. Curtis	344	15.26	386	6.36
R. B. Farrar	29	2.90	24	.75
Neville Edmonds	21	2.10	22	.75
J. B. McGuire	28	2.80	30	.90
J. P. Nanney	83	4.82	80	2.10
W. A. Moore	23	2.30	22	.75
H. E. Wilson	52	5.18	48	1.44
J. H. Merrit	244	11.26	227	4.77
M. T. Bonner	88	5.02	78	2.06
R. C. Beckham	18	1.80	23	.75
Claude Smith	218	10.20	216	4.66
M. E. Leake	124	6.46	161	3.72
Wm. Guthrie	24	2.40	18	.75
Carl Smith	65	4.10	44	1.32
R. W. Reed	116	6.14	135	3.20
L. W. Trice	23	2.30	21	0.75
W. E. Patrick	232	10.78	268	5.18
Dr. L. C. Feemster	229	10.66	348	5.98

I could fill pages of the RECORD with similar examples, but that is not necessary. These few are sufficient to show what the T.V.A. is doing for the domestic consumers of electric energy.

In addition to that, the Tennessee Valley Authority, through the Electric Home and Farm Authority, has made arrangements whereby home owners may secure electrical equipment, such as Frigidaires, electric ranges, washing machines, water pumps, water heaters, and so forth, at prices far below what they have been paying for these things, and may secure loans through the Electric Home and Farm Authority with which to pay for them. These loans are made on long terms and at low rates of interest. Thus, for the first time in history cheap electrical equipment and cheap electricity are both provided, and each helps to promote the more extensive use of the other.

Let me cite one example. I have before me a letter from a friend of mine in Tupelo, whom I have known for many years, in which he says:

> The people in this section are certainly crazy about the T.V.A. Before we put in our Frigidaire our ice bill ran around $9 to $12 a month and our electricity bill was from $7 to $10 a month, under the old rates. Now, we don't buy any ice at all, and last month (April) our electricity bill was only $2.38, a saving of $16 to $18 per month.

We are making a drive to take these benefits to all the people within the distribution radius of Muscle Shoals as early as possible. Not only the people in the towns and cities but the farmers, the people in the small villages, and out in the rural sections are to be served this cheap power and given the benefits of cheap electrical equipment through the Electric Home and Farm Authority. This will do more to brighten the farmer's home and make it pleasant and attractive, lighten the burdens of the farmer and his wife and children than any other one thing that has ever been done for him since farming began. It will help to keep people on the farm who are there now and will help to take our young people back to the farm.

I repeat, this is one of the greatest movements of modern times. It is merely the beginning of our drive to take cheap electric lights and power into every American home.

But it is charged by the power interests that under these rates we discriminate against commercial and industrial users in order to reduce the rates to the domestic consumer. Let us see about that. Here are the receipts of a few of the commercial consumers in Tupelo, showing the amount of electric energy used by them in January and the costs thereof under the old rates, and also the amount used in March and the costs thereof under the new rates.

Name	Electricity used in January 1934 under old rates	Cost	Electricity used in March 1934 under T.V.A. rates	Cost
	Kilowatt-hours		*Kilowatt-hours*	
Berry & Baker Furniture Co.	210	$17.78	311	$9.59
Hotel Tupelo	2,977	145.58	3,233	46.60
Joyner's Odorless Cleaners	110	10.79	99	3.27
Won Stop Service Station	821	62.85	840	21.23
Hinds Bros. & Co.	326	27.45	258	8.43
400 Service Station	288	16.97	329	9.99
Tupelo Military Institute	596	29.80	641	16.85
Morrison-Rinehart Grocery Co.	2,153	94.36	2,417	39.42
Pegues Furniture Co.	151	13.58	152	5.02
L. P. McCarty & Son	350	29.25	367	10.82
R. W. Reed Co.	966	65.14	952	23.69
The Peoples Bank & Trust Co.	220	19.10	250	8.25
Hardin's Bakery	1,152	68.70	1,131	26.19
Tupelo Steam Laundry	345	16.14	341	10.25
Tupelo Floral Co.	185	11.75	184	6.07
Harrison Cleaners & Dyers	103	10.30	99	3.27
333 Service Station	445	31.65	413	11.84
Tupelo Journal	708	41.38	736	18.94
J. L. Aldridge	69	6.90	52	1.72
Bank of Tupelo	348	29.10	361	10.69
Hotel Jeff Davis	1,035	67.44	1,173	26.65
Tupelo Daily News	1,080	61.50	1,024	25.01

These figures show that the merchant, the hotel keeper, the small business man, is also given the benefit of this cheap electric energy, thereby lightening his burden to a large extent.

But it has been asserted by the critics of the T.V.A. that industries are forced to pay higher rates, in order to make up for these low rates to domestic and commercial consumers. I also have before me some duplicate industrial

receipts for the months of January and March. I will read one or two of them. Listen to this:

The McLeran Ice Cream Co., of Tupelo, consumed 1,680 kilowatt-hours during the month of January, for which it paid $92.19. In March, this same company consumed 2,080 kilowatt-hours, for which it paid $56.23.

Reed Bros, Inc., garment manufacturers, consumed 6,580 kilowatt-hours of electric energy during the month of January, for which it paid $210.25. In March they used 6,690 kilowatt-hours, for which they paid $145.38.

The Tupelo Cotton Mills, manufacturers of cotton cloth, consumed 204,803 kilowatt-hours of electric energy in January, at a cost of $3,181.33. In March they used 258,000 kilowatt-hours, for which they paid $1,896.40. They used 26 percent more power in March than they did in January, and yet their power bill was reduced 40 percent.

If this cotton mill had paid the same rates for power in March that it paid in January, this 258,000 kilowatt-hours would have cost $4,008. In other words, that cotton mill saved $2,112 on its March power bill. Spread that over 12 months, and, at that rate, this one small cotton mill would save $25,000 a year on its power alone.

These unquestioned facts and figures show what the American people would save on their electric light and power bills if we could only get electric energy furnished to them at rates based upon the cost of production and distribution.

This is just the beginning of a national policy which we hope and expect to pursue until we bring cheap electric light and power to every human being in America.

For my part I can truthfully say that my cup of gratification is literally running over. Passage of the Muscle Shoals bill was the culmination of a battle which I have helped to wage for more than 10 years. Members of the House know of the fight I made here for the passage of that bill a year ago. Today this cheap energy from Muscle Shoals is being supplied to the people in a majority of the counties of the district which I have the honor to represent, and we hope to have it supplied to the rest of them at an early date. So long as I live, whenever I see the twinkle of an electric light, especially in my section of the country, whether it be in the factory window, over the merchant's counter, or in the humblest farmer's home, I can say in my heart that I have helped to lighten that man's burden. In that respect, at least, I can feel that my public services have not been in vain.

The power development under this administration marks the dawning of a new day of hope and progress for the masses of the American people; and to think that the sunlight of this new era first broke over the district I represent and that its first benefits came to the people I serve and who have honored me with their suffrage brings to me a degree of satisfaction that has come to few public men on this earth.

This is not a temporary benefit to be enjoyed by a favored few. It is a lasting blessing, one that reaches every human being—the strong, the weak, the rich, the poor—and one that will be passed on down to our children and our children's children for a thousand years to come. [Applause.]

The Clerk read as follows:

LIMITATIONS AS TO ACTIONS

SEC. 415. (a) All actions at law by carriers for recovery of their lawful charges, or any part thereof, shall be begun within 1 year from the time the cause of action accrues, and not after.

(b) All complaints against carriers for the recovery of damages not based on overcharges shall be filed with the commission within 1 year from the time the cause of action accrues, and not after, subject to subsection (d) of this section.

(c) For recovery of overcharges action at law shall be begun or complaint filed with the commission against carriers within 1 year from the time the cause of action accrues, and not after, subject to subsection (d) of this section, except that if claim for the overcharge has been presented in writing to the carrier within the 1-year period of limitation said period shall be extended to include 1 year from the time notice in writing is given by the carrier to the claimant of disallowance of the claim, or any part or parts thereof, specified in the notice.

(d) If on or before expiration of the period of limitation in subsection (b) or (c) a carrier begins action under subsection (a) for recovery of lawful charges in respect of the same service, or, without beginning action, collects charges in respect of that service, said period of limitation shall be extended to include 90 days from the time such action is begun or such charges are collected by the carrier.

(e) The cause of action in respect of the transmission of a message shall, for the purposes of this section, be deemed to accrue upon delivery or tender of delivery thereof by the carrier, and not after.

(f) A petition for the enforcement of an order of the commission for the payment of money shall be filed in the district court or the State court within 1 year from the date of the order, and not after.

(g) The term "overcharges" as used in this section shall be deemed to mean charges for services in excess of those applicable thereto under the schedules of charges lawfully on file with the commission.

Mr. McFARLANE. Mr. Chairman, I had hoped to be able to offer an amendment which would help this measure very much, and I am sorry that the gentleman from Missouri [Mr. MILLIGAN] has objected and cannot see fit to allow me to return to the particular paragraph to which it was applicable to offer it. This measure has been given a scientific reading and in this way the proper place for offering the amendment was passed. The amendment I had in mind was to be inserted at page 120, line 17. It was to this effect:

Provided, That no charge shall be made for installing telephone equipment.

I know and you know that the telephone companies make unreasonable "service charges" for installing telephone equipment. Take the telephone company here in the District of Columbia. They make a charge of $3 for the installation of telephone equipment, even though that telephone is already installed in your home or apartment, and the only thing remaining to be done is to connect it at the board.

To move a telephone within your home a charge of $1.50 additional is made. Charges such as that should be eliminated; they should not be permitted. As long as we sit idly by and permit these utilities to make such additional service charges, they will continue to make them. It ought not to be permitted. I feel it is our duty to stop such a racket as this. The monthly rental should be and is ample to take care of all incidental expenses, and these additional service charges just add to their large profits, and such charges should be stopped.

The telephone rates here in the District of Columbia are unreasonably high. The press recently carried a notice that there are more telephones according to population here in the District of Columbia than in any other city in the United States except possibly San Francisco. Such a record is no doubt due to the large Government pay roll made here in Washington.

Their profits, as shown by the press, are unreasonably high. They ought to reduce their rates. They certainly ought not to be allowed to continue to make these service charges. [Applause.]

The Clerk read as follows:

EFFECTIVE DATE OF ACT

SEC. 607. This act shall take effect upon the organization of the commission, except that this section and sections 1 and 4 shall take effect upon the enactment of this act. The commission shall be deemed to be organized upon such date as three members of the commission have taken office.

With the following committee amendments:

Page 175, lines 4 and 5, strike out the words "upon the enactment of this act" and insert in lieu thereof the words "July 1, 1934"; in line 6, strike out "three" and insert "four."

The committee amendments were agreed to.

The Clerk concluded the reading of the bill.

The CHAIRMAN. The motion occurs on the committee substitute for the Senate bill.

The committee substitute was agreed to.

The CHAIRMAN. Under the rule the Committee will rise.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DISNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill (S. 3285) to provide for the regulation of interstate and foreign

communications by wire or radio, and for other purposes; and pursuant to House Resolution 411, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the adoption of the amendment.

The substitute amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

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

The SPEAKER. The question is on the passage of the bill.

The question was taken, and the bill was passed.

On motion by Mr. RAYBURN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that the House insist upon its amendment to the Senate bill and ask for a conference.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]?

Mr. BLANTON. Mr. Speaker, just on the question of orderly procedure, for the first time since I have been here that was done in the Senate the other day on an appropriation bill, where the Senate, not knowing what the House was going to do, took it for granted the House was going to disagree, and asked for a conference before the House had seen the Senate amendments. This is carrying out that same kind of new procedure.

Mr. RAYBURN. I know the Senate will disagree.

Mr. BLANTON. The chairman of our House committee criticized the Senate the other day for doing that very thing. Now we come along and do the same thing. However, they set the precedent.

Mr. RAYBURN. We just gain a day or two. That is all.

Mr. BLANTON. The Senate set the precedent, so it cannot complain.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. RAYBURN]? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. RAYBURN, HUDDLESTON, LEA of California, MAPES, and WOLVERTON.

DEFICIENCY APPROPRIATION BILL—1935

Mr. BUCHANAN, from the Committee on Appropriations, reported the bill (H.R. 9830, Rept. No. 1879) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes, which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BACON reserved all points of order on the bill.

Mr. BUCHANAN. I wish to state to the Members that a copy of the hearings, a copy of the bill, and a copy of the report are available in the Appropriations Committee room, and any Member who wants them can get them. The bill will be called up Monday.

APPREHENSION OF PERSONS CHARGED WITH CRIME

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 9370) to authorize an appropriation of money to facilitate the apprehension of certain persons charged with crime, with Senate amendments, and concur in the Senate amendments.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "capture, dead or alive," and insert "capture."

Page 1, lines 7, 8, and 9, strike out "who is designated by the Attorney General of the United States as a public enemy."

Page 2, lines 4, 5, and 6, strike out "who has been designated by the Attorney General of the United States as a public enemy."

Page 2, line 17, strike out all after "United States" down to and including "violence" in line 21.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

The Senate amendments were agreed to.

EXTENSION OF REMARKS

Mr. GUYER. Mr. Speaker, this morning I asked unanimous consent to revise and extend my remarks in regard to Captain Hobson. I wish to insert a little poem by Eugene Ware. I did not want to do it without asking permission. I, therefore, ask unanimous consent to include in my extension of remarks the poem with reference to Captain Hobson.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. GUYER]?

There was no objection.

REPUBLICAN REACTION

Mr. BOLTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting a radio address delivered by myself last evening.

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

There was no objection.

Mr. BOLTON. Mr. Speaker, under the permission granted me, I am extending my remarks by inserting the following address delivered by me from Station WJSV, Washington, Friday evening, June 1, 1934:

REPUBLICAN REACTION

The second session of the Seventy-third Congress is soon to adjourn. It appears improbable there will be another session before the biennial elections in November, at which time the entire Membership of the next House of Representatives and approximately one-third of the Membership of the United States Senate will be selected. So far as legislative action of this Congress is concerned, the record soon will be completed for the biennial accounting at the polls in November. But, because of the confusion of the scene now presented, only time will tell the effects of the legislation enacted. Notwithstanding the speed with which the administration has proceeded to exercise the vast and unusual powers granted to it in pursuance of its new-deal policies, not one of these policies may be said to have passed beyond the experimental stage. There is such growing uncertainty and confusion, it now seems certain that in the fall campaign, to a very unusual extent in a non-Presidential election year, national issues will engross the attention of the electorate.

This is as it should be. No other administration in the history of the country has asked such unlimited powers or has been given so wide a latitude to try out its policies. No other administration has launched such a multiplicity of experiments so entirely new to our system of government or, in the opinion of many, so utterly incompatible with its spirit and form.

No other administration in the whole history of our Government has launched any program at so stupendous a cost—has poured out so lavishly, so casually for any purpose whatever, such staggering sums as are now being expended by this administration to see if its new deal will work. It is true that these tremendous outlays have been made in the name and presumable interest of the American people, but let it not be forgotten that the people themselves will eventually and inevitably pay the bill.

The confusion in which we now find ourselves—the mounting uncertainty regarding the outcome of this stupendous gamble on futures, worthy the spirit of 1929 before the crash—in short, the where-do-we-go-from-here mood of our people now everywhere in evidence makes imperative the need of the fullest possible discussion of the wisdom, or the lack of it, which has motivated those responsible for the situation, quite aside from any question of their motives.

As pointed out by Mr. Frank Kent in one of his recent articles in the Baltimore Sun, we now seem to be entering the "era of realities." Commenting on events leading up to this situation Mr. Kent said:

"The chief reason the country has been swung so much farther by the new deal than anyone ever dreamed we would go is because there was no effective group or person to put on the brakes. The acuteness of the emergency gained for the administration at the start almost solid press, public, and political support.

"Add to that the combination of propaganda and Presidential popularity, and the whole program was made irresistible. With no one grasping their full implications, a series of great regulatory schemes, not one of which has been thought through, going in different directions and some sharply clashing with others, was launched with bewildering rapidity. Men who disbelieved or doubted were overwhelmed. It was unpatriotic to oppose."

Again and again Mr. Kent has commented on the growing, the "terrific confusion"—to use his exact phrase—of the new deal. In his graphic way—in his capacity as a reporter of the national scene—he has told of his inability to find anyone with a coherent and comprehensive view of the whole plan, if plan it may be called, under the circumstances. It would seem that the national planners would have a plan that could be explained to

so keen an observer as Mr. Kent, and to other eminent observers who have watched developments with fascinated interest, and now join in the demand that stock should be taken of the whole nebulous scheme.

It may be urged that there should be no party activity at this time, that the administration should be allowed to proceed unchallenged on its unchartered course, for good or ill, in the blind hope that someway, somehow, it will lead us out of the wilderness of doubts and fears in which we now find ourselves, and into prosperity and plenty. The time is past for such a course in view of the situation. Those who hold this view should be reminded that the price of liberty is eternal vigilance. The citizens of this country have a duty to perform as well as their chosen representatives. The heedless should "stop, look, and listen." The thoughtful should take stock of what has been going on. They should make a searching analysis of the new deal, the theories of the new dealers, and of all who stand for national office in November.

In the brief time allotted to me I cannot attempt to discuss in detail that maze of new-deal legislation which has been enacted and what may be the results of its application. The forces in charge of the affairs of the Government at this time have been moving so erratically, their destination is so uncertain, if, indeed, they have one definitely in mind, that a prophet would be at a loss to foretell where they will be next month, next week, or tomorrow, for that matter. Like dancers in the mazes of an old-fashioned quadrille, they move to the right, then to the left, then to the center. But they never remain long in one place. Much of the time they are swinging in circles. The difference is there was a pattern in the dance, whereas there seems to be none in the evolutions of the "new dealers."

I speak of an administration that has frankly announced its major policies are experimental—that if they do not prove satisfactory it will try something else. Where may be found the mandate for such a gamble with the destiny of a whole people? The stake is too vast for such a doubtful and unauthorized venture. Statesmanship demands courage—not rashness.

Candid Democrats, in Congress and out, freely admit there is nothing in the new-deal philosophy that remotely resembles original Democratic doctrines. A very distinguished Democrat, Senator CARTER GLASS, has not hesitated to denounce it roundly. In a recent interview he is quoted as saying:

"The new deal, taken all in all, is not only a mistake; it is a disgrace to the Nation, and the time is not far distant when we shall be ashamed of having wandered so far from the dictates of common sense and common honesty."

The promise of a new deal in the last campaign carried with it no implication whatever of the sweeping changes that were to follow so soon after the inauguration of the new administration. Neither was the new deal, as now developed, remotely implied in the last national Democratic platform. If words mean anything, quite the contrary.

The single paragraph declaring for rigid governmental economy is so utterly incompatible with the rash extravagance of the new deal that it proves the point. The platform declaration for "the removal of Government from all fields of private enterprise", comports little with that partnership between Government and business authoritatively enunciated not long ago as a principle of the new deal, and now widely in evidence as the order of the day.

It is generally regarded, I appreciate, a waste of words to discuss broken platform pledges under present conditions. The new deal seems to have brought with it a new code of political morals as well as the codes imposed upon business. But broken platform pledges will be a proper topic for discussion in the coming campaign, and well they should be. I say again, there was no mandate in the 1932 election, decisive though it was, for so rash an adventure into a field purely experimental, at a cost so great, involving such potentialities for evil to the form and spirit of our institutions.

There was no mandate to the legislative branch of the Government to delegate to the executive branch, as it has done, powers vested in it, and in it alone, by the Constitution. The representatives of a free people cease to be representative under such a system, and the people cease to be free.

The fundamental principles of our Government will be destroyed if present tendencies are not checked, no less surely than if a dictator were to be placed at its head by force of arms.

I speak with the conviction that a study of its principles, training in its ranks, and association with its membership bring to me when I say the Republican Party, in the face of all odds, will fight in the fall campaign to send Representatives to Congress who will oppose the tendencies of which I speak. The Republican Party's principles are broad enough to meet new conditions with new methods. They always have been. But while our party remains worthy of its name and true to its traditions it will have certain tenets from which it will not depart.

The Republican Party from its birth has been opposed to bureaucratic government. The Democratic Party under its long line of leadership, up to the advent of the present administration, denounced all tendency toward such a system of government. Bureaucratic government has been denounced in vigorous and picturesque language by statesmen whose utterances for centuries have led the thought of the world. In varied phrases it has been declared to be the worst form of government that could torture and afflict mankind. But I do not inveigh merely against a tendency in this country toward a bureaucratic form of government. We have one now—brought to us by the "new deal."

Fed on fabulous sums of the people's money, this bureaucracy has grown with astonishing rapidity. In its various branches and activities it has regimented the farmer, disturbed labor, placed impossible restrictions on business, and increased the cost of living without the compensating increase in purchasing power promised so profusely by its misguided sponsors. In short, it has meddled to no good purpose, so far as results have shown, in everyone's private affairs, after the manner and fashion of all bureaucracies of all time. Made desperate by the futility of their effort, its sponsors, if not checked, inevitably will demand more and more power and undertake more and more experiments.

Republicans regard such a system of government as pernicious, undemocratic, and un-American—not justified by any emergency, past or present—and will fight to rid the country of it with all the vigor at their command.

The Republican Party still believes in a government of laws and not of men. It cannot subscribe to the fallacy now all too prevalent that any emergency can justify the substitution for constitutional government of government by slogans, labels, experiments, and personal whims. It has not been converted to the view that governmental economies, pledged by both parties in 1932 and desired by all at that time, have ceased to be desirable. Nor has it come to believe with the "new dealers" that we should spend before we earn—that we can borrow and squander ourselves into prosperity.

Republicans appreciate that under complex economic conditions of modern times more government is required than in Jefferson's day, when he announced the principle long subscribed to by men of both parties that "that government is best which governs least." But they would not reverse the dictum. They cannot now subscribe to the view that that government is best which governs most.

They cannot bring themselves to believe that the advent of the new deal put in reverse the most fundamental truths woven into the fabric and spirit of our institutions. They would change the instrumentalities of government as needed to conform to new conditions, but never in the process would they undermine the solid foundation on which the whole structure rests. They still cling to the ideal of individual liberty—call it "rugged individualism" if you will, either in praise or derision. They still believe in a sound money system, in the "bill of rights", and the inviolability of all guaranties under the Constitution.

Most of all, they believe in a representative form of government, as provided for in the Constitution, with its checks and balances between legislative, executive, and judicial branches, and all that the term implies. They do not want it changed to any other form by direction or indirection, by intention or tendency. In the campaign to come they will endeavor to send men to represent them in the legislative branch of the National Government who hold to this view and will remain steadfast in this faith.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. DEROUEN for 4 days, beginning Monday, on account of important business.

HOUR OF MEETING

Mr. BYRNS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock on Monday.

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

There was no objection.

NEPOTISM

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. MITCHELL. Mr. Speaker, I recognize that it is late in the evening and that the House does not want to be detained.

Early in the Seventy-second Congress and likewise at the beginning of the Seventy-third Congress I introduced a resolution which I think should have the serious consideration of my colleagues in this body. It is H.R. 1684, a bill to prevent the practice of nepotism.

I hope I may have the opportunity a little later to be more fully heard with reference to this particular measure. I know it possesses merit. I respect each and every Member of this great Assembly. I know it is incumbent upon the Members of Congress to set an example, not only for the Federal Government but for State governments and for municipal governments.

Nepotism is defined as a system or custom practiced by several of the earlier popes of granting high honors, dignities, offices, pensions, and the like, to their family relatives,

generally their nephews; hence, family favoritism of any sort.

Webster's International Dictionary defines nepotism:

1. Favoritism shown to nephews and other relatives; bestowal of patronage by reason of relationship, rather than merit.
2. Excessive fondness for one's nephews.

Thomas Jefferson said:

The public will never be made to believe that an appointment of a relative is made on the ground of merit alone, uninfluenced by family views; nor can they ever see with approbation offices, the disposal of which they intrust to their President for public purposes, divided out as family property.

Woodrow Wilson refused to appoint his brother to a Federal position. I am glad that Senator JOSEPH C. O'MAHONEY, while First Assistant Postmaster General, now a United States Senator, ordered all third-class postmasters to discontinue employment of members of their family, effective May 1, 1933. This affected 10,500 post offices in America. Postmasters were ordered to select unemployed and unrelated who were competent and deserving, and those having dependents being given preference who were out of work.

I am indebted to Raymond Clapper, of the Washington Post, for most helpful suggestions in this discussion, taken from his most excellent publication, entitled "Racketeering in Washington", and also to the Universal News Service, the Associated Press, United Press, and International News Service for their loyal cooperation and support.

Congress should not surrender its powers. The "new deal" must not expect republican form of government in the United States to be abandoned. It is true many nations of the earth adopt a one-man government. This must not be in the United States. We have sacrificed too much in blood and treasure through our forefathers to permit government of, for, and by the people to perish.

Mussolini rules Italy. Russia is governed by a group of Communist Party leaders. Japan by a military junta. England by a few able men in Parliament, who are responsible for Great Britain's Government. Germany is controlled and governed by Hitler.

Apparently representative government and legislative branches of government have weakened, and the people have lost confidence in their leadership. Public confidence must be restored in legislative bodies. Congress itself has been in bad repute.

Since the administration of President Roosevelt began conditions growing out of the depression have demanded broad Executive powers, largely because the Congress had ceased to function for the people.

We are now going through an economic and peace-time revolution. Many experiments in government are taking place. Many untried fields are being explored. Many economists have been substituted for politicians. All the people and their businesses are interested in Washington. Decisions are daily made here which affect the lives, occupations, and incomes of 125,000,000 people. This is a big responsibility.

Congress and the President must, therefore, be above suspicion. This is no time or place to pad the family pay roll. It is no time to hire relatives and the next of kin. Too many out of employment in America for this. The people honor the Membership here by voting for and sending them to Capitol Hill as their spokesmen and representatives. It is no time or place for selfishness and greed.

We must have clean men in office. We must have honest men in office. We must have unselfish men in office.

The future of our national life is at stake. We must have a high standard of public service.

We must return from the road of bankruptcy to one of solvency and security. Expenses must cease to go up while revenues go down. The people must be employed with a proper wage scale. The taxpayers must no longer be crucified. The idle relatives must not longer remain on Government pay rolls. Savings for the taxpayers must be had. The sons-in-law, daughters-in-law, and all the other in-laws, and the wives, sons, and daughters should not be on the pay roll. Even if they do the work they are supposed to do, it sets a bad example over the country for the State, county, and municipal governments. Many States, like Oklahoma and Missouri, have constitutions that provide against the employment and appointment of the next of kin of the appointing power.

Men sent here are public servants. They represent the people. No reason exists for Government-paid chauffeurs, private elevators, nor private dining rooms, in which a Member of the House or the Senate may take his personal guests and next of kin to eat food served by waiters who are paid by the taxpayers of America.

The people who elect and send us here have no such comfortable and palatial surroundings. Why should their representatives become so much preferred over those who pay the bill? This should not be the case. The Members of both branches of Congress will profit by keeping in close touch with the people. No stream should undertake to rise above its source.

We will not deserve, nor will we have, the confidence of the people as long as Members at either end of the Capitol have their relatives on the pay roll, and who, at the time, are often many miles away from their work. We will not merit public confidence if this is continued. We will not have public respect unless we deserve it.

We get in life that to which we are entitled. Not only Congress but the departments of government are filled with those guilty of nepotism. Many wives, sons, and daughters are employed by some department head not because of merit but because of family relationship. It is indirectly obtaining money by means of false pretense. It is a crime against the taxpayers. It is a crime against America. It is selfishness and greed that resembles the practices of the rulers of the Dark Ages. It is modeled after the so-called "divine right of kings."

Many underpaid clerks are forced to do the work of some wife or daughter or son of a Member, who receives most of the pay, and the clerk who does the real work gets a starvation wage. Shame on a practice of this kind. It is graft of the rankest kind to put the next of kin on the pay roll as a clerk in the Member's office at a salary of $3,900 per year, when he or she does not come to the office once a month, but, instead, employs a stenographer at $50 or $60 per month to do his or her work, while the difference is kept in the family purse. This is robbing the taxpayers to that extent, and in the amount represented by the steal.

It is a disgrace. Millions are still unemployed, hungry, and walking the streets and highways while Congressmen pad their own salaries by the practice of nepotism and take the allowance provided for them to themselves for clerk hire and put it in their own pockets or send their children to school on the proceeds, or the wife enters so-called "society" in the Nation's Capital and entertains at the expense of the people back home. No wonder Congress has suffered in the estimation of the people. The Members of both branches here are guilty of this nefarious practice. They seek to outlaw and belittle anyone who may arise to protest this practice of greed, graft, and selfishness. It is necessary that the practice be clothed in secrecy and kept in darkness.

Those guilty meet in cloakrooms and secret conferences to console each other and seek a way to justify the graft on the basis that they are worth to their people and district more than the salary allowed. Wonder if they would advise their constituents back home that they are getting extra pay in this way?

Vice is a monster of so frightful mien,
As to be hated needs but to be seen;
Yet seen too oft, familiar with her face,
We first endure, then pity, then embrace.

The public have rights. The people are entitled to know. Through the bill introduced by me in the Seventy-second and Seventy-third Congresses the Clerk of the House was forced to reveal how the public money was being spent by the Members. The records are now open for inspection, and, to the discredit of the present Membership, many names appear on the Clerk's rolls during the Seventy-third Congress as related to the Members.

It was impossible for a long time to know from the Clerk's report who was a Member's secretary.

The bill I have introduced and which is now pending before the Committee on Accounts is no. 1684.

By its provisions a Member cannot employ any of his relatives within the third degree.

It also makes it unlawful for a Representative or Senator to employ the relatives of other Members. I hope all those who want clean government will help in my efforts to have this bill favorably reported by the Committee on Accounts to the floor for passage this session.

It is no excuse or justification that the Vice President and the Speaker of the House have their wives employed as clerks on the pay roll. At the last session of Congress more than 133 Members were guilty. At this session about 65 Members still practice it. The Members in the other Chamber are more guilty of this practice. Thirty-seven out of the ninety-six total in that body are guilty, or were, in the last Congress.

No Member will keep down appropriations in other departments of Government where his next of kin are employed or benefited by his actions. He handicaps himself by his own wrong. It is not only a financial loss to the taxpayers, but a moral loss to the Member. It costs him much in his own self-respect, to say nothing of the lack of confidence and esteem which he suffers by those who look to Washington for an example in good government. Let us right this wrong.

Every Member of the House is allowed $5,000 for clerk hire per year. The Representative may divide this between two employees, but he is restricted in that he can only pay $3,900 a year to any one employee—the remainder to the second clerk. The chairmen of committees are allowed extra clerks.

Senators are allowed $10,320 per year for clerk hire, which they must divide among four clerks at salaries ranging from $3,900 down to $1,800 a year. Committee chairmen in the Senate are allowed one extra clerk and often more.

Mileage of 15 cents per mile each way to cover cost of travel of Members in both branches should be eliminated altogether. In the House this costs $175,000. With good roads and automobiles we can now easily and inexpensively come to Washington from all parts of the country. It is no longer expensive to travel. The present mileage rate was fixed in 1866 and was not reduced until last year, from 20 to 15 cents per mile.

It does not cost as much to travel now as it did when the rate was fixed before the automobiles and the pikes. We are not entitled to mileage and it should not be allowed. As a matter of economy and saving to the taxpayers mileage should be discontinued.

The Members of the other Chamber force the taxpayers to pay for their shaves and haircuts, their marble baths with professional rubbers, a pool of filtered water, violet-ray lamps, rowing and weighing machines; also many different kinds of mineral waters, free transportation from office to Senate, and free garage service in the new Senate garage. Each Member who dies in office has the expense of the funeral borne by the taxpayers and the casket expense included, which must not exceed $400. The widow of the Member is paid a salary of $10,000 for the next year, and the deceased Member's clerk is paid for 1 month, and his estate gets the balance of the stationery allowance unexpended.

I have introduced a resolution which, if adopted by the House, will stop all this in the future.

Members of Congress have the use of free mail, or the franking privilege on Government business from the day of their election.

Farmers, who pay the taxes to support their Representatives in luxury, have a right to rebel at this condition.

The Senate, for the year ending June 30, 1933, spent over $3,000,000 for its own operations and personnel.

The House, with 435 Members, spent over $8,000,000; the Architect of the Capitol, $1,800,000; the Speaker's office costs about $20,000 per year; the Clerk of the House costs $163,730 per year; different committees cost about $300,000 per year; the Doorkeeper of the House costs $250,000 per year; clerk hire of Members, $2,200,000 per year.

Graft and greed is not confined to any particular political party—each is equally guilty—the Democratic leader in the Senate formerly had 3 out of 5 secretaries close relatives—one a brother-in-law who lived in Little Rock, Ark., and drew a salary of $2,200 per year, while he was president, at the time, of the S.W. Joint Stock Land Bank. He was called a contact man.

The majority leader had his aged mother-in-law as a clerk. She received $2,580 per year and lived in Arkansas with her son, and did nothing to earn the pay. He took her off the pay roll when criticism came thick and fast, and appointed the wife of his nephew, to be certain not to violate the principle of nepotism. At the same time, the nephew was a clerk in the office.

During the Hoover administration, Senator TOWNSEND, of Delaware, was president of a construction company which did $200,000 worth of work for the Government in the District of Columbia. At the same time, his son was vice president of this company and secretary to his father's Senate committee, which passed on senatorial expenditures. The son drew $3,900 per year.

In 1932, Senator Brookhart, who is now in the Government service and a Republican from Iowa, drew a salary of $10,000 per year as Member of the Senate and had his son clerk of his committee at the time at $5,400 per year; another son, his clerk in the Senate office at $3,900 per year; and a daughter at a salary of $2,200 per year; and a brother referee in bankruptcy at $2,500 per year; and another brother bailiff in court at a salary of $1,800 per year; and a daughter, Miss Florence, on a salary of $2,200 per year, and Miss Edith took her place and finished school at George Washington University in Washington at the time she was supposed to be clerk in her father's office.

This is the same Republican now holding an appointment in the Department of Agriculture under the administration of President Roosevelt, which calls for a new deal. I know of no reason why this nepotic Republican, who drew $25,000 per year from the taxpayers through himself and family, should be rewarded with any Democratic patronage. Why give him a place when so many deserving Democrats are without means of support? This is part of the new deal with which I cannot agree, and know of no defense for his appointment from a Democratic viewpoint. Surely the ex-Senator is most selfish and far removed from being entitled to Democratic patronage. His own State at the time had a law against nepotism, yet we take up this Republican and defend his actions of greed and graft and appoint him to a position he is most unsuited to fill and most unworthy to adorn. While he was a Member of the Senate he was absent 49 days, making speeches at $200 and $300 per day, and should have deducted this salary, but no deductions were made. He drew $30 per day and was not present to earn one cent of it. He came to Washington to get his mileage and had the Clerk note his presence so as to perfect the graft and went to the disbursing clerk and drew $416 in mileage, which, as a matter fact, with a lower berth, would have cost only $97.48. The next day he went West and was lecturing to the people on public affairs and honesty in Government. "By their fruits ye shall know them." "Upon what meat hath this our Caesar fed that he hath grown so great?" Why give him an appointment anywhere? Certainly not a Democratic one.

Senator DICKINSON, the Republican keynoter of Iowa—"Hell-raising Dick"—had as his secretary Rollin Hunter, his son-in-law, on the House pay roll, and his son as clerk in his father's office at a salary of $275 per month. His son-in-law was listed as a messenger in the House post office, which may have meant a messenger or college student or just a plain excuse for collecting a salary off the taxpayers.

The Democratic keynoter, Hon. ALBEN W. BARKELEY, who spoke at Chicago, had a son and a daughter on the Senate pay roll as his clerks. His son drew $3,900 per year, and his daughter, L. L. Barkley, drew $1,800 per year.

Many others equally prominent might be mentioned if time would permit.

There is no rule governing the appointment of secretaries to Members of Congress other than the fact that no one appointee shall receive more than $3,900 of the $5,000 allowed per year.

The Members of the House and Senate are permitted to use their discretion in making their appointments.

To our shame, more than 50 percent of the Members of Congress appoint their relatives to Government positions. Not only do Members of Congress appoint their relatives, but the different departments are filled with the relatives of those in charge, all appointed because of being related rather than because of merit or fitness for the position to which they are assigned.

They are selected because of family tie rather than merit. This cannot be defended. It is practiced in the dark. If it cannot be defended in the light, it is indefensible anywhere and everywhere. Some are appointed who do not even come to Congress, and who perform only nominal public service, but look after the private or political affairs of the Members back in their home districts, at the expense of the taxpayers.

Many State legislatures have prevented this by statute. Then why should the Federal Government tolerate it longer in Congress or in any of the departments of Government? It permeates every department, from and including the White House down to the janitors who work in the Capitol.

It is most difficult to obtain the names of all the offenders. Time and space will not permit in a speech here to give them all. The report of the Clerk of the House is supposed to carry the names, as is also the report of the Secretary of the Senate. The report of the Clerk is obscure and concealed in a medley of statistics.

The congressional pay roll is most difficult to obtain, though it is supposed to be public. Those who endeavor to get access to the rolls are confronted with much difficulty and many questions. The clerks in charge frown upon them. They themselves are equally guilty of the practice, and have their next of kin on their pay rolls and staff, so it is necessary to prevent the "pitiless light of publicity" to be turned upon this system of family greed, graft, and selfishness.

The New York World recently carried this statement:

> It is of record that one western Representative, who was chairman of a committee, employed his son at $2,240, a daughter at $1,440, and a nephew at $2,230 a year. It is of record that one Senator had his wife for secretary, his father-in-law for a clerk, and a son engaged as a page. And one Congressman had his 15-year-old daughter down on the pay roll for $940 a year, which helped to pay the child's way in school and gave her the pin money that any schoolgirl can use incidental to getting an education.

We talk of unemployment. Why not get outside the family and afford others opportunities for a job and a position in the Nation's Capital?

They talk of the jobless and at the same time practice nepotism and contribute to the wrong of which they complain aloud to the country and the galleries, and while doing this in secret use dummies and so-called "working secretaries" in Washington who do most of the work and frequently receive least of the pay.

There is an army of wives, sons, daughters, and relatives yet remaining on the congressional pay roll at both ends of the Capitol. It has decreased some since the introduction of my bill on this subject in the House during the Seventy-second Congress, yet is practiced all too much.

The President of the United States and the Speakers of the House and the Senate each are guilty of this practice before the country and taxpayers of America today. The more prominent the offender the greater the wrong in the public eye.

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. 3533. An act to amend the act entitled "An act creating the Mount Rushmore National Memorial Commission and defining its powers and purposes", approved February 25, 1929, and for other purposes; to the Committee on the Library.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, 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. 2032. An act for the relief of Richard A. Chavis;

H.R. 3985. An act for the relief of Charles T. Moll; and

H.R. 9061. An act 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, 1935, and for other purposes.

ADJOURNMENT

Mr. BYRNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 48 minutes p.m.) the House, pursuant to its previous order, adjourned until Monday, June 4, 1934, at 11 o'clock a.m.

MOTION TO DISCHARGE COMMITTEE

MAY 1, 1933.

To the CLERK OF THE HOUSE OF REPRESENTATIVES:

Pursuant to clause 4 of rule XXVII (see rule on last page), I, Hon. F. B. SWANK, move to discharge the Committee on Agriculture from the consideration of the bill H.R. 2855, entitled "A bill to liquidate and refinance agricultural indebtedness at a reduced rate of interest by establishing an efficient credit system, through the use of the Federal Farm Loan System, the Federal Reserve Banking System, and creating a Board of Agriculture to supervise the same", which was referred to said committee March 10, 1933, in support of which motion the undersigned Members of the House of Representatives affix their signatures, to wit:

1. F. B. Swank
2. Magnus Johnson
3. Will Rogers
4. Ernest Lundeen
5. Harold Knutson
6. Theodore Christianson
7. E. W. Marland
8. Wesley E. Disney
9. Wm. Lemke
10. Jed Johnson
11. Wilburn Cartwright
12. W. D. McFarlane
13. Edgar Howard
14. Gerald J. Boileau
15. F. H. Shoemaker
16. Tom D. McKeown
17. Henry Arens
18. Gardner R. Withrow
19. Hubert H. Peavey
20. Raymond J. Cannon
21. James A. Frear
22. Fred C. Gilchrist
23. J. V. McClintic
24. Fred H. Hildebrandt
25. Finly H. Gray
26. John H. Hoeppel.
27. Kathryn O'Loughlin McCarthy
28. J. H. Sinclair
29. Paul John Kvale
30. W. Frank James
31. Terry Carpenter
32. Randolph Carpenter
33. Ray P. Chase
34. Charles V. Truax
35. Theo. B. Werner
36. M. A. Zioncheck
37. Knute Hill
38. Mon C. Wallgren
39. Martin F. Smith
40. Frank H. Lee
41. R. T. Wood
42. Frank Gillespie
43. M. A. Dunn
44. B. K. Focht
45. Chas. I. Faddis
46. Charles N. Crosby
47. Walter M. Pierce
48. G. W. Blanchard
49. J. Murray Turpin
50. Carl M. Weideman
51. J. C. Lehr
52. Roy E. Ayers
53. Joseph P. Monaghan
54. G. Foulkes
55. C. W. Henney
56. W. P. Lambertson
57. Otha D. Wearin
58. James W. Mott
59. L. T. McFadden
60. G. M. Gillette
61. Vincent Carter
62. J. G. Polk
63. A. C. Willford
64. Edward C. Eicher
65. C. C. Dowell
66. J. Will Taylor
67. Sterling P. Strong
68. George B. Terrell
69. Leo E. Allen
70. Thomas O'Malley
71. James Hughes
72. Clyde Kelly
73. John Lesinski
74. Carroll Reece
75. J. T. Buckbee

76. Fred Cummings
77. T. Alan Goldsborough
78. Jesse Wolcott
79. Lloyd Thurston
80. Walter Nesbit
81. Roy O. Woodruff
82. M. J. Hart
83. George G. Sadowski
84. Frank R. Reid
85. Martin L. Sweeney
86. Martin J. Kennedy
87. Frank C. Kniffin
88. John A. Martin
89. Glenn Griswold
90. Sam L. Collins
91. Braswell Deen
92. Wm. I. Traeger
93. Warren J. Duffey
94. Abe Murdock
95. Tillman B. Parks
96. C. W. Turner
97. D. D. Glover
98. William P. Connery, Jr.
99. Henry E. Stubbs
100. Clarence J. McLeod
101. J. Howard Swick
102. Oscar De Priest
103. I. H. Doutrich
104. P. H. Moynihan
105. Kent E. Keller
106. John E. Miller
107. L. T. Marshall
108. Ben Cravens
109. Einar Hoidale
110. J. Banks Kurtz
111. Harry W. Musselwhite
112. C. C. Dickinson
113. Wesley Lloyd
114. Clifford R. Hope
115. U. S. Guyer
116. R. M. Duncan
117. Edward R. Burke
118. Robert F. Rich
119. George A. Dondero
120. Prentiss M. Brown
121. B. M. Jacobsen
122. Stephen W. Gambrill
123. C. W. Tobey
124. Fred Biermann
125. J. O. Fernandez
126. Paul H. Maloney
127. George F. Brumm
128. E. M. Dirksen
129. Compton I. White
130. William T. Schulte
131. Stephen M. Young
132. John H. Morehead
133. T. A. Jenkins
134. Joseph W. Bailey, Jr.
135. A. C. Shallenberger
136. J. G. Scrugham
137. William I. Sirovich
138. I. Bacharach
139. B. Fletcher
140. Harold McGugin
141. John G. Cooper
142. Isabella Greenway
143. James A. Meeks
144. D. C. Dobbins
145. Harry L. Englebright

This motion was entered upon the Journal, entered in the CONGRESSIONAL RECORD with signatures thereto, and referred to the Calendar of Motions to Discharge Committees June 2, 1934.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H.R. 9740. A bill to authorize the city of South Sioux City, in the State of Nebraska, to construct a bridge across the Missouri River between the States of Nebraska and Iowa; with amendment (Rept. No. 1868). Referred to the House Calendar.

Mr. BUCHANAN: Committee on Appropriations. H.R. 9830. A bill making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes; without amendment (Rept. No. 1879). 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. BLACK: Committee on Claims. S. 1760. An act for the relief of the Snare & Triest Co., now Frederick Snare Corporation; with amendment (Rept. No. 1869). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 1786. An act for the relief of Lucile A. Abbey; without amendment (Rept. No. 1870). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 2242. An act for the relief of the Collier Manufacturing Co., of Barnesville, Ga.; without amendment (Rept. No. 1871). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 2272. An act for the relief of Bert Moore; without amendment (Rept. No. 1872). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 2617. An act for the relief of the estate of Jennie Walton; with amendment (Rept. No. 1873). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 2619. An act for the relief of E. Clarence Ice; without amendment (Rept. No. 1874). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 2906. An act for the relief of Ransome Cooyate; with amendment (Rept. No. 1875). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 3096. An act for the relief of John T. Garity; without amendment (Rept. No. 1876). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims.. S. 3366. An act for the relief of C. O. Meyer; with amendment (Rept. No. 1877). Referred to the Committee of the Whole House.

Mr. BLACK: Committee on Claims. S. 3486. An act for the relief of George L. Rulison; without amendment (Rept. No. 1878). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. IGLESIAS: A bill (H.R. 9825) to amend an act entitled "An act to provide a civil government for Puerto Rico, and for other purposes", approved March 2, 1917; to the Committee on Insular Affairs.

By Mr. WILLIAMS: A bill (H.R. 9826) granting the consent of Congress to the State highway commission to construct, maintain, and operate a highway bridge across Eleven Points River in section 17, township 23 north, range 2 west, approximately 12 miles east of Alton, on route no. 42, Oregon County, Mo.; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H.R. 9827) granting the consent of Congress to the State highway commission to construct, maintain, and operate a highway bridge across Eleven Points River in section 17, township 23 north, range 2 west, approximately 12 miles east of Alton, on route no. 42, Oregon County, Mo.; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEY: A bill (H.R. 9828) to regulate fares and tolls on certain bridges in the case of pedestrians and motorbus passengers; to the Committee on Interstate and Foreign Commerce.

By Mr. FLANNAGAN: A bill (H.R. 9829) to amend the Agricultural Adjustment Act with respect to the processing tax on hogs; to the Committee on Agriculture.

By Mr. BUCHANAN: A bill (H.R. 9830) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1934, and prior fiscal years, to provide supplemental general and emergency appropriations for the fiscal years ending June 30, 1934, and June 30, 1935, and for other purposes; to the Committee on Appropriations.

By Mr. IGLESIAS: A bill (H.R. 9831) to enable the people of Puerto Rico to form a constitution and state government and be admitted into the Union on an equal footing with the States; to the Committee on the Territories.

By Mr. SUMNERS of Texas: Resolution (H.Res. 416) to print the manuscript entitled "Provisions of Federal Law Held Unconstitutional by the Supreme Court of the United States"; to the Committee on Printing.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4915. By Mr. BOYLAN: Letter from the Expanded Metal Engineering Co., New York City, favoring the passage of Senate bill 3603 providing loans for remodeling to responsible borrowers; to the Committee on Banking and Currency.

4916. Also, resolution presented at the annual meeting of the Metropolitan League of Savings and Loan Association, comprising associations in the five counties of Greater New York, and the counties of Nassau, Putnam, Rockland, Suffolk, and Westchester, favoring the establishment of decent

and adequate minimum wages and the limitation of maximum working hours comporting with the increased productive power of our workers and the need for spread of work, etc.; to the Committee on Labor.

4917. By Mr. JOHNSON of Texas: Memorial of J. E. Hintz, president Oil Field Lumber Co., Mexia, Tex., favoring House bill 9620, national housing bill; to the Committee on Banking and Currency.

4918. By Mr. LANZETTA: Petition of the Knights of Columbus, New York Chapter, and the Harlem Council No. 346, Catholic Daughters of America, Court Columbia no. 45, all of New York City, and the Supreme Council, Catholic Benevolent Legion, Brooklyn, N.Y.; to the Committee on Merchant Marine, Radio, and Fisheries.

4919. By Mr. LINDSAY: Petition of the Metropolitan League of Savings and Loan Associations, New York City, favoring wide-spread relief projects to relieve unemployment; to the Committee on Labor.

4920. Also, petition of the Sperry Products, Inc., Brooklyn, N.Y., opposing the Wagner-Connery bills; to the Committee on Labor.

4921. Also, telegram of Greenhill & Daniel, Inc., Brooklyn, N.Y., objecting to the passage of the Wagner labor bill; to the Committee on Labor.

4922. Also, petition of the Magnuson Products Corporation, Brooklyn, N.Y., opposing the Wagner bill (S. 2926); to the Committee on Labor.

4923. Also, petition of K. & O. Co., Inc., Brooklyn, N.Y., opposing the Wagner bill (S. 2926); to the Committee on Labor.

4924. Also, petition of the Seabrook Bedding Co., Inc., Brooklyn, N.Y., opposing the Wagner bill (S. 2926); to the Committee on Labor.

4925. Also, telegram of the Brass Goods Manufacturing Co., Brooklyn, N.Y., opposing the Wagner labor bill (S. 2926); to the Committee on Labor.

4926. Also, petition of Abram Hussey, of Brooklyn, N.Y., opposing the passage of Senate bill 2926, the Wagner labor-disputes bill; to the Committee on Labor.

4927. Also, petition of Fairchild Sons, morticians, Brooklyn, N.Y., opposing the Wagner labor bill in its present form; to the Committee on Labor.

4928. Also, petition of F. H. Von Damm, Brooklyn, N.Y., opposing the Wagner labor dispute bill; to the Committee on Labor.

4929. Also, petition of the MacFadden Publications, Inc., New York City, opposing the Wagner labor bill; to the Committee on Labor.

4930. By Mr. RUDD: Petition of Greenhill & Daniel, Inc., Brooklyn, N.Y., opposing the passage of the Wagner labor bill; to the Committee on Labor.

4931. Also, petition of Brass Goods Manufacturing Co., Brooklyn, N.Y., opposing the Wagner labor bill (S. 2926); to the Committee on Labor.

4932. Also, petition of Bernarr McFadden, publisher, New York City, opposing the Wagner labor disputes bill; to the Committee on Labor.

4933. Also, petition of the Brooklyn Borough Gas Co., Brooklyn, N.Y., opposing the revised Wagner labor disputes bill (S. 2326); to the Committee on Labor.

4934. Also, petition of Abram Hussey, 380 Pearl Street, Brooklyn, N.Y., opposing the Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4935. Also, petition of K. & O. Co., Brooklyn, N.Y., opposing the Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4936. Also, petition of the Magnuson Products Corporation, Brooklyn, N.Y., opposing the Wagner labor disputes bill (S. 2926); to the Committee on Labor.

4937. Also, petition of the Baseball Magazine Co., New York City, favoring appropriation for the construction of baseball diamonds generally throughout the United States; to the Committee on Appropriations.

4938. By Mr. GLOVER: Resolution of Pine Bluff Printers Club, Pine Bluff, Ark.; to the Committee on Ways and Means.

4939. By the SPEAKER: Petition of the Conference on Problems of Minorities; to the Committee on Indian Affairs.

4940. Also, petition of the American Mining Congress, supporting the 30-hour-week bill; to the Committee on Labor.

4941. Also, petition of Julius Egger and others, supporting House bill 9596; to the Committee on Interstate and Foreign Commerce.

4942. Also, petition of W. F. Frawley and others, supporting House bill 9596; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, JUNE 4, 1934

(Legislative day of Monday, May 28, 1934)

The Senate met at 10 o'clock a.m., on the expiration of the recess.

THE JOURNAL

On motion of Mr. HARRISON, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, June 1, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HARRISON. 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:

Adams	Costigan	Johnson	Robinson, Ark.
Ashurst	Couzens	Kean	Russell
Austin	Cutting	Keyes	Schall
Bachman	Davis	La Follette	Sheppard
Bailey	Dickinson	Lewis	Shipstead
Bankhead	Dieterich	Logan	Smith
Barbour	Dill	Lonergan	Steiwer
Barkley	Duffy	Long	Stephens
Black	Erickson	McCarran	Thomas, Okla.
Bone	Fess	McGill	Thomas, Utah
Borah	Fletcher	McKellar	Thompson
Brown	Frazier	McNary	Townsend
Bulkley	George	Metcalf	Tydings
Bulow	Gibson	Murphy	Vandenberg
Byrd	Goldsborough	Norbeck	Van Nuys
Byrnes	Gore	Norris	Wagner
Capper	Hale	Nye	Walcott
Caraway	Harrison	O'Mahoney	Walsh
Carey	Hastings	Overton	Wheeler
Clark	Hatch	Patterson	White
Connally	Hatfield	Pittman	
Coolidge	Hayden	Pope	
Copeland	Hebert	Reynolds	

Mr. LEWIS. I announce the absence of the Senator from California [Mr. McADOO], due to continued illness, and the absence of the Senator from West Virginia [Mr. NEELY], the Senator from Virginia [Mr. GLASS], and the Senator from Florida [Mr. TRAMMELL], who are necessarily detained from the Senate.

Mr. HEBERT. I announce that the Senator from Pennsylvania [Mr. REED] and the Senator from Indiana [Mr. ROBINSON] are necessarily absent from the Senate.

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

DEFICIENCY AND SUPPLEMENTAL ESTIMATES OF APPROPRIATIONS UNDER DEPARTMENT OF JUSTICE (S.DOC. NO. 187)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting deficiency estimates of appropriations for the fiscal years 1930, 1931, and 1932 in the sum of $659.49, and supplemental estimates of appropriations for the fiscal year 1935 in the sum of $2,933,673, amounting in all to $2,934,332.49, and draft of a proposed provision pertaining to an existing appropriation under the Department of Justice, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

SUPPLEMENTAL ESTIMATES OF APPROPRIATIONS FOR VOCATIONAL EDUCATION (S.DOC. NO. 186)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, supplemental estimates of appropriations for the Department of the Interior, fiscal year 1935,